

Licensing Sub-- Committee

Thu 16 July
2009
7.00 pm

Council Chamber
Town Hall
Redditch



Access to Information - Your Rights

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all formal Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agendas and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees

(or summaries of business undertaken in private) for up to six years following a meeting.

- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, on request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.

A reasonable number of copies of agendas and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its Committees etc.

- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, most items of business before the Executive Committee are Key Decisions.
- Copies of Agenda Lists are published in advance of the meetings on the Council's Website:

www.redditchbc.gov.uk

If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact the following:

Ivor Westmore

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Welcome to today's meeting.

Guidance for the Public

Agenda Papers

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

Chair

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

Running Order

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

Refreshments : tea, coffee and water are normally available at meetings - please serve yourself.

Decisions

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

Members of the Public

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

Special Arrangements

If you have any particular needs, please contact the Committee Support Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

Further Information

If you require any further information, please contact the Committee Support Officer (see foot of page opposite).

Fire/ Emergency instructions

If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.

If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.

Do Not stop to collect personal belongings.

Do Not use lifts.

Do Not re-enter the building until told to do so.

The emergency Assembly Area is on the Ringway Car Park.

Declaration of Interests: Guidance for Councillors

DO I HAVE A “PERSONAL INTEREST” ?

- Where the item relates or is likely to affect your **registered interests** (what you have declared on the formal Register of Interests)

OR

- Where a decision in relation to the item might reasonably be regarded as affecting **your own** well-being or financial position, or that of your **family**, or your **close associates** more than most other people affected by the issue,

you have a personal interest.

WHAT MUST I DO? **Declare the existence, and nature, of your interest and stay**

- The declaration must relate to specific business being decided - a general scattergun approach is not needed
- **Exception** - where interest arises only because of your membership of another **public body**, there is no need to declare unless you **speak** on the matter.
- You **can vote** on the matter.

IS IT A “PREJUDICIAL INTEREST” ?

In general only if:-

- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these groups)

and
- A member of public, with knowledge of the relevant facts, would reasonably believe the interest was likely to **prejudice** your judgement of the public interest.

WHAT MUST I DO? **Declare and Withdraw**

BUT you may make representations to the meeting before withdrawing, **if** the public have similar rights (such as the right to speak at Planning Committee).

LICENSING SUB-COMMITTEE PROCEDURE

1. Rights of Applicants/Drivers

- (a) An applicant/driver will be permitted the opportunity of being heard by the Committee before his/her application is determined.
- (b) The applicant/driver will also be allowed to be accompanied by a legal or other representative to assist them if he/she so desires.

2. Notice of Meeting

- (a) As much notice as is practicable will be given to the applicant of the date of the Committee meeting at which his/her application/licence review will be heard, in order to enable him/her to prepare his/her case adequately.
- (b) Every member of the Committee will be issued with copies of every document which has been supplied, both by and to the applicant/driver and any third parties.

3. Procedure at Meeting

- (a) The Chair will ascertain whether the applicant/driver, if unaccompanied, was aware that he/she could be represented.
- (b) Those present at the meeting will be identified so that the applicant is able to satisfy him/herself that no person, who may be in a position to influence the Committee, remains when he/she is asked to withdraw to allow the Committee to deliberate on the case.
- (c) The hearing will be opened with an outline of the relevant details of the application/case by either the Chair or the appropriate Officer of the Council. The legal representative to the Committee will also be asked to report whether there are any matters of which the Committee should be particularly aware.
- (d) Where an applicant/driver has spent convictions which Officers consider are relevant to the application/licence review, Officers will give a brief indication as to what these are. The applicant/driver will then be given the opportunity to say why he/she feels the spent convictions are irrelevant or should not be taken into account. The Committee will then decide whether there is a need to take the spent convictions into consideration and to hear the full details of these.
- (e) Any complainant(s)/witness(es) present will be asked to read out their statement(s) and members of the Committee and/or the applicant's/driver's side may ask the complainant/witness questions on this.
- (f) The applicant will then be invited to present his/her case, at the conclusion of which, he/she may be questioned by members of the Committee.
- (g) The applicant will then be allowed to make a final statement.

- (h) At the conclusion of the hearing, the stage at which the Committee will wish to deliberate upon the application/licence review, the applicant will be asked to withdraw, together with any third parties present and the Officers of the Council, with the exception of the Committee's Legal Adviser and the Committee Services Officer. If it is necessary to recall any party to provide further information or clarification, all parties to the hearing must be invited to return.
- (i) When the Committee has reached its conclusions, the applicant/driver and the remaining Officers of the Council will be recalled and its decision will be announced to the applicant, accompanied by, as appropriate, a description of any conditions which are to be attached to the grant of a licence or the reasons for refusal/suspension/revocation of a licence. That information should also be given to the applicant in writing as soon as is practicable and he/she should be told of any statutory rights of appeal which are available to him/her.

