

TO:- Licensing Sub-Committee

Notice is hereby given that a meeting of the Licensing Sub Committee will be held as detailed below for the purpose of transacting the business set out below.

Date: Wednesday, 06 March 2024

Time: 14:00

Venue: Council Chamber, Council Offices, Wolverhampton Road, Codsall, South Staffordshire, WV8 1PX



D. Heywood
Chief Executive

A G E N D A

Part I – Public Session

- | | | |
|----------|---|----------------|
| 1 | Minutes
To approve the minutes of the Licensing Sub Committee held on 17 January 2024. | 1 - 2 |
| 2 | Apologies

To receive any apologies for non-attendance. | |
| 3 | Declarations of Interest

To receive any declarations of interest. | |
| 4 | Application for a Premises Licence - Chillington Play Barn Ltd T/A Hockerhill Farm, Kiddmore Green Road Brewood, ST19 9BQ
Report of Licensing Officer | 3 - 40 |
| 5 | Application for a Premises Licence - The Crown Inn, Norton Road, Iverley, DY8 2RX
Report of the Licensing Officer | 41 - 86 |

Part II – Private Session

RECORDING

Please note that this meeting will be recorded.

PUBLIC ACCESS TO AGENDA AND REPORTS

Spare paper copies of committee agenda and reports are no longer available. Therefore should any member of the public wish to view the agenda or report(s) for this meeting, please go to www.sstaffs.gov.uk/council-democracy.

Minutes of the meeting of the **Licensing Sub-Committee** South Staffordshire Council held in the Council Chamber Community Hub, Wolverhampton Road, Codsall, South Staffordshire, WV8 1PX on Wednesday, 17 January 2024 at 11:00

Present:-

Councillor Andrew Adams, Councillor Meg Barrow, Councillor Rita Heseltine, Councillor Rob Nelson, Councillor Bernard Williams

23 **MINUTES**

RESOLVED: that the minutes of the meeting of the Licensing Sub Committee held on 6 November 2023 be approved and signed by the Chairman.

24 **APOLOGIES**

There were no apologies.

25 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

26 **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: that the Press and Public be excluded from the remainder of the meeting during consideration of the following items on the grounds that they are likely to involve the disclosure of exempt information as defined in Paragraphs 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

27 **APPLICATION FOR SOUTH STAFFORDSHIRE PRIVATE HIRE**

This item is exempt in accordance with Schedule 12A Local Government Act 1972

- Information relating to any individual;

The Meeting ended at: 13:00

CHAIRMAN

SOUTH STAFFORDSHIRE COUNCIL**LICENSING AND REGULATORY SUB-COMMITTEE – Wednesday 6th March 2024 @****APPLICATION FOR A PREMISES LICENCE – Chillington Play Barn Ltd T/A Hockerhill Farm, Kiddmore Green Road Brewood, ST19 9BQ****REPORT OF LICENSING OFFICER - ENVIRONMENTAL HEALTH & LICENSING****PART A – SUMMARY REPORT****1. SUMMARY OF PROPOSALS**

To consider the premises licence application submitted by Chillington Play Barn Ltd, in respect of Hockerhill Farm, Kiddmore Green Road, Brewood ST19 9BQ

2. RECOMMENDATIONS

- 2.1** That the Licensing Authority (Sub-Committee) determine the Premises licence application for Hockerhill Farm, Kiddmore Green Road Brewood, ST19 9BQ

3. SUMMARY IMPACT ASSESSMENT

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	Yes	A safe and sustainable district.
	Has an Equality Impact Assessment (EqIA) been completed?	
	Yes/No	Not applicable as item relates to individual determination within the existing policy.
SCRUTINY POWERS APPLICABLE	Yes/No – Report to Legal and Regulatory Committee	
KEY DECISION	Yes/No	
TARGET COMPLETION/ DELIVERY DATE	Details – Not Applicable	
FINANCIAL IMPACT	No	
LEGAL ISSUES	Yes/No	The sub-committee must seek to ensure that this premises promotes the objectives of the licensing regime. The sub- committee must have regard to the authority's licensing policy (where relevant) and any central government guidance. The sub-committee is entitled to question the applicant, Pattingham Vineyard so as to satisfy itself that the licensing objectives will be met.
		All parties have a right of appeal to a Magistrates Court. Appeals should be in writing to the

		Magistrates Court within 21 days from the date the applicant is notified of the licensing authority decision.
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	Summary of Details
IMPACT ON SPECIFIC WARDS	No	Details as necessary

PART B – ADDITIONAL INFORMATION

4. INFORMATION

4.1 An application for a premises licence was received from Chillington Play Barn Ltd via the GOV.UK portal on the 10th January 2024. This was forwarded to the 'other responsible authorities' and notices displayed and was advertised in accordance with the requirements of the Act. The application and plan are attached as **Appendix A and A1**

4.2 The premises are situated just outside the village of Brewood on the Kiddmore Green Road a site plan of the play barn and surrounding area is attached as **Appendix B**.

4.3 The application requests the following licensable activities:

Proposed Licensable Activities	Days of the Week	Time from /Time to
sale of alcohol	Monday to Friday	12 Noon to 5pm
	Saturday & Sunday	12 Noon to 3.30pm

4.4 It is the understanding of the Licensing Authority that the application for the premises licences has been properly made. The statutory requirement to give notice of the application has also been complied with.

4.5 No outstanding representations have been received from any of the responsible authorities namely: Planning Enforcement and Environmental Protection; Environmental Health and Licensing; Development Control; Staffordshire Fire and Rescue; Children and Lifelong Learning; Primary Care Trust (PCT), Staffordshire Police, Staffordshire County Council (Trading Standards) and Home Office (immigration).

4.6 Staffordshire police have agreed conditions with the applicant on the 30th January 2024 the agreed conditions are attached as **Appendix C**

4.7 Five (5) representations from a local residents have been received by the licensing authority between 22nd January and 5th February 2024 the objection are attached as **Appendix D**. The grounds for the representation are made against the licensing objectives of :

- The Prevention of Crime and Disorder
- Public Safety
- The protection of Children from Harm

4.7 Copies of all the objections have been served on the applicant "Chillington Play Barn Ltd"

5. Licensing Act 2003 - Section 182 Guidance

Licensing objectives and aims

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

1.3 The licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

Section 182 Guidance

Determining actions that are appropriate for the promotion of the licensing objectives

Protection of children from harm

2.28 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

2.29 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.30 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as

a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

2.31 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

2.32 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.33 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- restrictions on the hours when children may be present;
- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);
- restrictions or exclusions when certain activities are taking place;
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

2.35 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

9.34 Applicants should be encouraged to contact responsible authorities and others, such as local residents, who may be affected by the application before formulating their applications so that the mediation process may begin before the statutory time limits come into effect after submission of an application. The hearing process must meet the requirements of regulations made under the 2003 Act. Where matters arise which are not covered by the regulations, licensing authorities may make arrangements as they see fit as long as they are lawful.

9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of licensing policy.

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

6. Legal status

Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. This Guidance is therefore binding on all licensing authorities to that extent. However, this Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

Nothing in this Guidance should be taken as indicating that any requirement of licensing law or any other law may be overridden (including the obligations placed on any public authorities under human rights legislation). This Guidance does not in any way replace the statutory provisions of the 2003 Act or add to its scope and licensing authorities should note that interpretation of the 2003 Act is a matter for the courts. Licensing authorities and others using this Guidance must take their own professional and legal advice about its implementation.

7. Local Authority's Powers

7.1 Should the Licensing Authority consider it appropriate for the promotion of the licensing objectives it is required to modify the conditions of the premises licence and/or reject the whole or part of the application as appropriate for the promotion of those objectives.

If the Licensing Authority does not consider it appropriate for the promotion of the licensing objectives to take such steps the application must be granted as sought.

In determining the application with a view to promoting the licensing objectives in the overall interests for the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representation (including supporting information) presented by all the parties;
- the Home Office guidance issued under Section 182 of the Licensing Act 2003;
- its own statement of licensing policy.

The Licensing Authority is not bound to follow such guidance but must have regard to it and if departing from it have rational reasoning for doing so.

8. HUMAN RIGHTS IMPLICATIONS

8.1 This report has human rights implication for the premises licence holder as "every natural or legal person is entitled to the peaceful enjoyment of his possessions." [a licence]. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law. This does not impair the right of a State [the committee] to enforce such laws as it deems necessary to control the use of property in accordance with the general interest.

8.2 In addition as regards the conduct of the hearing there is the right to a fair hearing as "in the determination of his civil rights and obligations" everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal [the committee] established by law. "Judgment" shall be pronounced publicly but the press and public may be excluded from all or part of the hearing where the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the committee where publicity would prejudice the interests of justice.

9. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

EqIA not applicable

10. PREVIOUS MINUTES

Not applicable

11. BACKGROUND PAPERS

List of background papers used in preparation of report:

Licensing Act 2003

Section 182 Guidance
South Staffordshire Licensing Policy
Human Rights Act 1998

Report prepared by: John Chislett

Name and Post: John Chislett, Licensing Officer, Environmental Health & Licensing

Application for a premises licence to be granted 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 CHILLINGTON PLAYBARN LIMITED
(insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description <u>HOCKERHILL</u> <u>KIDDEMORE GREEN ROAD</u> <u>BREWOOD</u> <u>STAFFORDSHIRE</u>	
Post town	<u>STAFFORDSHIRE</u>
Postcode	<u>ST19 9BQ</u>

Telephone number at premises (if any)	<u>01902 271 881</u>
Non-domestic rateable value of premises	£ <u>UNKNOWN</u>

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate Please tick as

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
i	as a limited company/limited liability partnership	<input checked="" type="checkbox"/>	please complete section (B)
ii	as a partnership (other than limited liability)		please complete section (B)
iii	as an unincorporated association or		please complete section (B)
iv	other (for example a statutory corporation)		please complete section (B)

c)	a recognised club	please complete section (B)
d)	a charity	please complete section (B)
e)	the proprietor of an educational establishment	please complete section (B)
f)	a health service body	please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	please complete section (B)
h)	the chief officer of police of a police force in England and Wales	please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) individual applicants (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

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Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

(B) Other applicants

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	CHILLINGTON PLAYBARN LIMITED
Address	CHILLINGTON HALL CORSALL WOOD WOLVERHAMPTON STAFFS WV8 1RG

Registered number (where applicable)	12606140
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	01902 851410
E-mail address (optional)	charlie@chillingtonhall.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	2	02/20/24

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Childrens playbarn, with small restaurant. Seating indoor and outdoor offering food and drinks (limited range of alcohol). Seating is allocated away from childrens play area.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	
b) films (if ticking yes, fill in box B)	
c) indoor sporting events (if ticking yes, fill in box C)	
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	

e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	✓

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
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 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)</u>	Indoors	
				Outdoors	
				Both	
Day	Start	Finis h			
Mon			<u>Please give further details here (please read guidance note 4)</u>		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films (please read guidance note 5)</u>		
Thur					
Fri			<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 (please read guidance note 6)</u>		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			State any seasonal variations for indoor sporting events (please read guidance note 5)
Fri			
Sat			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 (please read guidance note 6)
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)			
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 6)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed					
Thur			State any seasonal variations for the performance of live music (please read guidance note 5)		
Fri					
Sat			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 (please read guidance note 6)		
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<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 6)		
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
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 5)		
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 6)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	12pm	17.00			
Tue	12pm	17.00			
Wed	12pm	17.00			
Thur	12pm	17.00			
Fri	12pm	17.00			
Sat	12pm	15.30			
Sun	12pm	15.30	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 (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	CHARLES GIFFARD
Date of birth	18/01/1982
Address	CHILLINGTON HALL COOSALL WOOD WOLVERHAMPTON STAFFORDSHIRE
Postcode	WV8 1RE
Personal licence number (if known)	PA1594
Issuing licensing authority (if known)	SOUTH STAFFS COUNCIL

K

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 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	09.00	17.30	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 (please read guidance note 6)
Tue	09.00	17.30	
Wed	09.00	17.30	
Thur	09.00	17.30	
Fri	09.00	17.30	
Sat	09.00	16.00	
Sun	09.00	16.00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Prevention of crime and disorder
we will endeavour to undertake all
precautions as the below.
we will consider the needs and interests
of the community.

b) The prevention of crime and disorder

we have CCTV inside and outside of the
premises.
Staff will be trained in monitoring the sale
of alcohol.
Regular staff training

c) Public safety

Fire Risk Assessment will be created and
maintained. Regular alarm and fire safety
checks. Contracts in place with cleaners,
pest control

d) The prevention of public nuisance

Rubbish tidied away regularly.
Site maintained regularly.
Site will be closed at 17.30 to the
public.

e) The protection of children from harm

No irresponsible alcohol promotions.
 Monitoring parental responsibility in
 purchasing alcohol.
 All children will be accompanied by an
 adult. Everyone on the premises will be responsible.

Checklist:

Please tick to indicate agreement

		✓
•	I have made or enclosed payment of the fee.	✓
•	I have enclosed the plan of the premises.	
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	✓
•	I understand that I must now advertise my application.	✓
•	I understand that if I do not comply with the above requirements my application will be rejected.	✓
•	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in
-------------	---

	<p>the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	<i>John Giffen</i>
Date	10.01.2024
Capacity	DIRECTOR

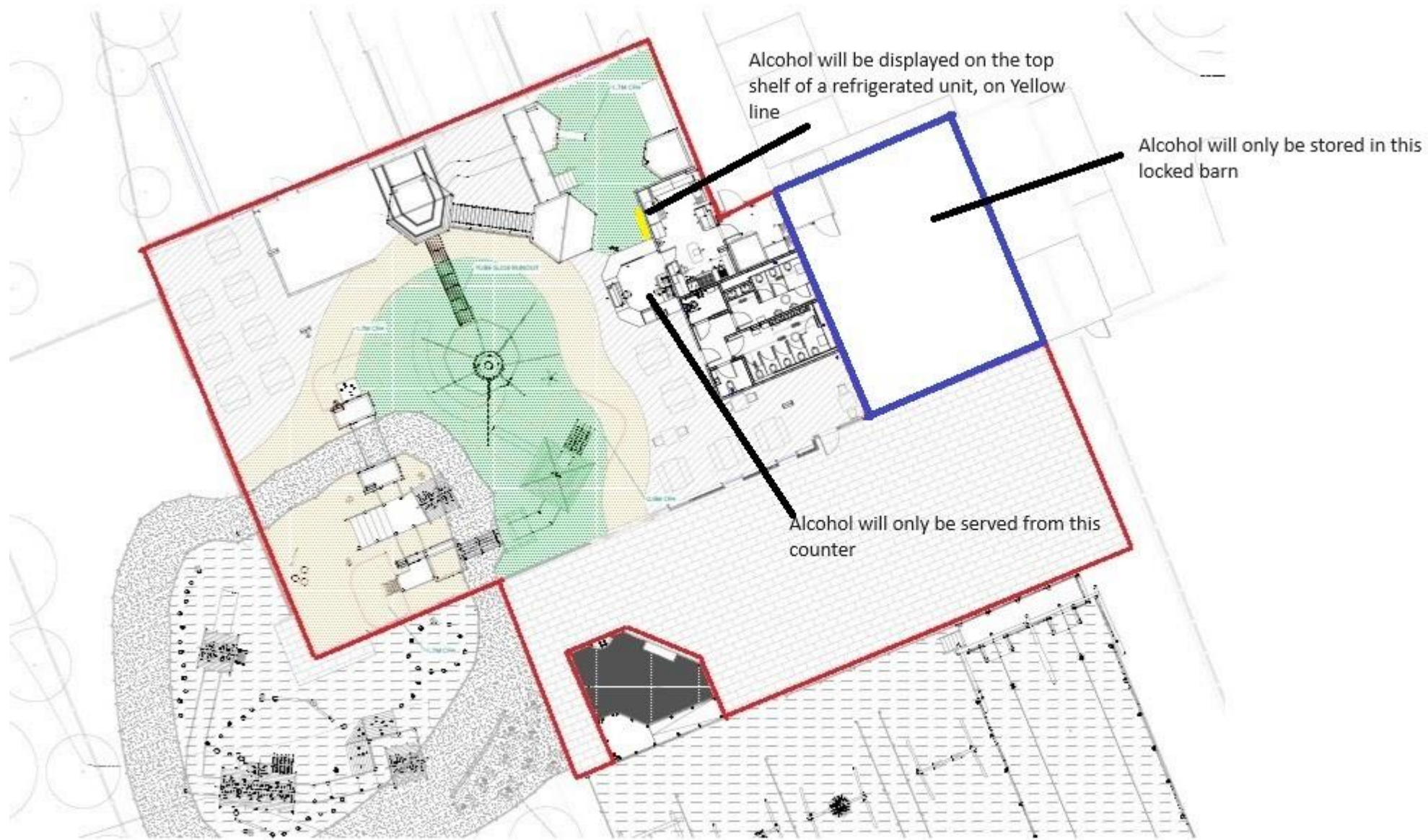
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

