

**REDDITCH BOROUGH COUNCIL**

**LICENSING SUB-COMMITTEE**

**TUESDAY 24<sup>TH</sup> JULY 2018**

**LICENSING ACT 2003**

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

**UNIT 6, COLEMEADOW ROAD, REDDITCH, WORCESTERSHIRE, B98 9PB**

| <b>PUBLIC HEARING</b>    |  |
|--------------------------|--|
| <b>Director:</b>         | <b>Head of Worcestershire Regulatory Services</b>  |
| <b>Contact Officer:</b>  | <b>Paul Morrish<br/>Licensing Technical Officer<br/>01905 822799<br/>enquiries@worcsregservices.gov.uk</b> |
| <b>Ward(s) affected:</b> | <b>Church Hill</b>   |
| <b>Appendices:</b>       | <b>Appendix 1 – Application Form<br/>Appendix 2 – Plan<br/>Appendix 3 – Representation</b>                 |

**1. PURPOSE OF REPORT**

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

**Unit 6  
Colemeadow Road  
Redditch  
Worcestershire  
B98 9PB**

A copy of the application is attached at Appendix 1.

## 2. BACKGROUND

- 2.1 On 1 June 2018 an application was received from Astwood Infrastructure Ltd for grant of a premises licence in respect of:

Unit 6  
Colemeadow Road  
Redditch  
Worcestershire  
B98 9PB

- 2.2 The application contained all the requisite documentation including the fee and a plan of the premises.
- 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:-

| Activity                  | Days               | From  | To      | Indoors/Outdoors |
|---------------------------|--------------------|-------|---------|------------------|
| Performance of Live Music | Sunday             | 14:00 | - 20:00 | Indoors          |
| Performance of Live Music | Friday to Saturday | 14:00 | - 22:00 | Indoors          |
| Playing of Recorded Music | Sunday             | 14:00 | - 21:00 | Indoors          |
| Playing of Recorded Music | Friday to Saturday | 14:00 | - 23:00 | Indoors          |
| Sale of Alcohol           | Sunday             | 12:00 | - 21:00 | Both             |
| Sale of Alcohol           | Friday to Saturday | 10:00 | - 23:00 | Both             |
| Sale of Alcohol           | Monday to Thursday | 10:00 | - 22:00 | Both             |

- 2.5 The designated premises supervisor identified in the application is Mr Bert Koen Roelants.
- 2.6 The applicant has stated that the premise is an industrial unit located in the North Moons Moat Industrial Estate. The applicant has stated that the trading area would be limited to a brewery taproom and bottle shop room. This designated room is located at the front of the building.
- 2.7 The plan that accompanied the application can be seen at Appendix 2.

### **3. REPRESENTATIONS**

#### Responsible Authorities

- 3.1 No representations have been received from any of the responsible authorities.

#### Other Persons

- 3.2 A representation has been received from a business located near to the premises which is subject to the application. The representation raises concerns about the potential impact on the licensing objective of the prevention of public nuisance arising from noise and litter emanating from the premises.
- 3.3 The representation also raises concerns about car parking, however these are not relevant to the promotion of the licensing objectives and should not be considered by the Licensing Sub-Committee when determining the application.
- 3.4 A copy of the representation received can be seen 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](mailto: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.