



BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE B

McDonald's, School Road, Yardley Wood, Birmingham, B14 4BJ

That the application by Robert Holdcroft Limited for a premises licence in respect of McDonald's, School Road, Yardley Wood, Birmingham, B14 4BJ

BE GRANTED

Those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will form part of the licence issued, as revised following discussions with the Planning Department of Birmingham City Council, to ensure its operating hours accord with the Planning Consent Approval, namely trading hours from 0600 hours to 2330 hours 7 days a week.

Members carefully considered the representations made by other persons but were not convinced that there was an evidential and causal link between the issues raised and the effect on the Licensing Objectives. The Sub Committee noted the concerns of residents but were equally aware that no responsible authority (other than Planning Department) had raised any representations against the grant of the Premises Licence, which was limited solely to late night refreshment between 2300 hours and 2330 hours.

The Sub Committee felt that any serious concerns regarding the management of premises could be dealt with as part of any Review proceedings against the holder of the Licence and afforded the residents adequate protection should it be demonstrated that the premises licence holder was acting contrary to the promotion of the Licensing Objectives. At present, the residents had no such protection as the premises did not require a Premises Licence.

The Sub Committee deliberated the operating schedule put forward by the applicant and the likely impact of the application, and concluded that by granting this application, the four Licensing Objectives contained in the Act will be properly promoted. The measures already on site would address the totality of the residents concerns, these included but were not limited to: 1) Signage; 2) Bins; and 3) Litter patrols, within the curtilage of the premises and surrounding areas. The Sub Committee determined that allowing the premises to serve late night refreshment to 2330 hours, would decrease the incidents of nuisance, as the premises would be actively managed until it closed and could deal with any issues arising contemporaneously.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the application for a premises licence, the written representations received and the submissions made at the hearing by the applicant, their legal adviser and those making

representations.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.