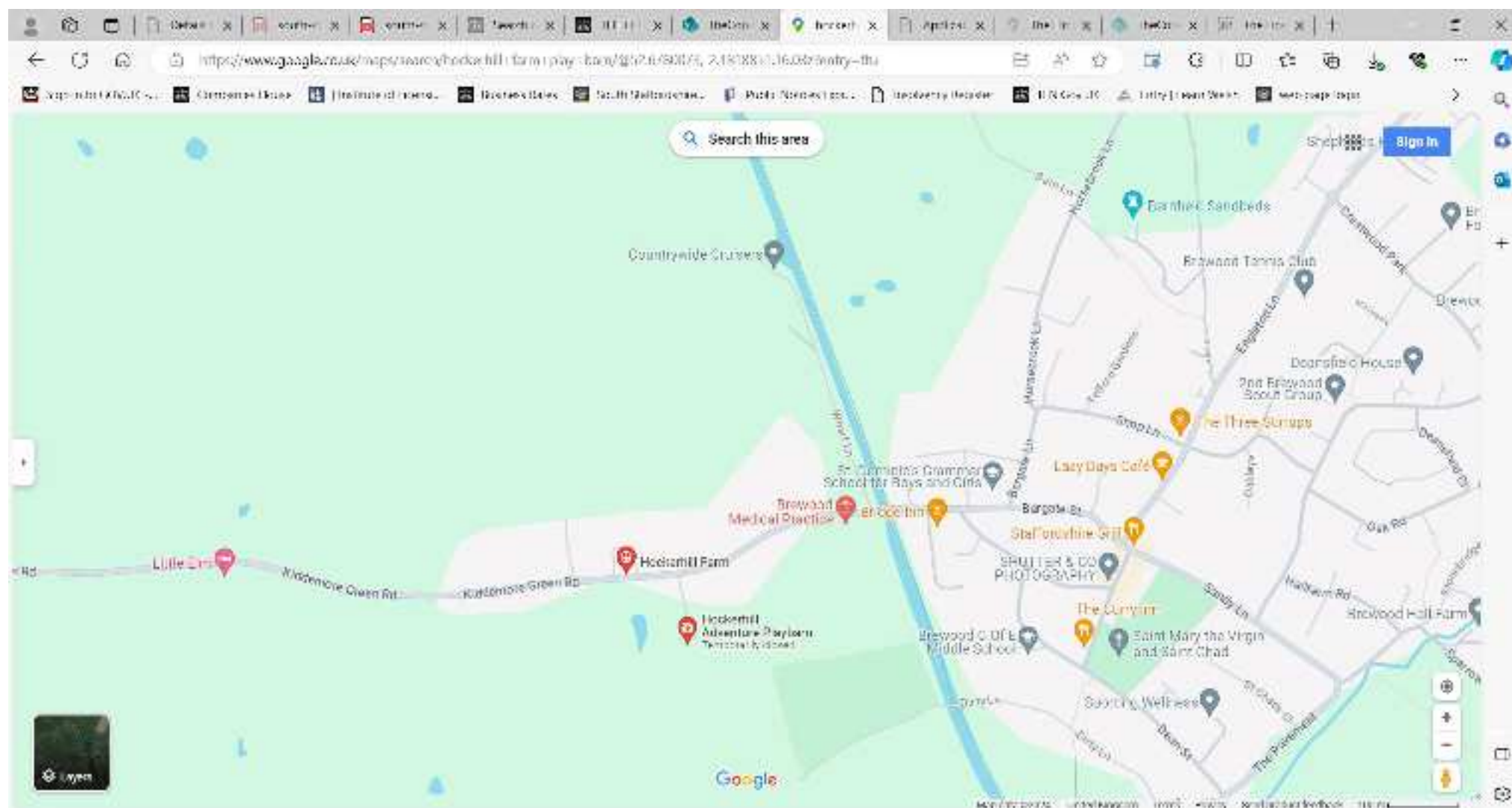
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance





To incorporate conditions in section M (b) The prevention of crime and disorder:

1. CCTV must be installed and cover all internal areas, including all public entry and exit points and any areas where smokers are allowed to congregate. The CCTV unit must be positioned in a secure part of the licensed premises and not within any private area of the location. Access to the system must be allowed immediately to the Police, Trading Standards or Local Authority Officers in accordance with the Data Protection Act where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.
2. All images must be kept for a consecutive 31 day period and to be produced to the Police, Trading Standards or Local Authority Officers in relation to the investigation of crime and / or disorder issues and suspected licence breaches, upon request or within 24 hours of such request where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.
3. The CCTV system must be maintained so as to be fully operational and recording continually whilst the premises are open for licensable activities and during all times when customers remain on the premises.
4. The CCTV system clock must be set correctly and maintained (taking account of GMT and BST).
5. There must be notices displayed throughout the premises stating that CCTV is in operation.
6. There must be a member of staff available at all times who is trained and capable of operating the CCTV system and also downloading any footage required by the Police, Trading Standards or Local Authority Officers.
7. Staff training must incorporate:
 - Responsible Alcohol Service, including recognising signs of drunkenness, refusal skills
 - Managing and resolving conflict
 - Premises Licence conditions
 - Relevant obligations and offences under the Licensing Act 2003, including those associated with the sale of alcohol
 - Safeguarding awareness in child protection matters (protecting children from harm)

Records of training must be documented and kept on the premises for inspection by the Responsible Authorities.

To incorporate conditions in section M (e) The protection of children from harm:

1. Challenge 25 must be operated at the premises whereby all persons who appear to be under 25 and purchasing or attempting to purchase alcohol must be asked to provide identification to prove they are over 18 years of age.
2. Both initial and subsequent refresher training in relation to the sale of alcohol must contain a written or electronic test to be undertaken by the staff member and this record must be signed and dated by both the member of staff and the Designated Premises Supervisor.
3. The only acceptable forms of identification allowed must be a valid passport, valid photo ID driving licence or valid proof of age scheme card with the PASS approved hologram or Home Office approved ID

4. Challenge 25 signage must be displayed in a clear and prominent public place at the premises.

5. All staff must be fully trained in relation to the Challenge 25 scheme before being allowed to sell alcohol and a record must be kept of staff training. Training must be refreshed at least every 12 calendar months. Such training must be recorded and be maintained at the premises and made available for inspection upon request by a Responsible Authority. Records for each person must be retained for a minimum of 12 months.

6. A refusals register must be held at the premises and contain details of the time and date of any sales that are refused in relation to persons that are under age. This register must be made available for inspection upon request by a Responsible Authority. Records must be retained for a minimum of 12 months. This register can be written or electronic.

From: SG

Sent: Sunday, January 21, 2024 3:26 PM

To: licensing@sstaffs.gov.uk

Subject: Hockerhill Play Barn

I am writing to make a formal objection to the licensing application at Hockerhill play barn on Kiddemore Green Road, Brewood. The original development was to be a children's activity centre and not a bar, offering alcohol is encouraging people to drink and drive as there is very poor public transport for the area. Protecting children from harm is part of the licensing objective and by putting adults at the wheel of a car whilst transporting children after consuming alcohol goes against this, public safety and prevention of crime would also be compromised.

Should the license be granted it will not be long before extensions would be applied for to allow alcohol sales into the evenings and then for events to be held there which again will encourage drink driving, and anti social behaviour. Again I reiterate that the original application was for a children's venue and a children's venue does not require the sale of alcohol.

I hope you do not allow this licence to go ahead as it is moving away from the original intention of the premises.

Regards SG

From: IC

Sent: Thursday, January 25, 2024 2:22 PM

To: External Email for Licensing <Licensing@sstaffs.gov.uk>

Subject: Chillington Playbarn ST19 9BQ

Dear Sir/Madam,

I wish to object to the granting of an alcohol license for the above premises, on the following grounds;

- 1) There are already seven businesses in Brewood serving alcohol .
- 2) The venue is supposed to be for children to play and I can't see how serving alcohol will enhance that experience for children.
- 3) Serving alcohol increases the likelihood of antisocial behaviour.
- 4) The granting of an alcohol license potentially means children will be inadequately supervised.
- 5) The availability of alcohol increases the possibility for driving under the influence.

I trust the above is will be of assistance when considering the judgement.

Yours faithfully

IC

I wish to make a formal representation of objection against the licensing application for **Chillington Play barn, Hockerhill Farm, Kiddemore Green Road, Brewood ST19 9 BQ.**

This representation is made in line with the mandatory licensing objectives that I believe will not be upheld should this application be approved. My information and views are based upon over 40 years' experience of being involved in the licensing industry and my grounds are as follows:

The development at Hockerhill Farm was applied for and granted on the basis of it being a child friendly development that sought to bring additional children's activities into the area. At no point, so long as I am aware, was the development aimed at adults and as such I make representation that the sale and consumption of alcohol is additional to the original planning and use application.

The sale and consumption of alcohol by adults at a venue that will mainly be reached by vehicular access, especially given the poor public transport service; will therefore go against the mandatory licensing objective for the **Protection of Children from Harm**. Consumption of alcohol and then driving is a common occurrence in and around this area and it is my experienced view that encouraging adults to consume alcohol when both in charge of and transporting children goes against this objective. Again, I reiterate that the premises is designed and operated with children in mind, therefore there is no requirement to furnish adults with alcohol when alternative non alcoholic refreshments and beverages should suffice.

Should this license be granted I believe that by doing so it will also go against the mandatory licensing objectives of **Public Safety** and the **Prevention of Crime and Disorder**. This is covered with the issue of driving whilst under the influence of alcohol. If you are taking children out for a few hours, and this development is aimed at the youngest ages, then there is no requirement to consume alcohol and commit offences against the Road Traffic Act 1988. The roads in and around the South Staffordshire area are well known to be in a poor state of repair with numerous pot holes on most roads and especially in and around Brewood. It is difficult enough avoiding hazards on the highway when driving sober, let alone promoting adults to do so once they have consumed alcohol.

This development is aimed at children and young families and was subject to many planning objections from local residents with one of the main grounds being **Public Safety** through the increased road traffic. Advertising the venue as a place where alcohol can be consumed does nothing to allay local feelings about how this premise will operate. Furthermore, should this application be granted it would only serve to encourage the operators to look at extending licensing hours by way of a premise licence variation, which in turn would further distance its premise use from that for which it is intended.

It is also noted that the South Staffordshire Licensing portal states that the application is for the sale of alcohol by retail. This does not clarify whether or not the sale is for consumption ON or OFF the premises, and this representation thus far has been for the sale and consumption ON premises. Should the application also include the sale and consumption of alcohol OFF the premises then please note that I may representation under the mandatory licensing objective of the **Prevention of Public Nuisance**.

Brewood already has a number of public houses and also two shops that are permitted to sell alcohol for consumption OFF the premises. By adding another premise to the list, it will encourage young people to attempt to purchase alcoholic beverages and consume them in the streets and therefore created Public Nuisance by creating litter and engaging in alcohol fuelled anti-social behaviour. Clearly this type of behaviour would also result in the other three mandatory licensing objectives not being upheld.

I hope that you take onboard this representation along with others that will no doubt be submitted and reject the application as it is not in line with what the premises use was applied and designed for.