4. Adjournment

If an application is made for an adjournment, the Committee should grant the request if refusal would deny the applicant/driver a fair hearing and thereby result in a breach of the rules or natural justice.

Licensing SUB-committee

16 July 2009
7.00 pm
Council Chamber Town Hall

Agenda

Membership:

Cllrs: M Braley (Chair)
N Hicks
D Smith
Substitute: Cllr A Clayton

| | |
|---|---|
| 1. Chair's welcome | The Chair will open the meeting and welcome all present. |
| 2. Apologies | To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a Member listed above. |
| 3. Declarations of Interest | To invite Councillors to declare any interest they may have in items on the agenda. |
| 4. Variation of Premises Licence - Kings Arms, Beoley Road West, Redditch (Pages 1 - 36) Head of Environment | To consider an application for a variation to the premises licence for the Kings Arms, Beoley Road West, Redditch. (Report attached) (Central Ward) |
| 5. Exclusion of the Public and Press | <p>During the course of the meeting it may be necessary, in the opinion of the Borough Director, to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged. Exclusion rules will also apply at the point when the Sub-Committee seeks to determine the application for Variation of the Premises Licence. It may be necessary, therefore, to move the following resolution:</p> <p>“That, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it / they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12 (A) of the said Act, as amended”.</p> |

Licensing

Sub-Committee

Central Ward

16 July 2009

Application to vary a premises licence under the Licensing Act 2003

Kings Arms, Beoley Road West, Redditch, B98 8LT

(Report of Head of Environment)

1. Summary of Proposals

To consider an application received from Punch Taverns to vary the layout and design of the above premise.
See attached Appendix 2

The application is brought before the Sub-Committee in view of relevant representations received from Environmental Health.

2. Recommendation

The Sub-Committee is asked to RESOLVE

whether or not, having regard to the licensing objectives, the Guidance issued under section 182 of the Licensing Act 2003, the Borough Council's Statement of Licensing Policy, the applicant's proposed variation of premises layout, as subsequently amended; relevant representations made by a responsible authority:

- 1) to grant the requested variation, as shown in the application form attached at Appendix 2 to the report; and**
- 2) if the Sub-Committee is minded to approve the application, to consider, with due regard to the statutory licensing objectives and the relevant representations received, whether to attach any appropriate conditions.**

3. Financial, Legal, Policy, Risk and Sustainability Implications

Financial

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

Legal

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

(Decisions to approve variations to existing Licences are delegated to Officers where no representations have been made but Member decision is required where the variation applied for has triggered relevant representations, as in this case.)

- 3.3 The Licensing Authority will have a view to promoting the four licensing objectives contained in the Act: -
- a) the prevention of crime and disorder;
 - b) public safety;
 - c) the prevention of public nuisance; and
 - d) the protection of children from harm.
- 3.4 The Licensing Act 2003 includes that mandatory conditions should be attached to certain licences. The conditions set out in Appendix 1 will attach to this licence.
- 3.5 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.
- 3.6 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.

Policy

- 3.7 The Council's adopted Licensing Policy is based upon the Act and is in accordance with the Guidance issued by the Secretary of State for Culture, Media and Sport under Section 182 of the Act.

Risk

- 3.8 See paragraph 3.3 above regarding the four licensing objectives, which seek to reduce the likely risks in the areas stated.
- 3.9 The applicant proposes no additional steps in order to promote the four licensing objectives.

Report

4. Background

In August 2005 Punch Taverns Plc applied for a conversion of the Justices Licence and Public Entertainment Licence for the Kings Arms. This was granted without objection from any responsible authorities in November 2005. A copy of this licence is attached at Appendix 2.

5. Key Issues

- 5.1 The licensees have now made an application for variation to the licence previously granted. The variation requested is to vary the layout and design of the premises. See attached Appendix 2.
- 5.2 All the statutory consultations were completed. An advertisement was placed in the Public Notices of a local newspaper on 27 May 2009.
- 5.3 The Council has received a relevant representation from Environmental Health. See attached Appendix 3
- 5.4 The premises are situated in a residential area as shown on the location plan at Appendix 4.
- 5.5 No representations have been received from the other Responsible Authorities which include the:
 - i) Fire Safety Officer;
 - ii) West Mercia Police
 - iii) Borough Planning Officers; or
 - iv) County Trading Standards and Child Protection Agency.

6. Other Implications

- 6.1 No Human Resources, Social Inclusion or Sustainability implications have been highlighted.
- 6.2 Community Safety issues are dealt with in the Applicant's Operating Schedule.

7. Conclusion

- 7.1 The Sub-Committee is asked to consider the following options:

whether to

- 1) grant the Variation, as applied for
- 2) grant the Variation, subject to additional conditions
- 3) amend or restrict the Variation (for example hours)
- 4) refuse the Variation
- 5) take other appropriate action.

