

DUDLEY METROPOLITAN BOROUGH

LICENSING SUB-COMMITTEE

24TH JANUARY 2006

REPORT OF THE DIRECTOR OF LAW AND PROPERTY

APPLICATION TO VARY A PREMISES LICENCE

PURPOSE

- 1 To consider the application for variation of the premises licence in respect of The Crown, 12, Barrack Lane, Halesowen, West Midlands.

BACKGROUND

- 2 On the 24th November, 2005, an application was received from Ridgeway Licensing Services, in respect of The Crown, 12, Barrack Lane, Halesowen, West Midlands, to vary a premises licence. The application for variation of licence is attached to this report at Appendix 1.
- 3 The application had the following documents enclosed:-
 - Correct Fee (£100.00)
 - Plan of the premises
- 4 On the 19th September, 2005, an application to convert the licence was granted we have now received an application to vary this licence, this is as follows:

To allow sale of alcohol and regulated entertainment (films/indoor sporting events)

Mon – Thurs	10.00 – 00.00
Fri & Sat	10.00 – 03.00
Sun	10.00 – 00.00

Regulated entertainment (live music/recorded music/performance dance/provision of facilities for making music/dance)

Mon – Thurs	19.00 – 23.00
Fri & Sat	19.00 – 00.00
Sun	19.00 – 23.00

Provision of facilities for late night refreshment

Mon – Thurs	23.00 – 00.00
Fri & Sat	23.00 – 03.00
Sun	23.00 – 00.00

One extra hour after the finish times shown on the following days:-
New Years Day, Valentine's Day, Thursday before Good Friday, Good Friday,
Easter Saturday, Easter Sunday, Easter Monday, Sunday and Monday of all
Bank Holiday weekends.

St Patrick's Day, St George's Day, St David's Day, St Andrew's Day.
23rd – 30th December inc
New Years Eve – 36 hours as existing.

- 5 Confirmation that copies of the application form and supporting documentation have been served on the relevant authorities has been received.
- 6 Representations have been received from local residents and are attached to this report as appendix 2.
- 7 Representations have also been received from the Directorate of the Urban Environment and are attached to this report as Appendix 3.
- 8 This application falls within the Council's recent responsibility for liquor licensing which has a direct link to the Council's key corporate priority that safety matters.

PROPOSAL

- 9 That the Sub-Committee consider the application made by Ridgeway Licensing Services, in respect of The Crown, 12, Barrack Lane, Halesowen, West Midlands, to vary the premises licence.

FINANCE

- 10 There are no financial implications.

LAW

- 11 The law relating to the granting of applications to vary premises licences is governed by the Licensing Act 2003, Section 11, Part 3 and Schedule 8, Part 1.
- 12 Pursuant to Section 35(3)(a) of the Licensing Act 2003, where a relevant authority has made representations, the Licensing Authority must:-
 - Hold a hearing to consider item, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and

- Having regard to the representations, take such of steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the Licensing objectives.
 - The steps are:-
 - to modify the conditions of licence;
 - to reject the whole or part of the application.
- 13 Pursuant to Section 36(1) and (4) of the Licensing Act 2003 where an application (or any part of an application) is granted or rejected under Section 35 of the Licensing Act 2003, the Licensing Authority must immediately give notice to that effect to:-
- the applicant;
 - any person who made relevant representations in respect of the application and
 - the Chief Officer of Police for the police area in which the premises are situated.
- 14 In pursuance of Regulation 26(1) of the Licensing Act 2003 (Hearing Regulations 2005), the Licensing Authority must make its determination at the conclusion of the hearing.
- 15 If the Licensing Authority refuse to grant the application to vary the premises licence, there is a right of appeal to the Magistrates' Court pursuant to Schedule 5, Part 1(b).
- 16 Pursuant to Section 4(1), (2) and (3), Schedule 5 of the Licensing Act 2003, where the Licensing Authority grant an application to vary a premises licence in whole or in part. The applicant may appeal against any decision to modify the conditions of the licence under subsection 4(a) of Section 35 of the Licensing Act 2003.
- 17 Where a person who made relevant representations to the application desires to contend:-
- that any variation made ought not to have been made, or
 - that, when varying the licence, the Licensing Authority ought not to have modified the conditions of the licence, or ought to have modified item in a different way, under subsection 4(a) of Section 35 of the Licensing Act.

They have the right of appeal to the Magistrates' Court.

EQUALITY IMPACT

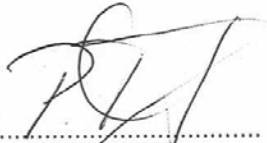
18 This report complies with the Council's policy on equal opportunities.

RECOMMENDATION

19 That the Sub-Committee determine the application.

BACKGROUND PAPERS

20 None.

A handwritten signature in black ink, appearing to be 'R. J. Elliott', written over a dotted line.

