

REDDITCH BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

16TH DECEMBER 2015

LICENSING ACT 2003

APPLICATION FOR VARIATION OF A PREMISES LICENCE

MORRISONS SUPERSTORE

PUBLIC HEARING	
Director:	Simon Wilkes, Head of Worcestershire Regulatory Services
Contact Officer:	Sayful Alom Licensing Officer 01905 822799 Sayful.alom@worcsregservices.gov.uk
Ward(s) affected:	Winyates
Appendices:	List of appendices Appendix 1 – Application Form Appendix 2 – Existing Licence Appendix 3 – Representation from member of public

1. PURPOSE OF REPORT

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

**Morrisons Superstore
Clearwell Road
Redditch
Worcestershire
B98 0SW**

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

2. BACKGROUND

- 2.1 On 23 October 2015 an application was received from Wm Morrison Supermarkets Plc for variation of the premises licence in respect of the premises named at 1.1 above. A copy of the existing premises licence is attached at **Appendix 2**.
- 2.2 The application contained all the requisite documentation including the fee.
- 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 variations to their existing licence:
Extend Sale of Alcohol hours
Monday to Sunday 06:00 – 24:00
With additional conditions to be attached to the licence. Please see **Appendix 1** section M for conditions requested.

3. REPRESENTATIONS

Responsible Authorities

- 3.1 Worcestershire Regulatory Services have not received any representations from responsible authorities objecting to the grant of the variation.

Other Persons

- 3.2 On the 18th November 2015 Worcestershire Regulatory Services Licensing received a representation from a member of the public objecting to the grant of the variation on the grounds of Public Nuisance. A copy of the representation is attached at **Appendix 3**.

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 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.