

BROMSGROVE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

23RD NOVEMBER 2021

LICENSING ACT 2003

APPLICATION FOR THE GRANT OF A PREMISES LICENCE

THE GARRITY

PUBLIC HEARING	
Director:	Head of Worcestershire Regulatory Services
Contact Officer:	Paul Morrish Technical Officer (Licensing) Worcestershire Regulatory Services enquiries@worcsregservices.gov.uk
Ward(s) affected:	Barnt Green And Hopwood
Appendices:	Appendix 1 – Application Form and plan of premises Appendix 2 – 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

**The Garrity
18 - 20 Hewell Road
Barnt Green
Worcestershire
B45 8NE**

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

2. BACKGROUND

- 2.1 On 29 September 2021 an application was received from Gary Philip Meads for grant of a premises licence in respect of
The Garrity
18 - 20 Hewell Road
Barnt Green
Worcestershire
B45 8NE
- 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
Late Night Refreshment	Everyday	23:00	- 23:30	Both
Sale of Alcohol	Everyday	10:00	- 23:30	

- 2.5 The designated premises supervisor identified in the application is Mr Gary Meads.
- 2.6 During the consultation period, the applicant has agreed conditions with Environmental Health, which would form licence conditions should a licence be granted. The conditions are as follows;

The front and rear outside areas of the premises are to be cleared of customers by 21:30hrs, with the exception of those customers wishing to use the areas for smoking only.

Signage will be erected in both front and rear outside areas of the premises, informing customers not to use outside tables and chairs beyond 21:30hrs.

External lighting for the premises shall be turned off after the premises are closed to the public.

There shall be no musical entertainment including 'background music' provided in or for the benefit of any outside area.

3. REPRESENTATIONS

Responsible Authorities

- 3.1 No representations have been received from any of the responsible authorities notified as part of the application process.

Other Persons

- 3.2 Five valid representations have been received from other persons. Concerns are raised relating to each of the licensing objectives. A copy of the representations are attached at **Appendix 2**.
- 3.3 A number of the representations 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.

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.