

BROMSGROVE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

13TH MARCH 2023

LICENSING ACT 2003

APPLICATION FOR THE GRANT OF A PREMISES LICENCE

KMCH VENTURES LTD

PUBLIC HEARING	
Director:	Head of Worcestershire Regulatory Services
Contact Officer:	Paul Morrish Technical Officer (Licensing) 01905 822799 enquiries@worcsregservices.gov.uk
Ward(s) affected:	Rubery South
Appendices:	Appendix 1 – Application Form Appendix 2 – Supporting documents with application Appendix 3 – Representation from West Mercia Police Appendix 4 – 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

KMCH Ventures Ltd
160 New Road

Rubery

Worcestershire

B45 9JA

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

2. BACKGROUND

- 2.1. On 12 January 2023 an application was received from KMCH Ventures Ltd for grant of a premises licence in respect of

**KMCH Ventures Ltd
160 New Road
Rubery
Worcestershire
B45 9JA**

- 2.2. The application contained all the requisite documentation including the fee and a plan of the premises.
- 2.3. The applicant also submitted further supporting documents with the application on how they intend to uphold the licensing objectives and proposed additional licence conditions. Should a premises licence be granted, the detail contained in the supporting documents will form part of the operating schedule and licence conditions. These documents are attached as **Appendix 2**.
- 2.4. 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.
- 2.5. The applicant is applying for the following licensable activities:-

Activity	Days	From	To	Indoors/Outdoors
Performance of Live Music	Friday - Saturday	12:00	- 01:00	Both
Performance of Live Music	Sunday - Thursday	12:00	- 00:00	Both
Playing of Recorded Music	Friday - Sunday	10:00	- 01:00	Both
Playing of Recorded Music	Monday - Thursday	10:00	- 00:00	Both
Sale of Alcohol	Sunday	11:00	- 00:00	Indoors
Sale of Alcohol	Monday - Saturday	11:00	- 01:00	Indoors

- 2.6. The designated premises supervisor identified in the application is Callum Headland.
- 2.7. The applicant has provided a description of the proposed premises as a Community focused bar in the middle of the high street, specialising in modern ales, cocktails and wine.

3. REPRESENTATIONS

RESPONSIBLE AUTHORITIES

- 3.1. A representation has been received from West Mercia Police. A copy of the representation is attached as **Appendix 3**
- 3.2. Since receiving the representation, it is understood that the Police have been in dialogue with the applicant regarding proposed licence conditions, but no agreement has been reached.

OTHER PERSONS

- 3.3. 11 valid representations have been received from the other persons. Concerns are raised relating to each of the licensing objectives – crime and disorder, public nuisance, public safety and protecting children from harm. A copy of the representation is attached as **Appendix 4**

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.