PG

From: RT
Sent: Friday, February 2, 2024 4:21 PM
To: External Email for Licensing <Licensing@sstaffs.gov.uk>
Subject: Chillington Playbarn Brewood ST19 9BQ

Subject: Concerns Regarding Proposed Alcohol License at Hockerhill Playbarn Brewood

Dear Sir/Madam,

My name is RT, and I am writing to express my reservations about the recent proposal to grant an alcohol license to Hockerhill Playbarn Brewood.

While I fully appreciate the diverse offerings of our community's businesses, I believe that the introduction of alcohol sales in a children's playbarn raises significant concerns. Firstly, the primary focus of such facilities is to provide a safe, healthy, and alcohol-free environment for children to play and learn. Introducing alcohol into this setting may not only detract from this wholesome atmosphere but also pose potential safety risks both within the venue and traveling home from it.

The presence of alcohol can inadvertently lead to situations where children's well-being might be compromised. Even with strict supervision, the likelihood of inadvertent access to alcohol by minors cannot be completely ruled out. Moreover, the impact of alcohol consumption on adult behavior could affect the overall environment of the playbarn, potentially leading to inappropriate situations in a child-centric space.

Furthermore, many parents and guardians choose these facilities precisely because they offer a child-friendly, alcohol-free environment. The introduction of alcohol could deter these individuals from utilizing the playbarn, thereby impacting its core mission of serving as a safe space for children.

I understand the economic factors at play and the desire to diversify offerings to attract a broader clientele. However, I believe this decision must be weighed against the primary purpose and values of the facility. I strongly urge a reconsideration of this proposal, keeping in mind the best interests of our young community members and their families.

Thank you for taking the time to consider my concerns. I am available for further discussion.

Sincerely,

RT

From: GC
Sent: Monday, February 5, 2024 11:37 AM
To: External Email for Licensing <Licensing@sstaffs.gov.uk>
Subject: Chillington Playbarn ST199Bq

I wish to object to the granting of an alcohol licence for the above premises.
As a venue specifically for children, many of them quite young, I feel that the safeguarding of these children is at risk.
The venue should concentrate on the enjoyment and safety of all and I'm sure that they will have made provision for it. Therefore introducing alcohol decreases the ability of parents to supervise their children and may result in antisocial behaviour which would spoil the experience for others. There are already seven licensed premises within one mile of the venue and it was indicated that the village of Brewood would benefit from this new venture.
There is no need for alcohol on these premises.
Thanking you for your attention
GC

SOUTH STAFFORDSHIRE COUNCIL**LICENSING AND REGULATORY SUB-COMMITTEE – Wednesday 6th March 2024 @****APPLICATION FOR A PREMISES LICENCE – The Crown Inn, Norton Road Iwerley DY8 2RX****REPORT OF LICENSING OFFICER - ENVIRONMENTAL HEALTH & LICENSING****PART A – SUMMARY REPORT****1. SUMMARY OF PROPOSALS**

To consider the premises licence application submitted by McClure Hospitality Ltd, in respect of The Crown Inn, Norton Road, Iwerley, DY8 2RX

2. RECOMMENDATIONS

- 2.1** That the Licensing Authority (Sub-Committee) determine the Premises licence application for The Crown Inn, Norton Road, Iwerley, DY8 2RX

3. SUMMARY IMPACT ASSESSMENT

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	Yes	A safe and sustainable district.
	Has an Equality Impact Assessment (EqIA) been completed?	
	Yes/No	Not applicable as item relates to individual determination within the existing policy.
SCRUTINY POWERS APPLICABLE	Yes/No – Report to Legal and Regulatory Committee	
KEY DECISION	Yes/No	
TARGET COMPLETION/ DELIVERY DATE	Details – Not Applicable	
FINANCIAL IMPACT	No	
LEGAL ISSUES	Yes/No	<p>The sub-committee must seek to ensure that this premises promotes the objectives of the licensing regime. The sub- committee must have regard to the authority's licensing policy (where relevant) and any central government guidance. The sub-committee is entitled to question the applicant, Pattingham Vineyard so as to satisfy itself that the licensing objectives will be met.</p> <p>All parties have a right of appeal to a Magistrates Court. Appeals should be in writing to the Magistrates Court within 21 days from the date</p>

		the applicant is notified of the licensing authority decision.
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	Summary of Details
IMPACT ON SPECIFIC WARDS	No	Details as necessary

PART B – ADDITIONAL INFORMATION

4. INFORMATION

4.1 An application for a premises licence was received from McClure Hospitality Ltd via the GOV.UK portal on the 15th January 2024. This was forwarded to the 'other responsible authorities' and notices displayed and was advertised in accordance with the requirements of the Act. The application and plan are attached as **Appendix A and A1**

4.2 The premises are situated on the A451 Kidderminster Road at the junction of Crown Lane, a area plan is attached as **Appendix B**.

4.3 The application requests the following licensable activities:

Proposed Licensable Activities	Days of the Week	Time from /Time to
Live and Recorded Music	Monday to Sunday	Sunday to Thursday 9am – 11pm Friday & Saturday 9am – Midnight New Years Eve From 10am to 10am New Years Day
sale of alcohol	Monday to Sunday	Sunday to Thursday 9am – 11pm Friday & Saturday 9am – Midnight New Years Eve From 10am to 10am New Years Day
Provision of Late Night Refreshment	Monday to Sunday	Sunday to Thursday 11pm – 1130pm Friday & Saturday 11pm – 00.30 New Years Eve From 10am to 10am New Years Day

Opening Hours	Monday to Sunday	Sunday to Thursday 9am – 1130pm Friday & Saturday 9am – 00.30 New Years Eve From 10am to 10am New Years Day
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4.4 It is the understanding of the Licensing Authority that the application for the premises licences has been properly made. The statutory requirement to give notice of the application has also been complied with.

4.5 No outstanding representations have been received from any of the responsible authorities namely: Planning Enforcement and Environmental Protection; Environmental Health and Licensing; Development Control; Staffordshire Fire and Rescue; Children and Lifelong Learning; Primary Care Trust (PCT), Staffordshire Police, Staffordshire County Council (Trading Standards) and Home Office (immigration).

4.6 The Councils Environmental Health & Staffordshire police have agreed conditions with the applicant on the 8th February 2024 the agreed conditions are attached as

Appendix C.

4.7 Three (3) representations from a local residents the objection are attached as **Appendix D.** The grounds for the representation are made against the licensing objectives of :

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- Public Safety

4.7 Copies of all the objections have been served on the applicant "McClure Hospitality Ltd"

4.8 On 7th February 2024 the Licensing Authority sent copies of the agreed conditions to the objectors for consideration.

4.9 On the 4th January 2024, when the licensing authority was carrying out checks on the then premises licence holder Made Inn Social Ltd with a view of calling the premises licence in for review. It was discovered that on the 20th November 2023 Made Inn Social Ltd had placed the company into liquidation.

Under Section 27 of the Licensing Act 2003 a premises licence lapses upon appointment of a company going into liquidation, as no application was made within 28 days of the appointment, the premises licence lapsed.

The Company director and DPS Mr Darren McClure was notified by phone and email that the premises licence had lapsed and that all licensable activities should cease with immediate effect until short term Temporary Event notices had been applied for a granted and a new premises licence had been applied for a granted.

5. Licensing Act 2003 - Section 182 Guidance

Licensing objectives and aims

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

1.3 The licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

Section 182 Guidance

Determining actions that are appropriate for the promotion of the licensing objectives

9.34 Applicants should be encouraged to contact responsible authorities and others, such as local residents, who may be affected by the application before formulating their applications so that the mediation process may begin before the statutory time limits come into effect after submission of an application. The hearing process must meet the requirements of regulations made under the 2003 Act. Where matters arise which are not covered by the regulations, licensing authorities may make arrangements as they see fit as long as they are lawful.

9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of licensing policy.

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as

the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

Para 16.26 Live Music - Live music is licensable:

- where a performance of live music – whether amplified or unamplified – takes place before 08.00 or after 23.00 on any day;
- where a performance of amplified live music does not take place either on relevant licensed premises, or at a workplace that is not licensed other than for the provision of late night refreshment;
- where a performance of amplified live music takes place at a time when the relevant licensed premises are not open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;
- where a performance of amplified live music takes place at relevant licensed premises, or workplaces, in the presence of an audience of more than 500 people; or
- where a licensing authority intentionally removes the effect of the deregulation provided for by the 2003 Act when imposing a condition on a premises licence or club premises certificate as a result of a licence review

Para 16.28 A public performance of live unamplified music that takes place between 08.00 and 23.00 on the same day no longer requires a licence under the 2003 Act in any location. An exception to this is where a specific condition related to live music is included following a review of the premises licence or club premises certificate in respect of relevant licensed premises.

Key terms used in relation to live music

Para 16.30 Under the live music provisions, “music” includes vocal or instrumental music or any combination of the two. “Live music” is a performance of live music in the presence of an audience which it is intended to entertain. While a performance of live music can include the playing of some recorded music, ‘live’ music requires that the performance does not consist entirely of the playing of recorded music without any additional (substantial and continual) creative contribution being made. So, for example, a drum machine or backing track being used to accompany a vocalist or a band would be part of the performance of amplified live music. The performance of a DJ who is merely playing tracks would not be classified as live music, but it might if he or she was performing a set which largely consisted of mixing recorded music in a live performance to create new sounds⁵⁸. There will inevitably be a degree of judgement as to whether a performance is live music (or recorded music) and organisers of events should check with their licensing authority if this consideration is relevant to whether the activity is authorised by a licence or certificate. In the event of a dispute about whether a performance is live music or not, it will be for the licensing authority initially and ultimately, for the courts to decide in the individual circumstances of any case.

