

BROMSGROVE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

14TH MARCH 2022

LICENSING ACT 2003

APPLICATION FOR THE REVIEW OF A PREMISES LICENCE

UK MINI MARKET , 38 WORCESTER ROAD, BROMSGROVE, B61 7AE

PUBLIC HEARING	
Director:	Head of Worcestershire Regulatory Services
Contact Officer:	Paul Morrish Technical Officer (Licensing) 01905 822799 enquiries@worscsregservices.gov.uk
Ward(s) affected:	
Appendices:	Appendix 1 – Review Application Form Appendix 2 – Existing Premises Licence Appendix 3 – Representation from Principal Licensing Officer

1. PURPOSE OF REPORT

- 1.1 To consider and determine an application for the review of the premises licence in force in respect of:

**UK Mini Market
38 Worcester Road
Bromsgrove
Worcestershire
B61 7AE**

2. BACKGROUND

- 2.1 On 19 January 2022 an application was received from Mr Christopher Coxon at Worcestershire County Council Trading Standards Service for the review of the premises licence in force in respect of:

UK Mini Market
38 Worcester Road
Bromsgrove
Worcestershire
B61 7AE

A copy of the review application can be seen at **Appendix 1**.

- 2.2 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 the licence holder and all of the responsible authorities.
- 2.3 A copy of the existing premises licence can be seen at **Appendix 2**. The premises licence holder is a Mrs Sozan Qadir Taha, who also the named as the designated premises supervisor on the premises licence. The licence has been in place since 20 August 2021.
- 2.5 Following a seizure of illicit tobacco from the premises on 8th September 2021, and the sale of an age restricted product to a minor by the licence holder on 26th October 2021, Trading Standards are of the opinion that the licence holder has a disregard for the licensing objectives.

3. REPRESENTATIONS

Responsible Authorities

- 3.1 A representation has been received from Mr Dave Etheridge, Principal Licensing Officer of Worcestershire Regulatory Services. Visits were conducted at the premises in September 2021 and February 2022 where it was found on both occasions that licence conditions were not been complied with. Mr Etheridge concludes that he has little confidence in the licence holder and employees at the premises to uphold the licensing

objectives. A copy of the representation and details of the breaches of licence conditions is attached at **Appendix 3**.

Other Persons

3.2 No representations have been received from other persons.

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 (if any) as it considers appropriate for the promotion of the licensing objectives:

- (a) to modify the conditions of the licence;
- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months;

(e) to revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

5.5 The Sub-Committee is asked to note that it may not take such steps 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.