In each case, relevant explanations / reasons must be recorded.

- 7.2 In all cases mandatory conditions relevant to this application will apply.

8. Background Papers

With the exception of the Council's approved Licensing Policy, which is separately available, all relevant background papers are appended to the report, namely:

Relevant Extracts from Application Forms
Copy of existing Premises Licence

9. Consultation

- 9.1 Consultation has been undertaken with the responsible authorities as detailed in paragraph 5.3 and 5.5 above.
- 9.2 Relevant Council Officers have been consulted in the preparation of the report.

10. Author of Report

The author of this report is Amitabh Singh (Licensing Officer) who can be contacted on Ext 3222 (email: amitabh.singh@redditchbc.gov.uk) for more information.

11. Appendices

| | |
|------------|---|
| Appendix 1 | Mandatory Conditions |
| Appendix 2 | Application to Vary Premises Licence with existing and proposed plans |
| Appendix 3 | Relevant Representations. |
| Appendix 4 | Copy of current Licence |
| Appendix 5 | Map of the area showing the premises. |

Mandatory Conditions as set out in the Licensing Act 2003:

1. Designated Premises Supervisor
No supply of alcohol may be made under this Premises Licence at a time when:
 - a) There is no designated premises supervisor in respect of the premises licence OR
 - b) At a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended
2. Supply of Alcohol
Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence
3. Film Exhibitions
Admission of children to film exhibitions is to be restricted in accordance with film classification recommendations
(NB This applies to both premises licences and club premises certificates)
4. Door Supervisors
Each door supervisor [definition] must be licensed by the Security Industry Authority.

Copy of Application to Vary a premises licence under the Licensing Act 2003

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Punch Taverns Plc

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

| |
|--|
| Premises licence number PREM0114 |
|--|

Part 1 – Premises Details

| |
|---|
| Postal address of premises or, if none, ordnance survey map reference or description Kings Arms Beoley Road West St Georges |
|---|

| | | | |
|------------------|----------|------------------|---------|
| Post town | Redditch | Post code | B98 8LT |
|------------------|----------|------------------|---------|

| | |
|---------------------------------------|-------------|
| Telephone number at premises (if any) | 01527 62641 |
|---------------------------------------|-------------|

| | |
|---|--------|
| Non-domestic rateable value of premises | £16150 |
|---|--------|

Part 2 – Applicant details

| | |
|---|---------------|
| Daytime contact telephone number | 01283 501 600 |
|---|---------------|

| | |
|----------------------------------|-----|
| E-mail address (optional) | n/a |
|----------------------------------|-----|

| | |
|--|--|
| Current postal address if different from premises address | Jubilee House Second Avenue Burton Upon Trent Staffordshire DE14 2WF |
|--|--|

| | | | |
|------------------|-------------------|-----------------|----------|
| Post Town | Burton Upon Trent | Postcode | DE14 2WF |
|------------------|-------------------|-----------------|----------|

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

☒

If not do you want the variation to take effect from

| Day | | Month | | Year | |
|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

This is an application to vary the layout and design of the premises in accordance with the submitted plan. The operating times and licensable activities authorised by the Premises Licence to remain unaltered.

Any part of the variation application that changes the plan/layout at the premises to be of no effect until the work has been completed.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

n/a

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- | | |
|--|--------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|--|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

☐

Sale by retail of alcohol (if ticking yes, fill in box M)

☐

In all cases complete boxes N, O and P

A

| | | | | | |
|---|-------|--------|---|----------|--------------------------|
| Plays Standard days and timings (please read guidance note 6) | | | <u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| | | | | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for performing plays</u> (please read guidance note 4) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| | | | | | |
| Sat | | | | | |
| Sun | | | | | |

B

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|---|-------|--------|--|----------|--------------------------|
| Films Standard days and timings (please read guidance note 6) | | | <u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | <u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

C

| | | | |
|--|-------|--------|---|
| Indoor sporting events Standard days and timings (please read guidance note 6) | | | <u>Please give further details</u> (please read guidance note 3) |
| Day | Start | Finish | |
| Mon | | | |
| Tue | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4) |
| Wed | | | |
| Thur | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5) |
| Sat | | | |
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D

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|--|-------|--------|---|----------|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 6) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| | | | | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
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E

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|--|-------|--------|--|----------|--------------------------|
| Live music Standard days and timings (please read guidance note 6) | | | <u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| | | | | | |
| Tue | | | | | |
| | | | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) | | |
| Wed | | | | | |
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| Thur | | | | | |
| | | | <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
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| Sat | | | | | |
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| Sun | | | | | |

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|--|-------|--------|--|----------|--------------------------|
| Recorded music Standard days and timings (please read guidance note 6) | | | <u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sun | | | | | |
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G

