

**BROMSGROVE DISTRICT COUNCIL**

**LICENSING SUB-COMMITTEE**

**4<sup>TH</sup> AUGUST 2021**

**LICENSING ACT 2003**

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

**COFFEE N CLAY**

<b>PUBLIC HEARING</b>	
<b>Director:</b>	<b>Head of Worcestershire Regulatory Services</b>
<b>Contact Officer:</b>	<b>Paul Morrish Technical Officer (Licensing) Worcestershire Regulatory Services 01905 822799</b>
<b>Ward(s) affected:</b>	<b>Hagley East</b>
<b>Appendices:</b>	<b>Appendix 1 – Application Form and plan of premises Appendix 2 – 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

**Coffee N Clay  
5 Station Road  
Hagley  
Worcestershire  
DY9 0NU**

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

**2. BACKGROUND**

2.1 On 9<sup>th</sup> June 2021 an application was received from Ruth Scattergood for grant of a premises licence in respect of

Coffee N Clay  
5 Station Road  
Hagley  
Worcestershire  
DY9 0NU

- 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:-

<b>Activity</b>	<b>Days</b>	<b>From</b>	<b>To</b>
Sale of Alcohol	Monday	12:00	- 17:00
Sale of Alcohol	Tuesday	12:00	- 17:00
Sale of Alcohol	Thursday to Saturday	12:00	- 22:00
Sale of Alcohol	Sunday	12:00	- 15:00

- 2.5 The designated premises supervisor identified in the application is Ruth Scattergood.

### **3. REPRESENTATIONS**

#### Responsible Authorities

- 3.1 No representations have been received from any of the responsible authorities notified of the application

#### Other Persons

- 3.2 Ten valid representations have been received from other persons. Concerns raised relate to issues surrounding the potential for nuisance and crime and disorder. These are attached at **Appendix 2**.
- 3.2 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 the premises been located in a conservation area, 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](mailto: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.