

**BROMSGROVE DISTRICT COUNCIL**

**LICENSING SUB-COMMITTEE**

**31<sup>ST</sup> OCTOBER 2022**

**LICENSING ACT 2003**

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

**THE GOLDEN LION**

| <b>PUBLIC HEARING</b>   |  |
|-------------------------|--|
| <b>Director:</b>        | <b>Head of Worcestershire Regulatory Services</b>  |
| <b>Contact Officer:</b> | <b>Tom Phelan<br/>Licensing Technical Officer<br/>01905 822799<br/>enquiries@worcsregservices.gov.uk</b>   |
| <b>Ward affected:</b>   | <b>Rock Hill</b>   |
| <b>Appendices:</b>      | <b>Appendix 1    Review Application and Supporting Documentation<br/>Appendix 2    Existing Premises Licence<br/>Appendix 3    Representations from Responsible Authorities<br/>Appendix 4    Representations from other persons supporting the application for review<br/>Appendix 5    Representations from other persons supporting the premises licence holder</b> |

**1. PURPOSE OF REPORT**

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

The Golden Lion, Austin Road, Bromsgrove, Worcestershire, B60 3PB

## **2. BACKGROUND**

- 2.1. On 6 September 2022 an application was received from Councillor Harrison Rone-Clarke for a review of the premises licence in force in respect of:

The Golden Lion  
Austin Road  
Bromsgrove  
Worcestershire  
B60 3PB

- 2.2. A copy of the review application and the supporting documentation that accompanied it, can be seen at Appendix 1.
- 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. A copy of the existing premises licence can be seen at Appendix 2. The premises licence holder is Marston's PLC. The designated premises supervisor identified on the premises licence is Joshua Matheson.

## **3. REPRESENTATIONS**

### **RESPONSIBLE AUTHORITIES**

- 3.1. A representation has been received from PC Angeline Stanley on behalf of West Mercia Police supporting the review application with reference to the prevention of crime and disorder. A summary of complaints received in respect of the premises has also been provided as part of the representation submitted.
- 3.2. A representation was initially received from Public Health Worcestershire, but this was later withdrawn.
- 3.3. No other responsible authorities have submitted representations in respect of the application.
- 3.4. The representation received from PC Stanley can be seen at **Appendix 3**.

### **OTHER PERSONS**

- 3.5. Five representations supporting the Councillor's application for review of the premises licence have been received from residents living close to premises. Those making these representations set out the impact they believe the premises is having on the the prevention of crime and disorder and the prevention of public nuisance licensing objectives.

- 3.6 Copies of the representations in support of the review application can be seen at **Appendix 4**.

Other Persons (In support of the premises licence holders)

- 3.7 Four representations have been received from other persons who express support for the premises licence holders and the way that the premises is operated by them.
- 3.8 Copies of the representations expressing their support for the premises licence holders can be seen at **Appendix 5**.

#### **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 (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.