

REDDITCH BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

TUESDAY 24TH SEPTEMBER 2024

LICENSING ACT 2003

APPLICATION FOR VARIATION OF A PREMISES LICENCE

BANK CAFE & INTERIORS
2A LIGHTHOUSE WORKS, QUEEN STREET, ASTWOOD BANK, REDDITCH, B96 6BT

| PUBLIC HEARING | |
|-------------------|---|
| Director: | Head of Worcestershire Regulatory Services |
| Contact Officer: | Dave Etheridge Principal Licensing Officer enquiries@worcsregservices.gov.uk 01905 822799 |
| Ward(s) affected: | Astwood Bank & Feckenham |
| Appendices: | Appendix 1 – Application Form Appendix 2 – Existing Licence Appendix 3 – Representations from other parties |

1. PURPOSE OF REPORT

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

Bank Cafe & Interiors
2A Lighthouse Works
Queen Street
Astwood Bank
Redditch
B96 6BT

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

1.3. A copy of the existing licence is attached at **Appendix 2**. This licence was granted in respect of the premises in February 2022

2. BACKGROUND

2.1. On 8 August 2024 an application was received for variation of the existing premises licence granted by the licensing authority in respect of:

**Bank Cafe & Interiors
2A Lighthouse Works
Queen Street
Astwood Bank
Redditch
B96 6BT**

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:

- To extend the permitted hours for the sale of alcohol from 23:00 hours until 00:00 hours on Fridays and from 23:00 hours until 01:00 hours on Saturdays.
- To permit the playing of live music at the premises between 23:00 hours and 00:00 hours on Fridays and from 23:00 hours until 01:00 hours on Saturdays.
- To permit the provision of late night refreshment between 23:00 hours and 00:00 hours on Fridays and from 23:00 hours until 01:00 hours on Saturdays.

2.5. A number of Temporary Event Notices have been served in respect of the premises between June 2024 and August 2024 in order to extend the permitted hours for licensable activities at the premises on a limited number of days.

3. REPRESENTATIONS

RESPONSIBLE AUTHORITIES

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

OTHER PERSONS

3.2. Four representations were received from other persons, but one of those was subsequently withdrawn. The three representations that were made and have not been withdrawn can be seen at **Appendix 3**.

3.3. The representations raise concerns about the effect of granting the variation application on the promotion of the licensing objective of prevention of public nuisance.

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

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.