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|---|-------|--------|---|----------|--------------------------|
| Performances of dance Standard days and timings (please read guidance note 6) | | | <u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
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| Sat | | | | | |
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|--|-------|--------|--|-----------------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the type of entertainment you will be providing</u> | |
| Day | Start | Finish | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors <input type="checkbox"/> |
| Mon | | | | Outdoors <input type="checkbox"/> |
| | | | | Both <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 3) | |
| | | | | |
| Wed | | | | |
| Thur | | | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4) | |
| | | | | |
| Fri | | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | |
| | | | | |
| Sun | | | | |

I

| | | | | |
|--|-------|--------|---|--------------------------|
| Provision of facilities for making music Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the facilities for making music you will be providing</u> | |
| | | | <u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2) | |
| | | | Indoors | <input type="checkbox"/> |
| | | | Outdoors | <input type="checkbox"/> |
| Day | Start | Finish | Both | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | |
| | | | | |
| Tue | | | | |
| | | | | |
| Wed | | | <u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) | |
| | | | | |
| Thur | | | | |
| | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | |
| | | | | |
| Sat | | | | |
| | | | | |
| Sun | | | | |
| | | | | |

J

| | | | | |
|---|-------|--------|--|--|
| Provision of facilities for dancing Standard days and timings (please read guidance note 6) | | | <u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2) | Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/> |
| | | | <u>Please give a description of the facilities for dancing you will be providing</u> | |
| Day | Start | Finish | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | |
| | | | | |
| Tue | | | | |
| | | | | |
| Wed | | | <u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4) | |
| | | | | |
| Thur | | | | |
| | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | |
| Sat | | | | |
| | | | | |
| Sun | | | | |
| | | | | |

K

| | | | | |
|--|-------|--------|---|-----------------------------------|
| Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the type of entertainment facility you will be providing</u> | |
| Day | Start | Finish | <u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors <input type="checkbox"/> |
| Mon | | | | Outdoors <input type="checkbox"/> |
| | | | | Both <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 3) | |
| | | | | |
| Wed | | | | |
| Thur | | | <u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4) | |
| | | | | |
| Fri | | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | |
| | | | | |
| Sun | | | | |

L

| | | | | | |
|--|-------|--------|---|----------|--------------------------|
| Late night refreshment Standard days and timings (please read guidance note 6) | | | <u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | | | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | <u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| | | | | | |
| | | | | | |
| | | | | | |

M

| | | | | | |
|---|-------|--------|--|------------------|--------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| | | | | | |
| Day | Start | Finish | <u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | | | <u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

N

| |
|--|
| <p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)</p> |
|--|

O

| | | | |
|---|-------|--------|--|
| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | <u>State any seasonal variations</u> (please read guidance note 4) |
| Day | Start | Finish | |
| Mon | | | |
| Tue | | | <u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) |
| Wed | | | |
| Thur | | | |
| Fri | | | |
| Sat | | | |
| Sun | | | |

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

☒☐

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

As per granted conditions.

Any part of the variation application that changes the plan/layout at the premises to be of no effect until the work has been completed.

Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

| |
|--|
| |
|--|

Please tick yes

- I have made or enclosed payment of the fee ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I understand that I must now advertise my application ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

| | |
|-----------|------------------------|
| Signature | K. Hachford, TLT |
| Date | 19.05.09 |
| Capacity | Solicitor to Applicant |

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

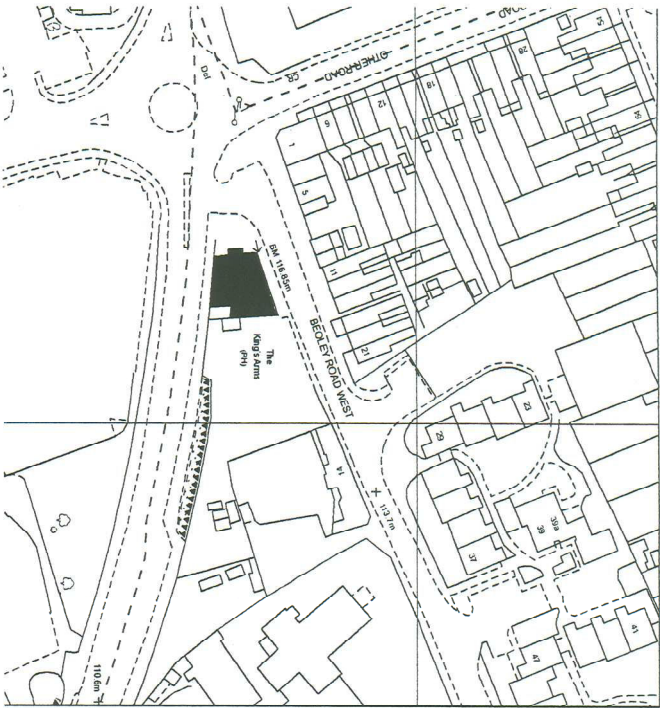
| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

| | | | |
|--|---------------|------------------|---------|
| Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) Barry Richards TLT Solicitors One Redcliff Street | | | |
| Post town | Bristol | Post code | BS1 6TP |
| Telephone number (if any) | 0117 917 7612 | | |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) barry.richards@tltsolicitors.com | | | |

