

BROMSGROVE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

FRIDAY 2ND DECEMBER 2016

LICENSING ACT 2003

APPLICATION FOR VARIATION OF A PREMISES LICENCE

CO-OP 5 ST KENELMS ROAD, ROMSLEY, B62 0NU

PUBLIC HEARING	
Director:	Head of Worcestershire Regulatory Services
Contact Officer:	Sayful Alom Licensing Officer 01562 738010 Sayful.alom@worcsregservices.gov.uk
Ward affected:	Belbroughton and Romsley
Appendices:	Appendix 1 – Application Form Appendix 2 – Existing Licence Appendix 3 – Representations from other parties

1. PURPOSE OF REPORT

- 1.1 To consider and determine an application for variation of the premises licence in respect of the premises below:

**Co-op
5 St Kenelms Road
Romsley
Worcestershire
B62 0NU**

A copy of the application is attached at Appendix 1.

- 1.2 The premises currently benefits from a premises licence. A copy of the existing licence is attached at Appendix 2.

2. BACKGROUND

2.1 On 11th October 2016 an application was received from Co-operative Group Food Ltd for variation of the premises licence in respect of

Co-op

5 St Kenelms Road

Romsley

Worcestershire

B62 0NU

2.2 The application contained all the requisite documentation including the fee.

2.3 The application has been advertised in accordance with the requirements of the Licensing Act 2003 and associated regulations and the application has also been served on all responsible authorities.

2.4 Currently the premises is licensed for Sale of Alcohol for consumption off the premises Monday to Saturday 08:00 – 23:00 and Sundays 10:00 – 22:30 (see Appendix 2).

The applicant is applying for the following variations to their existing licence:

Sale of Alcohol for consumption off the premises:

Everyday 07:00 - 23:00 and to remove any conflicting or embedded restrictions. .

3. REPRESENTATIONS

Responsible Authorities

3.1 Worcestershire Regulatory Services have not received any representations to the application from any Responsible Authority.

Other Persons

3.2 Worcestershire Regulatory services are in receipt of 23 representations objecting to the grant of the application on the grounds of Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance, from local residents. Copies of the representations can be found attached at Appendix 3.

4. LOCAL POLICY CONSIDERATIONS

4.1 The Sub-Committee should have regard to the Council's Statement of Licensing Policy under the Licensing Act 2003.

- 4.2 The Council's Statement of Licensing Policy is available to download from the Council's website or to request a hard copy, contact Worcestershire Regulatory Services on 01905 822799 or email wrsenquiries@worcsregservices.gov.uk

5. LEGAL IMPLICATIONS

- 5.1 The Sub-Committee is obliged to determine this application with a view to the promotion of the licensing objectives which are:
- the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance;
 - the protection of children from harm.
- 5.2 In making its decision, the Sub-Committee is also obliged to have regard to the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy.
- 5.3 The Sub-Committee must also have regard to the representations made and the evidence it hears.
- 5.4 The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
- (a) Grant the application as requested
 - (b) Modify the conditions of the licence, by altering or omitting or adding to them.
 - (c) Reject the application in whole or in part.
- 5.5 The Sub-Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.
- 5.6 All parties to the hearing will be notified of the Sub-Committee's decision in writing within five working days of the conclusion of the hearing.
- 5.7 Any party aggrieved by a decision taken by the Sub-Committee may appeal against the decision to a Magistrates' Court within 21 days of being notified of the decision in writing.
- 5.8 The hearing should be conducted in accordance with the agreed procedure.

6. FOR DECISION

- 6.1 The Sub-Committee must consider and determine the application.