Para 16.32 A “relevant licensed premises” for the purposes of this chapter is one which is authorised to sell or supply alcohol for consumption on the premises by a premises licence or club premises certificate. Premises cannot benefit from the deregulation introduced by the 2012 Act by virtue of holding an authorisation for the sale or supply of alcohol under a TEN.

Recorded music

16.33 No licence is required for recorded music where it takes place on premises which are authorised by a premises licence or club premises certificate to be used for the supply of alcohol for consumption on the premises. However, recorded music remains licensable:

- where the playing of recorded music takes place before 08.00 or after 23.00 on any day;
- where the playing of recorded music takes place at a time when the relevant licensed premises are not open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;
- where the playing of recorded music takes place at relevant licensed premises in the presence of an audience of more than 500 people; and
- where a licensing authority intentionally removes the effect of the deregulation provided for by the 2003 Act (as amended)

Licence conditions - Live Music or recorded music

16.36 Any existing licence conditions (or conditions added on a determination of an application for a premises licence or club premises certificate) which relate to live music or recorded music remain in place, but are suspended between the hours of 08.00 and 23.00 on the same day where the following conditions are met:

- at the time of the music entertainment, the premises are open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;
- if the music is amplified, it takes place before an audience of no more than 500 people; and
- the music takes place between 08.00 and 23.00 on the same day.

16.37 Whether a licence condition relates to live or recorded music will be a matter of fact in each case. In some instances, it will be obvious that a condition relates to music and will be suspended, for example “during performances of live music all doors and windows must remain closed”. In other instances, it might not be so obvious: for example, a condition stating “during performances of regulated entertainment all doors and windows must remain closed” would be suspended insofar as it relates to music between 08.00 and 23.00 on the same day to an audience of up to 500, but the condition would continue to apply if there was regulated entertainment after 23.00.

16.38 More general licence conditions (e.g. those relating to overall management of potential noise nuisance) that are not specifically related to the provision of entertainment (e.g. signage asking patrons to leave quietly) will continue to have effect.

16.39 Chapter 9 of this Guidance sets out how a licensing authority must determine applications for a new licence or to vary an existing premises licence. Licence conditions imposed, in accordance with paragraphs 9.41 to 9.43, for live or recorded music activities will only apply if the activity meets the criteria of having more than 500 people present, and/or the activities are taking place between 23.00 and 08.00.

16.40 These conditions will, in effect, be suspended between 08.00 and 23.00 if a performance of live music or the playing of recorded music takes place before an audience of 500 people or fewer, but will remain on the face of the licence for when these activities may take place under other circumstances.

16.41 Where a performance of live music or the playing of recorded music on relevant licensed premises is not licensable, it remains possible for anyone to apply for a review of a licence or certificate, if there are appropriate grounds to do so

6. Legal status

Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. This Guidance is therefore binding on all licensing authorities to that extent. However, this Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

Nothing in this Guidance should be taken as indicating that any requirement of licensing law or any other law may be overridden (including the obligations placed on any public authorities under human rights legislation). This Guidance does not in any way replace the statutory provisions of the 2003 Act or add to its scope and licensing authorities should note that interpretation of the 2003 Act is a matter for the courts. Licensing authorities and others using this Guidance must take their own professional and legal advice about its implementation.

7. Local Authority's Powers

7.1 Should the Licensing Authority consider it appropriate for the promotion of the licensing objectives it is required to modify the conditions of the premises licence and/or reject the whole or part of the application as appropriate for the promotion of those objectives.

If the Licensing Authority does not consider it appropriate for the promotion of the licensing objectives to take such steps the application must be granted as sought.

In determining the application with a view to promoting the licensing objectives in the overall interests for the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representation (including supporting information) presented by all the parties;
- the Home Office guidance issued under Section 182 of the Licensing Act 2003;
- its own statement of licensing policy.

The Licensing Authority is not bound to follow such guidance but must have regard to it and if departing from it have rational reasoning for doing so.

8. HUMAN RIGHTS IMPLICATIONS

8.1 This report has human rights implication for the premises licence holder as "every natural or legal person is entitled to the peaceful enjoyment of his possessions." [a licence]. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law. This does not impair the right of a State [the committee] to enforce such laws as it deems necessary to control the use of property in accordance with the general interest.

8.2 In addition as regards the conduct of the hearing there is the right to a fair hearing as "in the determination of his civil rights and obligations" everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal [the committee] established by law. "Judgment" shall be pronounced publicly but the press and public may be excluded from all or part of the hearing where the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the committee where publicity would prejudice the interests of justice.

9. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

EqIA not applicable

10. PREVIOUS MINUTES

Not applicable

11. BACKGROUND PAPERS

List of background papers used in preparation of report:

Licensing Act 2003
Section 182 Guidance
South Staffordshire Licensing Policy
Human Rights Act 1998

Report prepared by: John Chislett

Name and Post: John Chislett, Licensing Officer, Environmental Health & Licensing



South Staffordshire
Application for a premises licence
Licensing Act 2003

For help contact
licensing@sstaffs.gov.uk
 Telephone: (01902) 696804

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

THE CROWN INN

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

MCCLURE HOSPITALITY LTD

* Family name

N/A

* E-mail

Main telephone number

Include country code.

Other telephone number

☒ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

☒ Yes

☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

15113726

Business name

MCCLURE HOSPITALITY LTD

If the applicant's business is registered, use its registered name.

VAT number

-

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

United Kingdom

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

THE CROWN INN

Street

NORTON ROAD

District

IVERLEY

City or town

STOURBRIDGE

County or administrative area

Postcode

DY8 2RX

Country

United Kingdom

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

☒ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

☐ A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House?

☒ Yes

☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

GB

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

United Kingdom

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

THE CROWN INN

Street

NORTON ROAD

District

IVERLEY

City or town

STOURBRIDGE

County or administrative area

Postcode

DY8 2RX

Country

United Kingdom

Further Details

Telephone number

Non-domestic rateable value of premises (£)

35,250

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of His Majesty's prerogative

Section 4 of 21

NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

MCCLURE HOSPITALITY LIMITED

Details

Registered number (where applicable)

15113726

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

PRIVATE LIMITED COMPANY

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

THE PREMISES IS A PUB/RESTAURANT LOCATED ON NORTON ROAD IN IVERLEY. IN ADDITION TO THE PUB/RESTAURANT, THE PREMISES HAS AN OUTSIDE TERRACE AREA WITH A MARQUEE AND TIPI AREA. THE PREMISES WILL SUPPLY ALCOHOL FOR CONSUMPTION BOTH ON AND OFF THE PREMISES.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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.

Continued from previous page...

WEDNESDAY

Start 09:00

End 23:00

Start

End

THURSDAY

Start 09:00

End 23:00

Start

End

FRIDAY

Start 09:00

End 00:00

Start

End

SATURDAY

Start 09:00

End 00:00

Start

End

SUNDAY

Start 09:00

End 23:00

Start

End

Will the performance of live music take place indoors or outdoors or both?

☐ Indoors

☐ Outdoors

☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

LIVE MUSIC THROUGHOUT THE PREMISES AND SOMETIMES OUTDOORS - ALL MUSIC OUTDOORS TO END AT 2300 DAILY. MUSIC WILL BE AMPLIFIED AND UNAMPLIFIED DEPENDING ON THE EVENT.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NEW YEARS EVEN FROM 10:00 UNTIL 10:00 NEW YEARS DAY

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NEW YEARS EVEN FROM 10:00 UNTIL 10:00 NEW YEARS DAY

Continued from previous page...

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☐ Indoors

☐ Outdoors

☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

RECORDED MUSIC THROUGHOUT THE PREMISES AND SOMETIMES OUTDOORS - ALL MUSIC OUTDOORS TO END AT 2300 DAILY.

Continued from previous page...

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NEW YEARS EVEN FROM 10:00 UNTIL 10:00 NEW YEARS DAY

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes

☒ No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes

☒ No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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.

WEDNESDAY

Start 23:00

End 23:30

Start

End

THURSDAY

Start 23:00

End 23:30

Start

End

FRIDAY

Start 23:00

End 00:30

Start

End

SATURDAY

Start 23:00

End 00:30

Start

End

SUNDAY

Start 23:00

End 23:30

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☐ Indoors☐ Outdoors☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

HOT FOOD AND/OR HOT DRINKS

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NEW YEARS EVEN FROM 10:00 UNTIL 10:00 NEW YEARS DAY

Section 15 of 21**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

☒ Yes☐ No**Standard Days And Timings**

MONDAY

Start 09:00

End 23:00

Start

End

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.

TUESDAY

Start 09:00

End 23:00

Start

End

WEDNESDAY

Start 09:00

End 23:00

Start

End

THURSDAY

Start 09:00

End 23:00

Start

End

FRIDAY

Start 09:00

End 00:00

Start

End

SATURDAY

Start 09:00

End 00:00

Start

End

SUNDAY

Start 09:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises☐ Off the premises☒ Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

Continued from previous page...

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NEW YEARS EVEN FROM 10:00 UNTIL 10:00 NEW YEARS DAY

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

DARREN

Family name

MCCLURE

Date of birth

/ /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Personal Licence number
(if known)

Issuing licensing authority
(if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

Continued from previous page...

