

**WORCESTER CITY COUNCIL
LICENSING SUB-COMMITTEE**

12 MAY 2022

LICENSING ACT 2003

APPLICATION FOR THE GRANT OF A PREMISES LICENCE

GROSZEK EUROPEAN MARKET

PUBLIC HEARING	
Director:	Head of Worcestershire Regulatory Services
Contact Officer:	Graham Rowberry Technical Officer (Licensing) 01562738074 graham.rowberry@worcsregservices.gov.uk
Ward(s) affected:	Cathedral
Appendices:	Appendix 1 – Application documents Appendix 2 – Representation: McBurney Appendix 3 – Representation: Waterman

1. PURPOSE OF REPORT

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

Groszek European Market
36 Lowesmoor
Worcester
WR1 2SG

2. BACKGROUND

- 2.1. On 21 March 2022 an application was received from Magdalena Malgorzata Kwiatek for grant of a premises licence in respect of

Groszek European Market
36 Lowesmoor
Worcester
WR1 2SG

- 2.2. The application contained all the required documentation.

- 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 been served on all responsible authorities.
- 2.4. A copy of the application and premises plans are attached at **Appendix 1**.
- 2.5. The applicant has applied for authorisation of the following licensable activities:

Activity	Days	From	To
Sale of Alcohol (Off sales only)	Everyday	07:00	- 23:00

- 2.6. The designated premises supervisor (DPS) named in the application is Mrs Magdalena Malgorzata Kwiatek. Mrs Kwiatek holds the personal licence required by the Licensing Act 2003 for persons named as DPS, her licence being issued by Worcester City Council in 2020.
- 2.7. The premises was formerly licensed by One Stop Stores Limited to authorise the following activities:

Activity	Days	From	To
Sale of Alcohol (Off sales only)	Everyday	06:00	- 23:00

This licence was surrendered in 2015.

3. REPRESENTATIONS

RESPONSIBLE AUTHORITIES

- 3.1. No representations objecting to the grant of the licence were received from any of the Responsible Authorities.

OTHER PERSONS

- 3.2. During consultation two members of the public made representations objecting to the grant of a licence as applied for. These representations are attached as **Appendix 2** and **Appendix 3**.
- 3.3. Both representations express concerns over increased levels of alcohol abuse and anti-social behaviour in the Lowesmoor area should the licence be granted.

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.