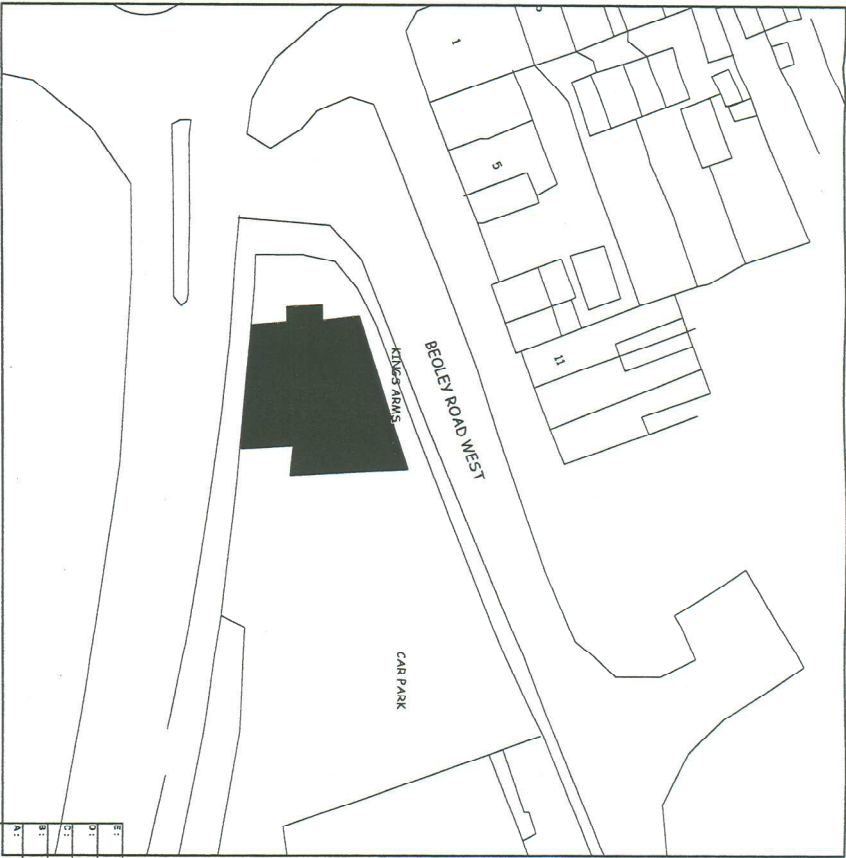
Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



LOCATION PLAN scale 1:1250



BLOCK PLAN scale 1:500

LICENSING KEY



- Area of Licensable Activity

| REVISION |
|----------|
| E: |
| D: |
| C: |
| B: |
| A: |



| |
|--|
| UNIQUE HOUSE & STATION ROAD & LUDFORD • STATION ROAD & LUDFORD TEL: 01943 258 600 FAX: 01943 258 611 DESIGN@UNIQUEHOUSEANDSTATIONROAD.COM |
| Client |
| PUNCH PUB COMPANY |
| Job |
| KINGS ARMS BEOLEY ROAD WEST NEOTICH |
| Drawing title |
| LICENSING NOTES |
| Date |
| MAY 2009 |
| Scale |
| DRAWN BY |
| MWS |
| JOB NO |
| 1118 |
| DRG NO |
| 03 |

