

**BROMSGROVE DISTRICT COUNCIL**

**LICENSING SUB-COMMITTEE**

**10<sup>TH</sup> AUGUST 2023**

**LICENSING ACT 2003**

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

**LOUNGE, 58 – 60 HIGH STREET, BROMSGROVE, WORCS, B61 8EX**

<b>PUBLIC HEARING</b>	
<b>Director:</b>	<b>Head of Worcestershire Regulatory Services</b>
<b>Contact Officer:</b>	<b>Dave Etheridge Principal Licensing Officer 01905 822799 enquiries@worcsregservices.gov.uk</b>
<b>Ward(s) affected:</b>	<b>Sanders Park</b>
<b>Appendices:</b>	<b>Appendix 1 – Application Form Appendix 2 – Plan Provided with Application Appendix 3 – Police / Applicant Agreement Appendix 4 – Representations from other person Appendix 5 – Further submission from other person</b>

**1. PURPOSE OF REPORT**

1.1. To consider and determine an application for grant of a premises licence in respect of

Lounge  
58 - 60 High Street  
Bromsgrove  
Worcestershire  
B61 8EX

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

**2. BACKGROUND**

2.1. On 28 June 2023 an application was received from Loungers UK Ltd for grant of a premises licence in respect of:

**Lounge, 58 - 60 High Street, Bromsgrove, Worcestershire, B61 8EX**

- 2.2. The application contained all the requisite documentation including the fee and a plan of the premises. The plan of the premises can be seen at **Appendix 2**. The plan shows that, as well as the internal areas, the premises that is subject to the application includes a small outdoor area on the High Street.
- 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>	<b>Indoors/Outdoors</b>
Late Night Refreshment	Everyday	23:00	- 00:30	Both
Sale of Alcohol	Everyday	10:00	- 00:00	Both

- 2.5. The designated premises supervisor identified in the application is Vesela Emilova Mihaylova.
- 2.6. The premises that is subject to the application is currently trading as a branch of the health and beauty retailer Superdrug.

### **3. REPRESENTATIONS**

#### **RESPONSIBLE AUTHORITIES**

- 3.1 A representation was initially received in respect of the application from West Mercia Police. However subsequent discussions between the applicant's representatives and the Police concluded with an agreement being reached that has led to the Police deciding to withdraw their representation.
- 3.2 This agreement relates to amendments being made to the applicant's operating schedule. Specifically, the applicant and Police have agreed to a small amendment being made to the wording of one of the steps the applicant has proposed to take to promote the licensing objectives, and the inclusion of a number of further steps that the applicant will take in order to promote the licensing objectives. Details of the amendments that the applicant has agreed to make to their operating schedule can be seen at **Appendix 3**.
- 3.3 Conditions that are consistent with the applicant's operating schedule, as amended by agreement with West Mercia Police, would be attached to any premises licence granted by the Sub-Committee should Members decide to grant the application in whole or in part.

- 3.4 No other responsible authorities have made relevant representations in respect of the application.

### **OTHER PERSONS**

- 3.5 A representation was also received from another person. This representation raises concerns about the impact that granting the application would have on the prevention of public nuisance licensing objective.
- 3.6 A copy of the representation that has been received from the other person can be seen at **Appendix 4**.
- 3.7 Having received a notice giving details of the Licensing Sub-Committee hearing, the person who made the representation contacted officers to advise that they could not attend the hearing. They did however make further written submissions which amplify their original representation. These further submissions 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 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.