

BROMSGROVE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

29TH MARCH 2017

LICENSING ACT 2003

APPLICATION FOR THE GRANT OF A PREMISES LICENCE

| PUBLIC HEARING | |
|--------------------------|---|
| Director: | Head of Worcestershire Regulatory Services |
| Contact Officer: | Sayful Alom Technical Officer 01905 822799 Tahsin.Rashid@worcsregservices.gov.uk |
| Ward(s) affected: | Hagley East |
| Appendices: | List of appendices e.g. Appendix 1 – Application Form Appendix 2 – Mediated Conditions with Police Appendix 3 – Representations from other parties |

1. PURPOSE OF REPORT

- 1.1 To consider and determine an application for grant of a premises licence in respect of

**Palladium House
139-141 Worcester Road
Hagley
Stourbridge
Worcestershire
DY9 0NW**

A copy of the application is attached at Appendix 1.

2. BACKGROUND

2.1 On 7 February 2017 an application was received from Bathams (Delph) Limited for grant of a premises licence in respect of

Palladium House
139-141 Worcester Road
Hagley
Stourbridge
Worcestershire
DY9 0NW

2.2 The application contained all the requisite documentation including the fee and a plan of the premises.

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

2.4 The applicant is applying for the following licensable activities:-

| Activity | Days | From | To | Indoors/Outdoors |
|---------------------------|------------------|-------------|-----------|-------------------------|
| Performance of Dance | Saturday | 11:00 | - 00:00 | Indoors |
| Performance of Dance | Sunday | 12:00 | - 22:30 | Indoors |
| Performance of Dance | Monday to Friday | 11:00 | - 23:00 | Indoors |
| Performance of Live Music | Saturday | 11:00 | - 00:00 | Indoors |
| Performance of Live Music | Sunday | 12:00 | - 22:30 | Indoors |
| Performance of Live Music | Monday to Friday | 11:00 | - 23:00 | Indoors |
| Playing of Recorded Music | Saturday | 11:00 | - 00:00 | Indoors |
| Playing of Recorded Music | Sunday | 12:00 | - 22:30 | Indoors |
| Playing of Recorded Music | Monday to Friday | 11:00 | - 23:00 | Indoors |
| Sale of Alcohol | Saturday | 11:00 | - 00:00 | |
| Sale of Alcohol | Sunday | 12:00 | - 22:30 | |
| Sale of Alcohol | Monday to Friday | 11:00 | - 23:00 | |

2.5 The designated premises supervisor identified in the application is Matthew Daniel Batham.

3. REPRESENTATIONS

Responsible Authorities

- 3.1 There have been no representations received from Responsible Authorities objecting to the grant of the application. The applicants have agreed some conditions with West Mercia Police during the mediation period. Should members decide to grant the application these conditions will form part of the licence. A copy of the conditions can be found attached as Appendix 2.

Other Persons

- 3.2 Worcestershire Regulatory Services are in receipt of 13 representations from members of the public objecting to the grant of the licence on the grounds of Crime & Disorder, Public Nuisance and Public safety. Copies of the representations can be found attached as 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.