- ☒ Electronically, by the proposed designated premises supervisor
- ☐ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

NONE

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 09:00

End 00:30

Start

End

SUNDAY

Start 09:00

End 23:30

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NEW YEARS EVEN FROM 10:00 UNTIL 10:00 NEW YEARS DAY

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images will be retained for a period of no less than 31 days. Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the request being made.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 12 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority. Staff will also receive regular First Aid training.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

A Challenge 25 policy will be operated at the premise. Acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card.

Continued from previous page...

All forms of outdoor music will finish at 23:00. Outdoor drink service will be halted at 23:00.

When events are run, door supervisors shall be correctly registered with SIA. Door supervisors will display the correct name/identification badge. Female door supervisors shall be available if searches are to be conducted on female customers. Door supervisors will be issued with multi-channel radios capable with communicating with other door supervisors & the DPS.

A suitable Fire risk assessment has been conducted at the premises and implemented necessary control measures. Access is provided for emergency vehicles and kept clear and free from obstruction at all times.

Notices detailing the actions to be taken in the event of fire or other emergency are prominently displayed and are in good condition.

Bins & bottle bins shall not be emptied after 21:00.

Signs shall be placed at exits to remind our guests to be aware of and respect the needs of our neighbours.

Children under the age of 16 must be accompanied by an adult.

b) The prevention of crime and disorder

SAME AS ABOVE

c) Public safety

SAME AS ABOVE

d) The prevention of public nuisance

SAME AS ABOVE

e) The protection of children from harm

SAME AS ABOVE

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00

Continued from previous page...

Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* I/we understand 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.

☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

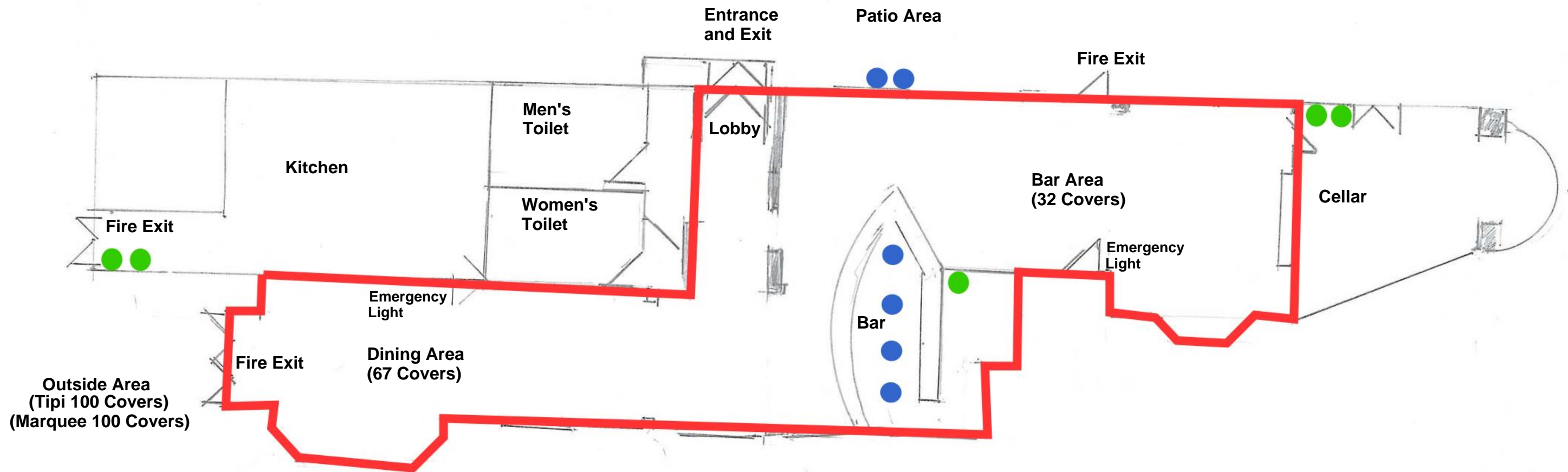
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/south-staffordshire/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

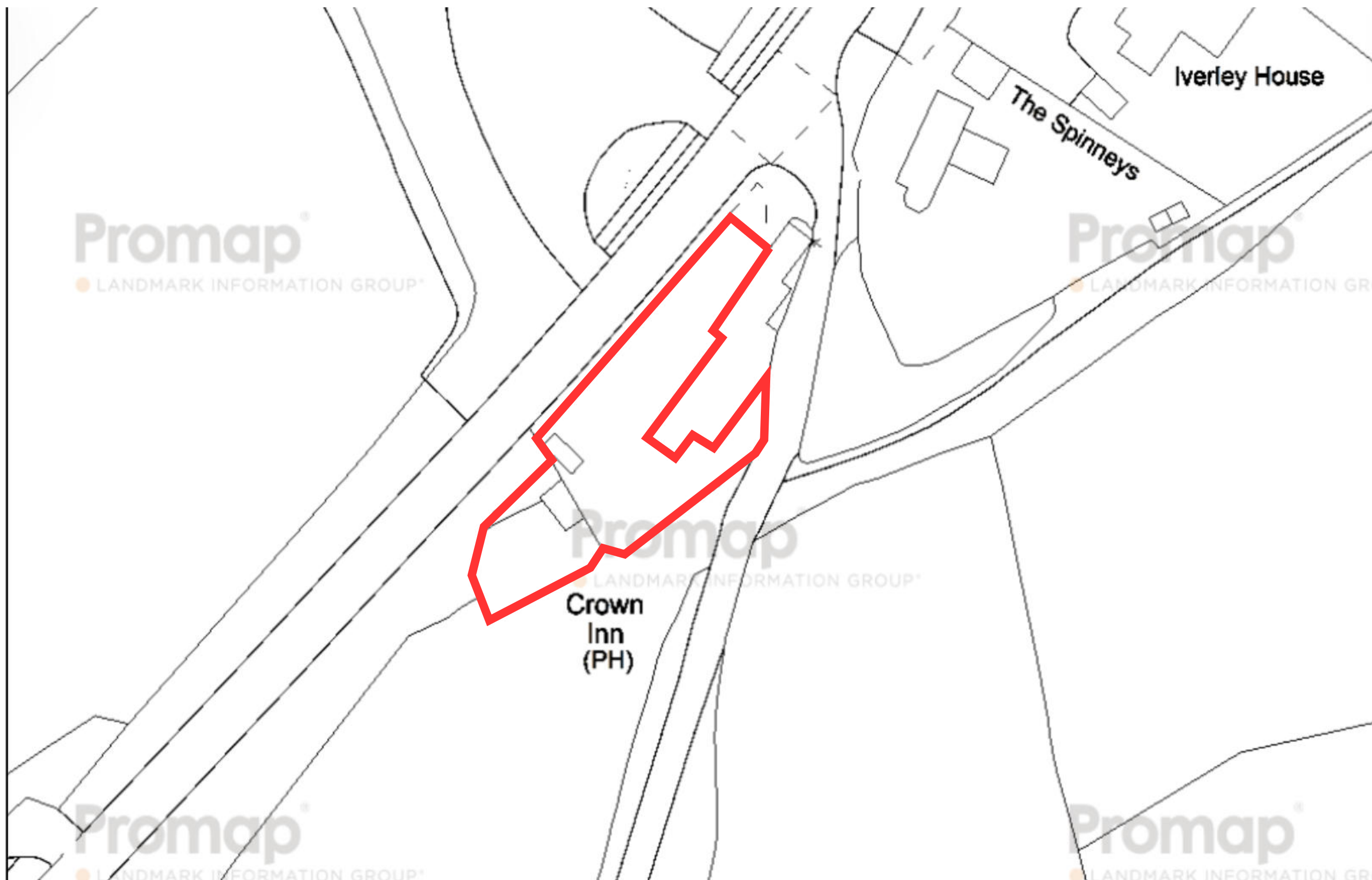
**The Crown Inn
Norton Road, Iverley
Stourbridge
West Midlands
DY8 2RX**




