

WORCESTER CITY COUNCIL

LICENSING SUB-COMMITTEE

21 AUGUST 2023

LICENSING ACT 2003

APPLICATION FOR THE GRANT OF A PREMISES LICENCE

SANGERS DELI LTD

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:	List of appendices e.g. Appendix 1 – Application Form Appendix 2 – Representations from RAs Appendix 3 – Representations from other parties

1. PURPOSE OF REPORT

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

Sangers Deli Ltd
Unit 3
Netherton Court
Infirmary Walk
Worcester
Worcestershire
WR1 3AU

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

2. BACKGROUND

2.1. On 29 June 2023 an application was received from Sangers Deli Ltd. for the grant of a premises licence in respect of:

Sangers Deli Ltd
Unit 3
Netherton Court
Infirmary Walk
Worcester
Worcestershire
WR1 3AU

- 2.2. The application contained all the requisite documentation including the fee and a plan of the premises.
- 2.3. The application was advertised in accordance with the requirements of the Licensing Act 2003 and associated regulations and has been served on all Responsible Authorities.
- 2.4. The applicant is applying to authorise the following licensable activities:

Activity	Days	From	To	Indoors/Outdoors
Anything of a Similar Desc to RE	Everyday	10:00	- 00:30	Both
Performance of Dance	Everyday	10:00	- 00:30	Both
Exhibition of Films	Everyday	10:00	- 00:30	Both
Indoor Sporting Events	Everyday	10:00	- 00:30	Both
Performance of Live Music	Everyday	10:00	- 00:30	Both
Late Night Refreshment	Everyday	10:00	- 00:30	Both
Performance of Plays	Everyday	10:00	- 00:30	Both
Playing of Recorded Music	Everyday	10:00	- 00:30	Both
Sale of Alcohol	Everyday	10:00	- 00:30	

- 2.5. The designated premises supervisor identified in the application is Delith Morton. Ms Morton holds a personal licence issued by Worcester City Council.

3. REPRESENTATIONS

RESPONSIBLE AUTHORITIES

- 3.1. Three representations were made by Responsible Authorities during consultation. Two of these, submitted by Worcestershire children's services and public health, did not object to the application.
- 3.2. The third representation was made by Environmental Health, who object to the granting of the licence on the basis that to do so would undermine the prevention of

nuisance objective of the Licensing Act 2003 by it contributing to existing noise nuisance in the area. The representation is attached as **Appendix 2**.

3.3. No other Responsible Authority made representations.

OTHER PERSONS

3.4. Thirteen representations were made by other persons during consultation. These representations object to the grant of the licence on the basis that it would increase existing noise nuisance in the vicinity of the premises late at night. These representations are attached as **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 enquiries@worcsregservices.gov.uk

4.3. The Statement of Licensing Policy outlines the Council's Special Policy relating to the cumulative impact of licensed premises in the City centre within a specified area – the Cumulative Impact Zone. The premises in this application is not in the Cumulative Impact Zone and so the special policy does not apply in this case.

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.