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REVISION

DESIGN@HUNTERPATELCREATIVEGROUP.COM

Client

PUNCH PUB COMPANY

for

KINGS ARMS
REAL EX ROAD INFEST

BEULI ROAD MESI
REDDITCH

Drawing Title

EXISTING LICENSING

100% 90% 80% 70% 60% 50% 40% 30% 20% 10% 0%

Date _____

MAY 2009

Scale

1:100

DRAWN BY

| | |
|------|--|
| MMW | |
| 1991 | |

JOB No. _____

1118

DRG No

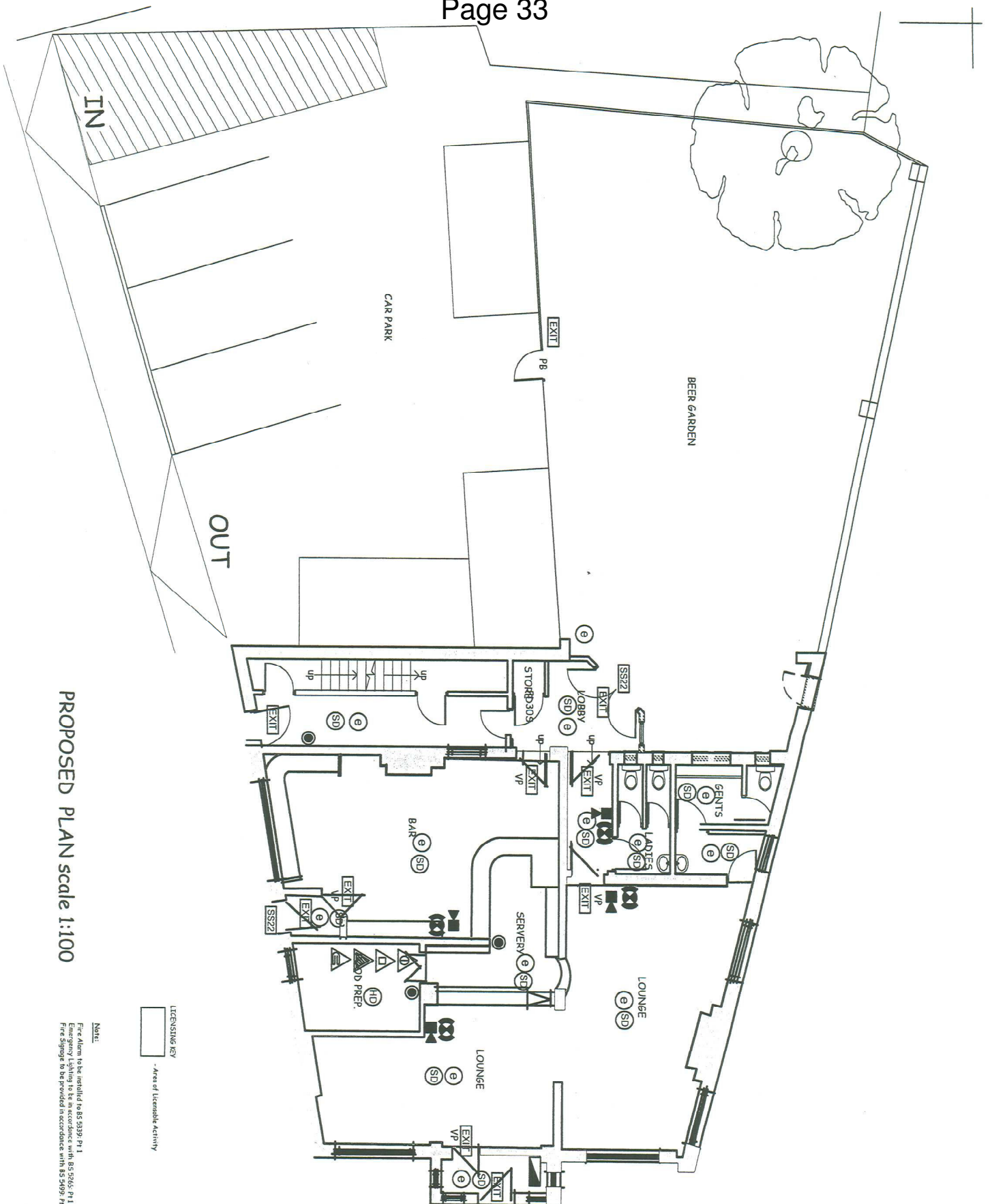
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and the drawing is based on the condition that it is not to

to the preference test (see below). All directions by the exper-

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PROPOSED PLAN scale 1:100

Note:

Fire Alarm to be installed to BS 5339: Pt 1
Emergency Lighting to be in accordance with BS 5265: Pt 1
Fire Signage to be provided in accordance with BS 5499: Pt 1

LICENSING KEY

- Area of Licensable Activity

| key | description |
|---|--|
| F303c | 30 min fire extinction duration with immersion spray, smoke and seal tester. |
| F303ds | 40 min fire extinction duration with immersion spray, smoke and seal tester. |
| Pa | Push bar or single action returning to be available when the pressure is on site. |
| VP | Victim pool |
| SS32 | Max. Entrance Doors to be security proofed back during 70m/s burst. |
|  | Fire extinguisher: water type. |
|  | Fire extinguisher: dry powder. |
|  | Fire extinguisher: carbon dioxide gas. |
|  | Fire extinguisher: fire blankets |
|  | Alert to covered by on-maintained emergency alarm (e.g. 999) |
|  | Alert covered by fire detector (to 53139) |
|  | Alert covered by smoke detector (to 58393) |
|  | Alert covered by warning siren(s) at high level (to 50131 - Latest release) |
|  | Manual call point (to 58393) |
|  | Sign: Internally illuminated "Fire exit" (to 50929) + "push bar" |
|  | Fire Extinguisher |
|  | Alert covered by visible warning indicator at high level |

I. ICENSING KEN

| | |
|---|----|
| m | .. |
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| c | .. |
| b | .. |
| a | .. |

REVISION



BRIDGES HOUSE • STATION ROAD • LICHFIELD
• STAFFORDSHIRE • WS13 6HX
TEL: 01543 258 600 FAX: 01543 258 61
E-MAIL:
DESIGN@HUNTERPATTELCREATIVEGROUP.COM

PUNCH PUB COMPANY

BEOLEY ROAD WEST

Drawing Title

Date _____

Scale

DRAWN BY

JOB No. _____

DRG N°

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and in writing at <http://www.PaulCreativeGroup.com>

the specifications when writing.

