

LICENSING SUB COMMITTEE

22nd October 2012

APPLICATION – VARY PREMISES LICENCE

Relevant Portfolio Holder	Councillor Rebecca Blake
Portfolio Holder Consulted	No
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services.
Wards Affected	Central Ward
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To consider an variation application for a premises licence made by Westbourne Leisure Ltd for, The Queens Head, Bromsgrove Road, Redditch, B97 4RL

2. RECOMMENDATIONS

2.1 The Sub-Committee is asked to RESOLVE

- i) to grant or refuse the application for variation of the premises licence, as shown in the application form (Attached as Appendix 1)
- ii) if the Sub-Committee is minded to approve the application,
 - a) to attach relevant Mandatory conditions; and
 - b) to consider, with due regard to the statutory licensing objectives and the relevant representations received, whether to attach any appropriate conditions.

3. KEY ISSUES

Financial Implications

- 3.1 The statutory fee of £190.00 has been paid.

Legal Implications

- 3.2 The statutory framework is set by the Licensing Act 2003 (“The Act”).

(Decisions to approve applications for Premises Licences are delegated to Officers where no representations are made but Member decision is required where the application has triggered relevant representations as in this case.)

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- 3.3 The Licensing Authority will have a view to promoting the four licensing objectives contained in the Act: -
- the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 3.4 The Human Rights Act 1998 incorporates human rights under the European Convention into English law. Article 6 provides that, in the determination of a person's civil rights, everyone is entitled to a fair and public hearing. In this respect, third parties whose property rights may be adversely affected and, of course, applicants themselves, should be allowed to address the Sub-Committee if they wish to do so.
- 3.5 Section 17 of the Crime and Disorder Act 1998 places a duty on local authorities to exercise their functions with due regard to the likely effect of the exercise of those functions on, and the need to do all they can to prevent, crime and disorder in their area.

Service/Operational Implications

- 3.6 The applicant has applied for internal alterations to the lay out of the premise. Also the applicant has applied to remove the following conditions from the premises licence:
- Last Entry Will be 23:30
 - The Licensee will be a member of the Pub Watch

As shown in the application attached as **Appendix 1**.

- 3.7 The Queens Head holds a premise licence. A copy of the Licence is attached as **Appendix 2**.
- 3.8 All the required consultations were completed and, in accordance with the requirements of the Act, an advertisement was placed in the Public Notices of the local press and a notice was placed on the premises.
- 3.9 Redditch Borough Council's Licensing Authority has received 11 representations to the application on the grounds of **Public Nuisance**. A copy of the representations are attached as **Appendix 3**.
- 3.10 There have been no other representations received from any responsible authorities.

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- 3.11 A plan and aerial view to show the location of the premise are attached as **Appendix 4**.

Customer / Equalities and Diversity Implications

- 3.12 The Licensing Sub-Committee will ensure it has regard to the desirability of exercising its functions with regard to the need to eliminate discrimination and to increase equality of opportunity. Applications received will be treated in accordance with Redditch Borough Council's Equal Opportunities policy.

4. RISK MANAGEMENT

- 4.1 See paragraph 3.3 above regarding the four licensing objectives, which seek to reduce the likely risks in the areas stated.

5. APPENDICES

- Appendix 1 Application form
- Appendix 2 Existing Licence
- Appendix 3 Representation from Residents
- Appendix 4 Location Plan & Aerial View

6. BACKGROUND PAPERS

Guidance under section 182 Licensing Act 2003

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