

**BROMSGROVE DISTRICT COUNCIL**

**LICENSING SUB-COMMITTEE**

**29<sup>TH</sup> JULY 2019**

**LICENSING ACT 2003**

**APPLICATION FOR THE GRANT OF A PREMISES LICENCE**

**BIBBEY DC & SONS**

<b>PUBLIC HEARING</b>	
<b>Director:</b>	<b>Head of Worcestershire Regulatory Services</b>
<b>Contact Officer:</b>	<b>PAUL MORRISH TECHNICAL OFFICER (LICENSING) 01905 822799 enquiries@worcsregservices.gov.uk</b>
<b>Ward(s) affected:</b>	<b>Belbroughton And Romsley</b>
<b>Appendices:</b>	<b>Appendix 1 – Application Form and plan of premises Appendix 2 – Representation from Environmental Heath Appendix 3 – Representations from Other Persons</b>

**1. PURPOSE OF REPORT**

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

**Bibbey DC & Sons  
472 Bromsgrove Road  
Romsley  
Halesowen  
Worcestershire  
B62 0JL**

A copy of the application is attached at **Appendix 1.**

## 2. BACKGROUND

2.1 On 7 June 2019 an application was received from Mr William Stephenson for grant of a premises licence in respect of

Bibbey DC & Sons  
472 Bromsgrove Road  
Romsley  
Halesowen  
Worcestershire  
B62 0JL

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
Exhibition of Films	Everyday	10:00	- 22:00	Both
Performance of Live Music	Everyday	10:00	- 22:30	Both
Playing of Recorded Music	Everyday	10:00	- 22:30	Both
Sale of Alcohol	Everyday	11:00	- 22:00	

2.5 The designated premises supervisor identified in the application is William Stephenson.

2.6 The Applicant has agreed that the licence would only be used to authorise licensable activities on a maximum of 12 days per calendar year, and would only be used to authorise licensable activities for a maximum of 4 days in any calendar month.

## 3. REPRESENTATIONS

### Responsible Authorities

3.1 A representation has been received from Environmental Health relating to public nuisance. A copy of this representation is attached as **Appendix 2**

### Other Persons

3.1 Seven valid representations have been received from other persons. A copy of the representations are 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](mailto: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.