Representations from Environmental health under Prevention of Public Nuisance

- i) All external doors and windows will be kept closed for the duration of all regulated entertainment except for access and egress and in the event of an emergency. All external doors to be provided with self-closing mechanisms.
- ii) There will be no provision of external loudspeakers intended to convey music or other regulated entertainment beyond the building i.e. garden, beer garden or smoking areas.
- iii) The DPS or nominated representative must ensure that behaviour and noise from patrons within the beer garden are monitored and do not cause nuisance to adjacent or nearby premises.

Copy of Current Licence



Premises Licence

Premises Licence No. **PREM0114**

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description:

Kings Arms Beoley Road West St Georges Redditch B98 8LT

Telephone No: **01527 62641**

This licence will take effect from **06/11/2007**

Licensable activities authorised by the licence

| | |
|--------------------------|------------------------------|
| Recorded Music | (indoors) |
| Supply of Alcohol | (on/off the premises) |
| Live music | (indoors) |

The opening hours of the premises are:

| | |
|--|---|
| Monday | 08:00hrs to 02:30hrs |
| Tuesday | 08:00hrs to 02:30hrs |
| Wednesday | 08:00hrs to 02:30hrs |
| Thursday | 08:00hrs to 02:30hrs |
| Friday | 08:00hrs to 02:30hrs |
| Saturday | 08:00hrs to 02:30hrs |
| Sunday | 08:00hrs to 02:30hrs |
| Others | 11:00hrs to 23:00hrs Christmas Day |
| From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day | |

Where the licence authorises the supply of alcohol, this is for consumption **ON/OFF** the premises

| The times the licence authorises the carrying out of licensable activities: - | | | |
|---|---|--------------|--------------|
| Recorded Music | Monday to Sunday | 08:00 | 02:00 |
| Recorded Music | Christmas Day | 11:00 | 23:00 |
| Recorded Music | From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day | | |
| Supply of Alcohol | Monday to Sunday | 08:00 | 02:00 |
| Supply of Alcohol | Christmas Day | 11:00 | 23:00 |
| Supply of Alcohol | From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day | | |
| Live music | From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day Amplified and or unamplified live music performed by no more than 2 entertainers | | |
| Live music | Monday to Sunday Amplified and or unamplified live music performed by no more than 2 entertainers | 08:00 | 02:00 |
| Live music | Christmas Day Amplified and or unamplified live music performed by no more than 2 entertainers | 11:00 | 23:00 |

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Name: **Punch Taverns plc**

Address: **Jubilee House
Second Avenue
Burton upon Trent
Staffordshire**

Post code: **DE14 2WF**

Telephone: **01283501600**

Email :

Name, (registered) address, telephone number and email (where relevant) of joint holder of premises licence

Name:

Address:

Post code:

Telephone:

Registered number of holder, for example company number, charity number (where applicable)

03752645

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Name: **Mr R Davidson**

Address:

Post code:

Telephone:

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No: **18250045**

Issuing

Authority: **Redditch Borough Council**

Annex 1 - Mandatory conditions

Mandatory conditions where licence authorises supply of alcohol

- (1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.
- (2) The first condition is that no supply of alcohol may be made under the premises licence: -
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory condition: exhibition of films

- (1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
- (2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- (3) Where: -
 - (a) the film classification body is not specified in the licence, or
 - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,admission of children must be restricted in accordance with any recommendation made by that licensing authority.
- (4) In this section: -
 - "children" means persons aged under 18; and
 - "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory condition: door supervision

- (1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
- (2) But nothing in subsection (1) requires such a condition to be imposed: -
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - (b) In respect of premises in relation to-
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section: -
 - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 Conditions consistent with the operating schedule

a General

30 minute drinking up time will allow appropriate dispersal, use of lavatories etc.

In order to further the licensing objectives, the licensee reserves the right to move the fire appliances, AWP machines, cigarette machines and or any other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.

b The prevention of crime and disorder

Burglar alarm installed

Lighting to car park.

CCTV to front of premises

Toilets checked regularly.

Member of Pub Watch scheme.

Licensee & staff monitor customer behaviour.

Toilets access is visible to staff from servery area

Last entry time 23:30hrs

c Public Safety

Fire alarm and fire-fighting equipment installed and regularly serviced.

Emergency lighting and illuminated exit signs.

Accident / incident book on site for staff and customers.

First aid kit on site.

Mechanical extraction system throughout.

