



Licensing Sub-Committee

Committee

Wed 8 Feb
2023
10.00 am

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

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If you have any queries on this Agenda please contact

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If you have any questions regarding the agenda or attached papers, please do not hesitate to contact the officer named above.

Although this is a public meeting, there are circumstances when the Sub-Committee might have to move into closed session to consider exempt or confidential information

LICENSING SUB-COMMITTEE **(Premises Review Following a Closure Order)**

HEARING PROCEDURE

1. The Chair will open the hearing and ask Members of the Sub-Committee and officers present to introduce themselves.
2. The Chair will ask all parties to the proceedings to introduce themselves.
3. The Chair will remind the parties that they can be represented by a legal representative at their own expense.
4. The Technical Officer (Licensing), Worcestershire Regulatory Services will present the report.
5. The Chair will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Technical Officer.
6. The Chair will invite the Representative on behalf of West Mercia Police and/or their representative to present their case and call any witnesses.
7. The Chair will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Representative for West Mercia Police.
8. The Chair will invite any Responsible Authorities to present their representations. New representations must not be raised.
9. The Chair will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Responsible Authorities.
10. All Other Parties to the proceedings will be invited to present their representations or elect a spokesperson to speak on their behalf. New representations must not be raised.
11. The Chair will invite Members of the Sub-Committee, and all parties to the proceedings to put any relevant questions to the Other Parties.

12. The Chair will invite the Premises Licence holder and/or their representative to present their case and call any witnesses. New representations must not be raised.
13. The Chair will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Premises Licence Holder and/or their representative.
14. West Mercia Police and/or their representative will be invited to sum up. A total of 5 minutes will be allowed.
15. The Responsible Authorities will be invited to sum up. A total of 5 minutes will be allowed.
16. The Other Parties will be invited to sum up. A total of 5 minutes will be allowed.
17. The Premises Licence Holder will be invited to sum up. A total of 5 minutes will be allowed.
18. The Chair will ask the Legal Advisor if there is any legal advice to be given.
19. The Sub Committee will consider the application in private, and once a decision has been reached the Sub Committee members will return to the hearing and the Chair will announce its decision. This will be confirmed in a written Decision Notice within 5 working days
20. If any party to the proceedings wishes to appeal against the Sub-Committee's decision an appeal must be commenced by the appellant giving a notice of appeal to the designated officer for the magistrates' court within a period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision which is being appealed.

Please Note:

1. ***Each application coming before the Licensing Sub-Committee will be treated on its own merits, and the Sub-Committee will take its decision based upon:***
 - a) ***the promotion of the four licensing objectives, as given by the Licensing Act 2003, namely:***
 - ***the prevention of crime and disorder;***
 - ***public safety;***
 - ***the prevention of public nuisance; and***
 - ***the protection of children from harm;***
 - b) ***Redditch Borough Council's Statement of Licensing Policy;***
 - c) ***guidance issued under section 182 of the Licensing Act 2003; and***
 - d) ***the Licensing Act 2003.***
2. ***Decisions may be taken in the absence of the Applicant or any other party. All notices and representations received from absent parties will be considered.***
3. ***Late evidence will only be considered with the agreement of all parties present.***
4. ***An appeal against the Sub-Committee's decision must be lodged within 21 days of the date on which all parties were notified in writing of the decision of the Licensing Sub-Committee.***

Licensing Sub-Committee

Wednesday, 8th February, 2023

10.00 am

Council Chamber Town Hall

Agenda

Membership:

Cllrs: Emma Marshall (Chair) Michael Chalk
Karen Ashley Reserve Member (TBC)

1. Chairs Welcome
2. Apologies
3. Declarations of interest
4. REVIEW OF A PREMISES LICENCE FOLLOWING THE MAKING OF A CLOSURE ORDER - THE WARWICK CLUB, 76 IPSLEY STREET, REDDITCH, B98 7AE (Pages 7 - 28)
5. Exclusion of the Public and Press

Should it be necessary, in the opinion of the Borough Director, during the course of the meeting to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged, it may be necessary to move the following resolution:

“That, under S.100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs (to be specified) of Part 1 of Schedule 12 (A) of the said Act”.

These paragraphs are as follows:

Subject to the “public interest” test, information relating to:

Para 1 – any individual;

Para 2 – the identity of any individual;

Para 3 – financial or business affairs;

Para 4 – labour relations matters;

Para 5 – legal professional privilege;

Para 6 – a notice, order or direction;

Para 7 – the prevention, investigation or prosecution of crime; and may need to be considered as ‘exempt’.