

BROMSGROVE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

12TH AUGUST 2020

LICENSING ACT 2003

APPLICATION FOR THE GRANT OF A PREMISES LICENCE

TRANQUIL BAR LIMITED

PUBLIC HEARING	
Director:	Head of Worcestershire Regulatory Services
Contact Officer:	Paul Morrish - Technical Officer (Licensing) Worcestershire Regulatory Services 01905 822799 enquiries@worcsregservices.gov.uk
Ward(s) affected:	Alvechurch South
Appendices:	Appendix 1 – Application Form and Plan of Premises Appendix 2 – Agreed revision of hours/condition with Police Appendix 3 – Representation from Police Appendix 4 – Representations from other parties (objections) Appendix 5 - Representation from other parties (support)

1. PURPOSE OF REPORT

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

**Tranquil Bar Limited
1 Bear Hill
Alvechurch
Worcestershire
B48 7JX**

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

2. BACKGROUND

2.1 On 18 June 2020 an application was received from Ervin Sadria for grant of a premises licence in respect of

Tranquil Bar Limited
1 Bear Hill
Alvechurch
Worcestershire
B48 7JX

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
Anything of a Similar Description to Regulated Entertainment	Friday to Saturday	23:00	- 01:00	Indoors
Performance of Live Music	Friday to Saturday	23:00	- 01:00	Indoors
Late Night Refreshment	Friday to Saturday	23:00	- 01:00	Both
Playing of Recorded Music	Friday to Saturday	23:00	- 01:00	Indoors
Sale of Alcohol	Friday to Saturday	11:30	- 01:00	
Sale of Alcohol	Sunday to Thursday	11:30	- 23:00	

2.5 The designated premises supervisor identified in the application is Ervin Sadria.

2.6 During the application consultation period, the applicant has agreed with the Police to reduce hours of licensable activities and the addition of a condition relating to the closure of the outside area at 22:00 hours. This would form part of the premises licence operating schedule and conditions should a premises licence be granted. A copy of the revised hours and the condition that has been agreed to, is attached at **Appendix 2**.

3. REPRESENTATIONS

Responsible Authorities

- 3.1 Subject to the addition of the agreed revision of hours and condition to any licence granted, the Police have confirmed they support the application. A copy of report and representation received from the Police, is attached at **Appendix 3**
- 3.2 No further representations have been received from any of the other responsible authorities that were notified as part of the application process.

Other Persons

- 3.3 39 valid representations have been received from other persons objecting to the application. Concerns are raised relating to each of the four licensing objectives. A copy of the representations received from other persons objecting to the application is attached at **Appendix 4**.
- 3.4 One valid representation has been received from other persons supporting the application and the promotion of the licensing objectives. A copy of this representation is attached at **Appendix 5**.
- 3.5 A number of the representations also make reference to parking issues associated with the application. Members need to be reminded that parking matters are not considered valid representations under the four licensing objectives outlined in the legislation, and would normally be considered as part of any planning application. Furthermore, references are also made relating to planning permission for the usage of the premises, which cannot be considered as a valid representation that is relevant to the licensing objectives.

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 enquiries@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.