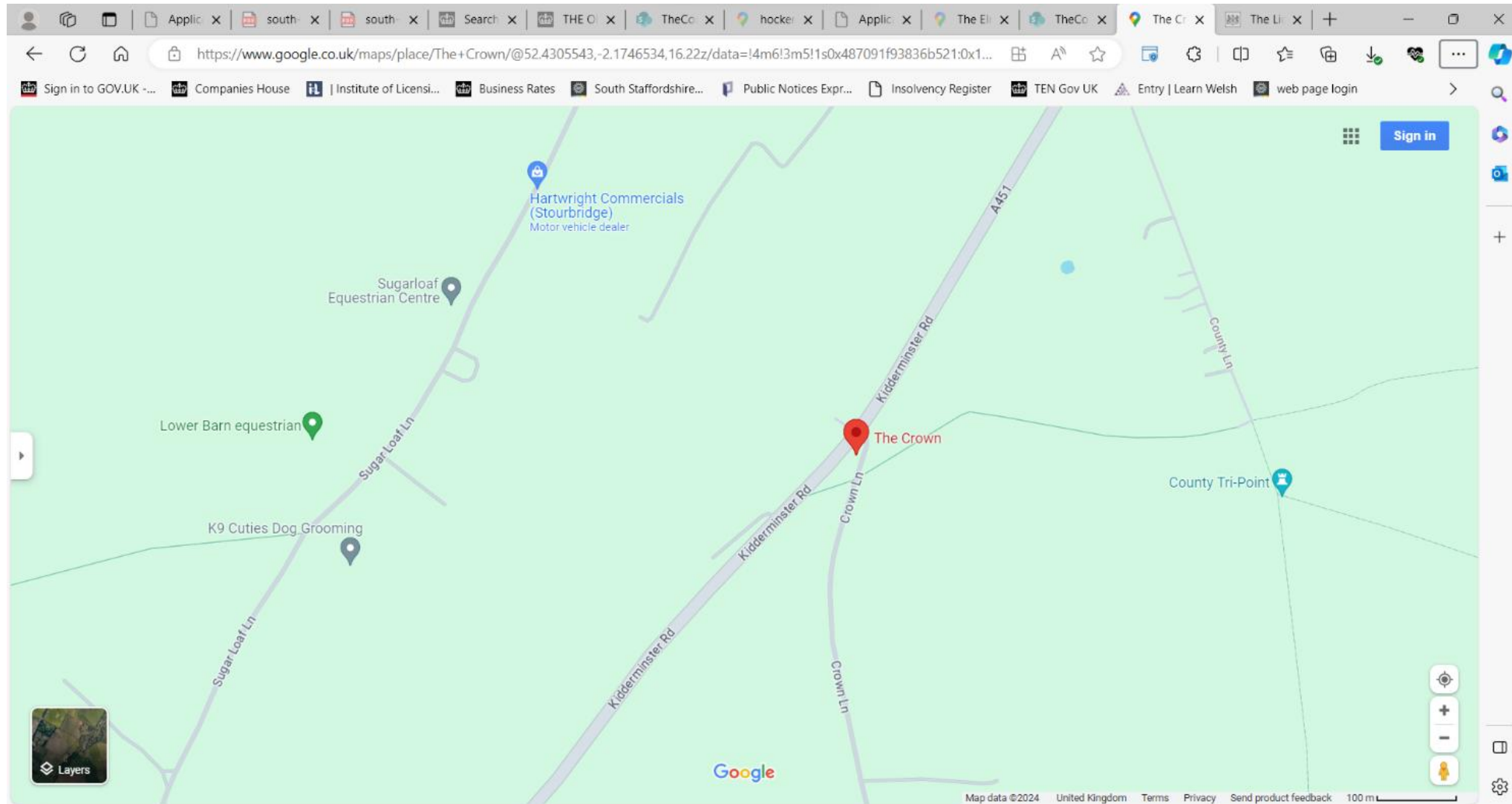
Key:			
		Area licensed for sale of alcohol for consumption on and off the premises, late night refreshment and regulated entertainment	
	Fire Extinguisher		CCTV

Date: January 2024
 Scale: 1:100





Key:	
	Area licensed for sale of alcohol for consumption on and off the premises, late night refreshment and regulated entertainment



CCTV

CCTV shall be installed and cover all licensable areas, including all public entry and exit points, outside areas, marquee and tepee and any areas where smokers are allowed to congregate. Agreed

The CCTV unit shall be positioned in a secure location within the office of the licensed premises and only accessible by management.

CCTV footage shall be made available to be viewed by an officer of a responsible authority during an inspection of or visit to the Premises.

Upon receipt of a request for a copy of CCTV footage from any officer of a responsible authority, the premises will produce that footage within 24 hours, in accordance with the Data Protection Act where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.

All images must be kept for a consecutive 31 day period and to be produced to the Police, Trading Standards or Local Authority Officers in relation to the investigation of crime and / or disorder issues and suspected license breaches, upon request where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.

The CCTV system must be maintained so as to be fully operational and recording continually whilst the premises are open for licensable activities and during all times when customers remain on the premises.

The CCTV system clock must be set correctly and maintained (taking account of GMT and BST).

There must be notices displayed throughout the premises stating that CCTV is in operation.

There must be a member of staff available at all times who is trained and capable of operating the CCTV system and also downloading any footage required by the Police, Trading Standards or Local Authority Officers.

An incident book must be kept at the Premises and maintained up to date (no later than 24 hours after the incident) at all times and will record the following:

- Time date and details of all incidents/complaints of crime and disorder or anti-social behaviour
- All crimes reported to the venue
- Any faults in the CCTV system, searching equipment or scanning equipment
- Any visit by a responsible authority or emergency service

7. Staff training must incorporate:

- Responsible Alcohol Service, including recognising signs of drunkenness, refusal skills, drugs awareness
- Managing and resolving conflict
- Premises License conditions
- Relevant obligations and offences under the Licensing Act 2003, including those associated with the sale of alcohol

- Safeguarding awareness in child protection matters (protecting children from harm)

All Live and Recorded Music after 11pm shall take place in the main building Only, and all licensable activities shall cease at 11pm in the outside areas, marquee and Teepee and these areas shall be clear of customers by 11:30 pm , (except for smokers)

There shall be no more than 6 smokers outside the premises after 11pm in a designated smokers area.

No live or recorded music be audible at the boundary of the nearest residential premises

The premises licence holder shall provide a list of all events and functions where live and recorded music shall be provided on a monthly basis to the licensing authority and environmental Health team.

EVENTS:

There shall be no more than three (3) promoted events with live and/or recorded music where the audience numbers will be over 150 people these events shall only take place inside the main building after 11pm and not outside in the garden, marquee or tepee areas.

When the three promoted events are taking place the PLH shall inform in writing to the Licensing Authority, Environmental Health and the nearest residential properties providing date, time and contact number of the person(s) in charge if there is a issue on noise or other concerns who the residents can contact on the day of the event.

The PLH will notify South Staffordshire Council 3 months prior to an event, with either a draft first EMP or information for the event which summarises some key points such as dates and times of the event, details and nature of the event, contact details of the organiser and key personnel, number of attendees proposed, demographics (adult only, family event etc), ticketing arrangements being proposed, and any other information which may assist at this point to risk assess the event.

The PLH will send a subsequent working EMP and associated documents to be forwarded as soon as possible but at least 8 weeks prior to the event, with the final approved EMP to be sent 4 weeks prior to the event taking place.

The ESMP Environmental and safety management plan will include details on the following subjects:

Event Risk Assessments, Event Schedule, Site Plan, Fire Risk Assessment, Security & Crowd Management Plan, Drugs Policy, Liquids Policy, Search Policy, Alcohol Management Plan, Traffic Management Plan ,Traffic parking; Egress Plan, Waste Management Plan, Medical Management Plan, Adverse Weather Plan, Crisis Communication Plan, Noise Management Plan, Egress Plan, Sanitation Plan, Child Welfare/Vulnerable Persons Policy, Capacity Calculations, Barrier Plan, Emergency Evacuation Procedures. These documents will be living documents which will be reviewed and revised in the planning phases of each event.

Premises License holder shall appoint a SIA Accredited security company to prevent crime and disorder and public safety at the event.

The PLH shall give 28 days notification to local residents, police and licensing authority of any events with licensable activities the notification shall contain two contact numbers (a primary and

secondary contact who shall be the PLH, DPS or other authorised person to act on behalf of the PLH)to act on)

The PLH shall record in writing any complaints in relation to the event and record what actions have been taken in the incident book.

Security For Events:

The Premises Licence Holder/Designated Premises Supervisor must identify the requirement for Security/Door Staff at all times by way of a risk assessment.

Where the Risk Assessment identifies the need for Security/Door Staff to be deployed, staff must be of sufficient number to be able to control entry to the premises and deal with any instances of disorderly behaviour within the premises simultaneously.

Where the Risk Assessment identifies the need not to have security/door staff to be deployed this must be documented and recorded in the incident book as to the reasons for not having security and a copy of the Risk Assessment signed and dated to be contained in the incident book.

Security/Door Staff must remain at the premises until such time the premises are closed and all members of the public have left the venue. All persons utilised at the premises in the capacity of a Security/Door Staff must wear high visibility clothing.

Where Security/Door Staff are employed there must be a register of every SIA person employed at the premises that contains the following details:

- Name, date of birth and home address
- Security Industry Authority licence number
- Time and date Security/Door Staff starts and finishes duty
- Each entry shall be signed by the Security/Door Staff

That register must be kept fully updated at all times and remain at the licensed premises and be available for inspection immediately by an authorised officer of the Licensing Authority, the Security Industry Authority or Police.

No open vessels containing alcoholic drinks must be taken from the boundaries of the premises.

Where the Event Management Plan/Risk Assessment indicates a requirement for non-glass drinking receptacles (including bottles), these must be of an alternative material other than glass. Any drinks not available in this packaging must be decanted and the glass/bottle retained by the staff at the location and not handed to the customer.

Challenge 25:-

Challenge 25 must be operated at the premises whereby all persons who appear to be under 25 and purchasing or attempting to purchase alcohol must be asked to provide identification to prove they are over 18 years of age.

Both initial and subsequent refresher training in relation to the sale of alcohol must contain a written or electronic test to be undertaken by the staff member and this record must be signed and dated by both the member of staff and the Designated Premises Supervisor.

The only acceptable forms of identification allowed must be a valid passport, valid photo ID driving licence or valid proof of age scheme card with the PASS approved hologram.

Challenge 25 signage must be displayed in a clear and prominent public place at the premises.

All staff must be fully trained in relation to the Challenge 25 scheme before being allowed to sell alcohol and a record must be kept of staff training. Training must be refreshed at least every 6 calendar months. Such training must be recorded and be maintained at the premises and made available for inspection upon request by a Responsible Authority. Records for each person must be retained for a minimum of 24 months.