Licensee carries out annual risk assessment

Pub promotes licensed taxi service for onward journeys by customers

d The Prevention of Public Nuisance

Any noisy entertainment takes place in lounge, facing away from residents.

Licensee monitors noise levels.

Fabric of building retains noise.

Customers are requested to leave premises quietly

Taxi drivers are instructed not to use horns

Outside drinking area is situated away from residents.

e The Protection of Children from Harm

No unaccompanied children allowed in the premises.

No children allowed after 20:00hrs

AWP and cigarette machines are in view of staff from servery areas

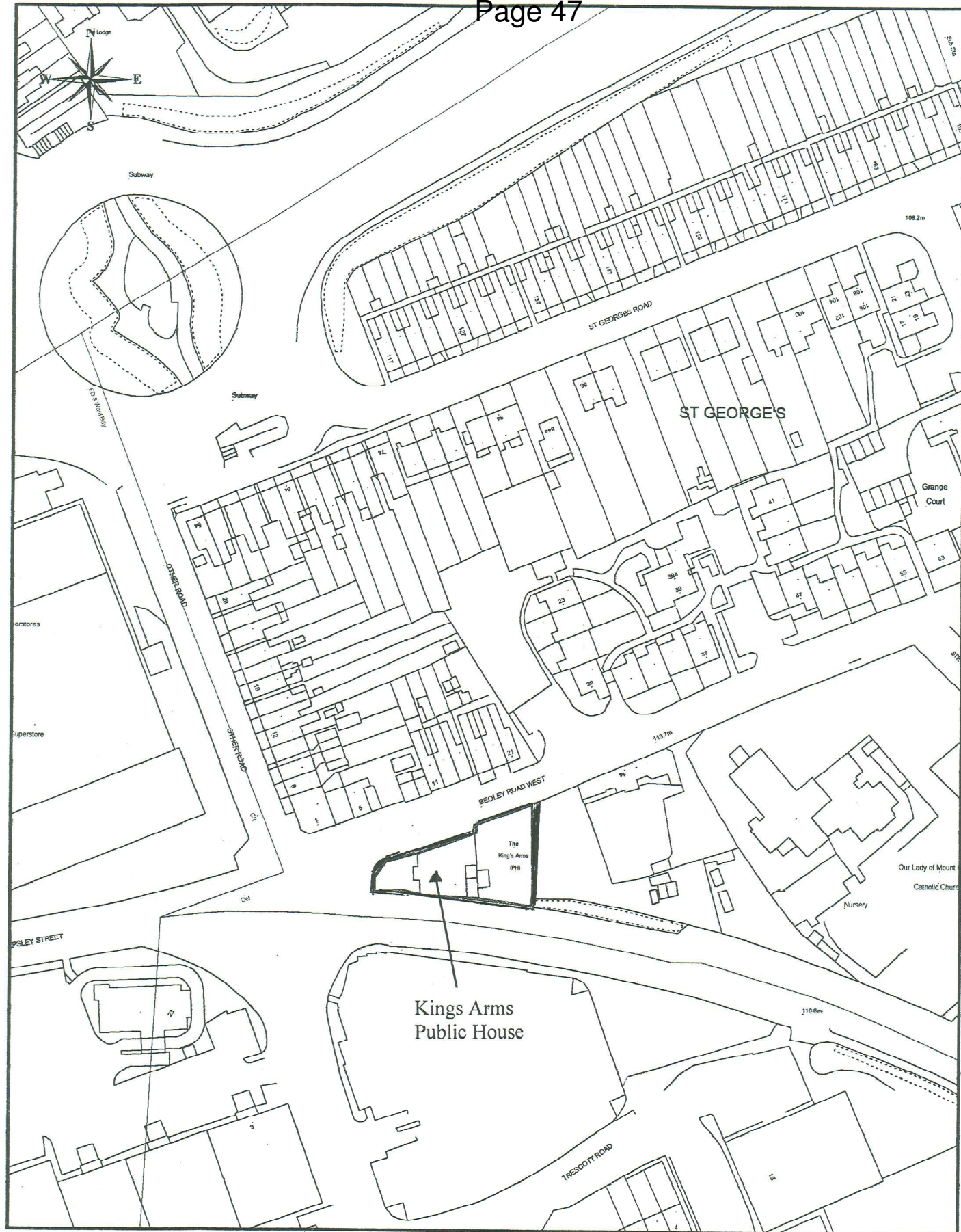
Annex 3 Conditions after Hearing

Not Applicable

Annex 4 - Plans

See Attached

Location Map



REDDITCH BOROUGH COUNCIL



www.redditchbc.gov.uk

Planning Services
Town Hall
Walter Stranz Square
Redditch
Worcs B98 8AH

| | | |
|-------------|------------------------|----------------|
| Project: | Project Title | Drawn: AAA |
| Drawing: | Drawing Details | Scale: 1/000 |
| Drawing No: | P0000/0 | Date: BBB 2009 |

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