

REDDITCH BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

21ST APRIL 2021

LICENSING ACT 2003

APPLICATION FOR VARIATION OF A PREMISES LICENCE

PITCHEROAK MUNICIPAL GOLF COURSE

PUBLIC HEARING	
Director:	Head of Worcestershire Regulatory Services
Contact Officer:	Paul Morrish Technical Officer (Licensing) Worcestershire Regulatory Services, 01905 822799 enquiries@worcsregservices.gov.uk
Ward(s) affected:	Central Ward
Appendices:	Appendix 1 – Application Form and Plan Appendix 2 – Existing Licence Appendix 3 – Representations from other persons (objections) Appendix 4 – Representations from other persons (support)

1. PURPOSE OF REPORT

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

**Pitcheroak Municipal Golf Course
Plymouth Road
Redditch
Worcestershire
B97 4PB**

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

2. BACKGROUND

2.1 On 1st March 2021 an application was received from Rubicon Leisure Limited for variation of the premises licence in respect of

Pitcheroak Municipal Golf Course
Plymouth Road
Redditch
Worcestershire
B97 4PB

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.

2.3 The existing premises licence currently authorises the following activities;

Sale of Alcohol

Monday to Saturday, 10:00 – 23:00

Sunday, 12:00 – 22:30

A copy of the existing premises licence is attached at **Appendix 2**.

2.4 The applicant is applying for the following variations to their existing licence:

- **Sale of Alcohol 08:00 to 23:30, everyday**
- **Live and Recorded music 08:00 to 23:30, everyday.**
- **To remove all non standard timings for the sale of alcohol.**

2.5 Members should be aware when considering this application that under the provisions of the Live Music Act 2012, any premises that holds a licence for the sale of alcohol is permitted to carry out live and recorded music between the hours of 0800 and 2300 (where the audience is no larger than 500 persons) Members are only able to consider any changes to hours for live and recorded music outside of 0800 and 2300.

- 2.6 Members are therefore been asked to consider the following changes to the existing licence;

Live and Recorded Music

An additional half an hour, every day 23:00-23:30

Sale of Alcohol

An additional 2 hours Monday to Saturday morning, 08:00 – 10:00

An additional 4 Hours Sunday morning, 08:00 – 12:00

An additional half hour Monday to Saturday evening, 23:00 – 23:30

An additional 1 hour on Sunday evening, 22:30 – 23:30

3. REPRESENTATIONS

Responsible Authorities

- 3.1 No representations were received from any of the responsible authorities

Other Persons

- 3.2 Six representations were received from other persons objecting to the application, and details are attached at **Appendix 3**
- 3.3 Two representations were received from other persons in support of the application and details are attached at **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@worcestershire.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.