A refusals register must be held at the premises and contain details of the time and date of any sales that are refused in relation to persons that are underage. This refusals register must be checked on a monthly basis by the Designated Premises Supervisor or Duty Manager and endorsed accordingly. This register must be made available for inspection upon request by a Responsible Authority. Records must be retained for a minimum of 12 months. This register can be written or electronic.

The Designated Premises Supervisor must ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice must be made available for inspection upon request by a Responsible Authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.

-----Original Message-----

From: BE

Sent: Monday, January 15, 2024 9:40 PM

To: External Email for Licensing <Licensing@sstaffs.gov.uk>

Subject: Objection to new license application Crown at Iverley

Dear SIR/MADAM,

I am (along with my family) formally objecting to the new license application at the Crown pub in Iverley on the basis of Public nuisance.

I believe the owner Darren Mclure is applying using a new company name. While the application is under a new name, this same owner has been present at this establishment since 2018 and caused nothing but a nuisance for the local residents since then with loud noisy events and numerous anti-social disturbances after each event. On many occasions he has disregarded the conditions of his license set out in 2019. He has a complete disregard for the residents of Iverley and has a track record of not following clear licensing conditions.

Granting a license to allow music to be played until 12 midnight would be totally unacceptable and would lead to extremely strong opposition from the Iverley residents.

Yours sincerely,

BE

From: W&AJ

Sent: Wednesday, January 17, 2024 10:39 AM

To: External Email for Licensing <Licensing@sstaffs.gov.uk>; John Chislett <J.Chislett@sstaffs.gov.uk>

Subject: Crown at Iverley.

We wish to lodge are objections with the licensing team re the above mentioned pub the Crown at Iverley. Our reasons being are excessive noise and very loud music on event dates. On occasions there is fighting and we told drug taking although obviously we are not witness to this. The venue is too small for the type of events scheduled and therefore the car park is overloaded the road outside our houses is lined with cars on both sides of the road causing a danger to traffic using the road. If the license application is approved will you please consider conditions, the previous license which is no longer there did in some ways help although only if it suited Mr Mc Clure. Midnight is a long time to wait for a little quiet. We would wish to ensure you that we have no problem with the pub / restaurant doing good business we only want some noise and volume of music controlled. We will be a available for further discussion if needed.

AJ

5TH February 2024

Dear Licensing officer,

I am objecting to the new licence application submitted by McClure Hospitality Ltd for The Crown at Iverley.

I object due to The Prevention of Public Nuisance. Although, I am fully aware that McClure Hospitality did not hold the previous licence, Darren McClure is the owner and landlord of The Crown who held the licence in a previous company name before it went into liquidation. Therefore, even though the name of the business has changed, Darren McClure is still the owner and landlord and therefore previous concerns still remain.

The Crown at Iverley causes Public Nuisance regularly. Since the erection of the tepee in the grounds (pre 2019) there has been loud music and noise from The Crown which disturbs neighbours to such an extent we are unable to sleep or even enjoy an evening watching television as the music and/or the beat of the music permeates through the house. Due to this noise, neighbours (including myself), attended a review of the licence by South Staffordshire licensing sub-committee on 23rd August 2019. As part of this, three conditions were agreed by The Crown:

- That the maximum number of major events to be held at the premises per annum be limited to 3.
- Those neighbouring property owners are notified in writing two weeks in advance of any major events, with start and finish times and a contact telephone number.
- That live or recorded music be inaudible at the boundary of the nearest residential premises. For clarity the inaudibility condition does not apply in respect of the three major events per annum.

Please see the enclosed documentation for more information. Since this meeting, these conditions have not been adhered to. The main issues are when music/bands are allowed to play in the tepee or marquee as noise carries far easily when it is under canvas, rather than in a brick building. The agreement was the tepee to have a sound system so the volume could be regulated and had a maximum limit, unfortunately, this has not happened.

The owner of The Crown knows he is not meeting the above three conditions and has complete disrespect for his neighbours and South Staffordshire Council. I have contacted Mr McClure to make him aware that music can be heard in my house (even though the condition states it should not even be heard on the boundary) and he either ignores my message or says he will turn down the music, which he does not. Mr McClure has also told the Council that he has pre-warned neighbours about major events, when he has not. The four evenings of live tribute acts in December 2023, A Boxing Day evening event and New Years Eve are recent examples where he has not notified neighbours and the music was audible in my property.

The music is the main issue, but I must mention the disruption and public nuisance when there is a major event (of which there is more than the agreed three). The car park is not adequate for the amount of people/cars that attend the event; they are parked dangerously on the grass verges down a busy A road. The vision by customers entering and exiting The Crown as well as myself and other neighbours trying to leave our homes is impaired and dangerous. Additionally, when there is a major event, the mobile toilets are on the front of The Crown approximately 3-4 metres from the busy A road. As party goers are going to the toilet I worry about their safety as some could easily wander in to the busy road if they have had a little too much to drink.

I have lived at my property for 25 years and I do not want to move home, however, the noise is making me consider a house move, although I feel myself and my family are being 'forced out' due to an establishment who cannot adhere to conditions that they agreed to in 2019. Iverley is a small hamlet on the edge of South Staffordshire in the countryside. I have previously been proud to call The Crown my local and frequented it regularly to socialise with friends and eat. Unfortunately, during the last few years, it has gone from a lovely countryside pub to a venue that likes to host major, inappropriate events either in their tepee or marque that cause major public nuisance.

As mentioned previously, I realise the business is operating in a different name but I have concerns due to the owner/landlord remaining the same.

HH

From HH

Sent: 05 February 2024 09:25

To: HH

Subject: The Crown 2019

DECISION NOTICE OF THE LICENSING SUB-COMMITTEE
SOUTH STAFFORDSHIRE DISTRICT COUNCIL 23 AUGUST 2019

APPLICATION TO VARY THE PREMISES LICENCE AT THE CROWN AT IVERLEY

Members of the Sub-Committee: J. Johnson, G. Burnett, M. Lawrence (Chairman)

Licensing Officer: Mick Pearce

Legal Advisor: Lorraine Fowkes

Applicant: Darren McClure and Daniel Dawson

Interested parties: Wayne O'Brian, Annette Johnston and Helen Hale

The application was to vary the premises licence to provide an outside bar and to permit licensable activities to midnight.

The reference in Appendix 10 of the paperwork was corrected in that this was not the nearest property to the premises. The Licensing Sub Committee carefully considered all the written paperwork before them and also listened carefully to all oral submissions made. They took into account all relevant considerations including the licensing objectives and also had regard to the licensing authority statement of licensing policy, to the statutory guidance produced pursuant to Section 182 of the Licensing Act 2003 (the Act), to the Act itself and to considerations under the Human Rights Act 1998.

Decision

To grant the application to vary the premises licence in the terms sought subject to the variation of the terminal hour to 2300 hours as offered by the Applicant during the hearing. With the following further conditions either offered by the Applicant or imposed by the Sub-Committee:

- That the maximum number of major events to be held at the premises per annum be limited to 3.
- Those neighbouring property owners are notified in writing two weeks in advance of any major events, with start and finish times and a contact telephone number.
- That live or recorded music be inaudible at the boundary of the nearest residential premises. For clarity the inaudibility condition does not apply in respect of the three major events per annum.

Reasons for Decision

Members heard from local residents in respect of the detrimental impact that noise emanating from the premises was having on the quality of life of those residents. It became clear to members as a result of the lengthy discussions at the hearing that there were two main issues in respect of noise. Firstly, noise emanating from the major events which were held outside the premises on a limited number of occasions per year. Secondly, the noise emanating from the regular events held in the tepee in the grounds of the premises. It was clarified to members that major events were held in a marquee in the grounds of the premises on 2 to 3 occasions per year. Events were held most weekends in the tepee. The Applicant accepted that the noise emanating from events held in the tepee had previously not been controlled by them. However it was a condition of use of the tepee now that all users must use the equipment supplied by and controlled by the Applicant. The Applicant expressed, what appeared to the members, to be a genuine desire to work in co-operation with local residents to ensure that any noise disturbance was minimised. In furtherance of this willingness to co-operate, the Applicant during the hearing offered to reduce the hours for regulated entertainment outside the premises to 2300. The applicant also offered to put a limit on the number of outside major events held in the marquee to three events per year. In addition, the Applicant offered to give written notice to neighbours in respect of the three major events being held per year.

Members considered that it was appropriate to therefore consider the two types of events separately and consider if granted appropriate conditions for each.

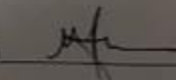
When making their decision members balanced the interest for the premises in being able to run a thriving business against the risk of harm from noise nuisance resulting from the application. They considered the human rights of the objectors and noted that the nearest neighbour, Mrs Hale, accepted that there would be some noise emanating from the premises. The members considered that with the continued co-operation between the Applicant and the immediate neighbours of the premises along with the imposition of additional conditions, the balance lay in favour of granting the variation. They consider that the licensing objectives were upheld by granting of the application as amended with the additional conditions and that it was a reasonable and proportionate decision taking into account the evidence heard and read.

You have the right to appeal against this decision. Any appeal must be commenced by Notice of Appeal given to the Magistrates Court within the period of 21 days beginning with the day on which you were notified by the Licensing Authority of the decision appealed against.

30 August 2019

This Written Notice confirms the decision of the Sub-Committee delivered on the 23 August 2019.

Signed



Councillor M Lawrence

Chairman of the Sub-Committee

