



**Walsall Council**

**Item No.**

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**LICENSING SUB – COMMITTEE**  
**17<sup>th</sup> October 2007**

**REPORT OF HEAD OF PUBLIC PROTECTION**

**Review of a premises licence under Section 51 of the Licensing Act 2003**

**Red Lion  
Moxley Road  
Darlaston  
West Midlands  
WS10 7RL**

**1.0 Application**

- 1.1 On 24<sup>th</sup> August 2007 Walsall Council, as Licensing Authority under the Licensing Act 2003, received an application for a review of the premises licence held for the above premises. A copy of the application is attached as Appendix 1.

**2.0 Background**

- 2.1 The premises licence held for the above premises was granted on 3<sup>rd</sup> July 2007. A copy is attached as Appendix 2.
- 2.2 On receipt of the application for a review of the licence, notices were displayed at the premises, at a central and conspicuous place at the offices of the licensing authority and on the licensing authority's web site. A copy of the notice is attached as Appendix 3.

**3.0 Relevant representations**

- 3.1 Relevant representations may only be made by the licence holder a "responsible authority" or by or on behalf of an "interested party" defined as a person living or having a business in the vicinity of the premises to which the application relates.

- 3.2 To be relevant, representations must relate to the Licensing Objectives:
- prevention of crime and disorder
  - public safety
  - prevention of public nuisance
  - protection of children from harm
- 3.3 There have been relevant representation from two “responsible authorities”, Walsall Environmental Health Service and Walsall Trading Standards Service Copies are attached as Appendices 4 and 5 respectively.
- 3.4 Seven individual representation have been received. Copies are attached as Appendices 6 to 9 respectively.
- 3.5 A street map of the locality is attached as Appendix 10.

#### **4.0 Determination**

- 4.1 In determining this matter, the licensing sub-committee must have regard to:
- The need to promote the licensing objectives;
  - Representations made;
  - Human Rights Act 1998 which guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property which may include licences held, and the protection of private and family life.
- 4.2 In determining this matter the sub-committee can take such steps as it considers necessary for the promotion of the licensing objectives:
- No further action;
  - Issue formal warning;
  - Modify the conditions of the licence(permanently or temporarily for up to 3 months);
  - Exclude a licensable activity from the licence (permanently or temporarily for up to 3 months);
  - Remove the Designated Premises Supervisor;
  - Suspend the licence for up to three months;
  - Revoke the licence.

#### **5.0 Associated papers**

- 5.1 Appendix 1 – application for review  
Appendix 2 – current licence  
Appendix 3 – notice of review displayed  
Appendix 4 – representation from Walsall Environmental Health  
Appendix 5 – representation from Walsall Trading Standards  
Appendices  
6 to 9 – individual representations  
Appendix 10 – street map of the locality