.....
DIRECTOR OF LAW AND PROPERTY

Contact Officer: Mrs J Elliott - Ext: 5377

APPENDIX 1
836020
£100.00
24/11/05
ASD

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We Robert John Jones
(insert name(s) of applicant)
being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below {

Premises licence number

Part 1 – Premises Details

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

Crown
12 Barrack Lane
Halesowen

Post Town	Halesowen	Post Code	B63 2UX
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Telephone number of premises (if any) 01384 565794

Non-domestic rateable value of premises £2,700

Part 2 – Applicant Details

Daytime contact telephone number	07711 147995		
Email address (optional)			
Current postal address if different from premises address	47 Compton Road Cradley Heath		
Post Town	Cradley Heath	Post Code	B64 5BB

Dudley Metropolitan Borough Council
Licensing Section
Legal & Democratic Services
5 Ednam Road
Dudley
West Midlands
DY1 1HL

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day		Month		Year	

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

1. To permit regulated entertainment comprising of:
 - live (acoustic/amplified) music, and amplified voice
 - recorded music, including jukebox and karaoke
 - compere for functions, quizzes etc with amplified voice
 - pub games in front of an audience
 - video entertainment on TV screens and amusement machines
 - facilities for music and dancing
2. To permit sale of alcohol as per section M
3. To offer permitted regulated entertainments as per sections A-K
4. To remain open for 30 minutes after the end of permitted hours for the supply of alcohol, as a 'wind-down' period
5. Remove all embedded restrictions inherent in the Licensing Act 1964, and the Cinematograph (Safety) Regulations 1955
6. Provide refreshment after 23.00 hours
7. Provision of performance of dance for customers (when recorded/live music is performed)
8. 00.00 = midnight

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

Part 4 - Operating Schedule

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities for:

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

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

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

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed					
Thur			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 (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place <u>indoors or outdoors or both</u> – please tick) (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10.00	00.00	Please give further details here (please read guidance note 3) Video entertainments on TV screens and amusement machines	Both	<input type="checkbox"/>
Tue	10.00	00.00			
Wed	10.00	00.00	State any seasonal variations for the exhibition of films (please read guidance note 4) None		
Thur	10.00	00.00			
Fri	10.00	03.00	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 5) When hours for the sale of alcohol are extended these hours are also extended.		
Sat	10.00	03.00			
Sun	10.00	00.00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) To permit pub games that attract an audience, whether by advertisement or spontaneously.
Day	Start	Finish	
Mon	10.00	00.00	State any seasonal variations for indoor sporting events (please read guidance note 4) None
Tue	10.00	00.00	
Wed	10.00	00.00	
Thur	10.00	00.00	
Fri	10.00	03.00	
Sat	10.00	03.00	
Sun	10.00	00.00	
			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 5) When hours for the sale of alcohol are extended these hours are also extended.

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors				
				Outdoors				
				Both				
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)		
Thur								
Fri						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. (please read guidance note 5)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	19.00	23.00	Please give further details here (please read guidance note 3) Live (acoustic/amplified) music and amplified voice. All performances will be limited to end at least an hour before the supply of alcohol finish time to minimise nuisance.		
Tue	19.00	23.00			
Wed	19.00	23.00	State any seasonal variations for the performance of live music (please read guidance note 4) None		
Thur	19.00	23.00			
Fri	19.00	00.00	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 5) When hours for the sale of alcohol are extended these hours are also extended		
Sat	19.00	00.00			
Sun	19.00	23.00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Recorded music including disco and karaoke with or without a DJ, will be limited to end at least an hour before the supply of alcohol finish time to minimise nuisance.		
Mon	19.00	23.00			
Tue	19.00	23.00			
Wed	19.00	23.00			
Thur	19.00	23.00			
Fri	19.00	00.00			
Sat	19.00	00.00			
Sun	19.00	23.00	State any seasonal variations for the playing of recorded music (please read guidance note 4) None		
			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. (please read guidance note 5) When hours for the sale of alcohol are extended these hours are also extended		

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	19.00	23.00	Please give further details here (please read guidance note 3) Dancing throughout premises for pub customers during playing of recorded/live music – clearing sufficient space to dance. Dancing will be limited to end at least an hour before the supply of alcohol finish time to minimise nuisance.		
Tue	19.00	23.00			
Wed	19.00	23.00	State any seasonal variations for the performance of dance (please read guidance note 4) None		
Thur	19.00	23.00			
Fri	19.00	00.00	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. (please read guidance note 5) When hours for the sale of alcohol are extended these hours are also extended		
Sat	19.00	00.00			
Sun	19.00	23.00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u> Comperes for quiz or similar events. Comedians and similar performances, in any case using voice amplification.		
			<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Quizzes may finish as in section M		
Mon	19.00	23.00			
Tue	19.00	23.00	<u>State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4) None		
Wed	19.00	23.00			
Thur	19.00	23.00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within e), f) or g) at different times to those listed in the column on the left, please list.</u> (please read guidance note 5) When hours for the sale of alcohol are extended these hours are also extended		
Fri	19.00	23.00			
Sat	19.00	00.00			
Sun	19.00	23.00			

Provision of facilities for making music Standard day and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing Piano and electricity	
			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	
Day	Start	Finish	Indoors	Outdoors
Mon	19.00	23.00	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tue	19.00	23.00	<input type="checkbox"/>	<input type="checkbox"/>
Wed	19.00	23.00	<input type="checkbox"/>	<input type="checkbox"/>
Thur	19.00	23.00	<input type="checkbox"/>	<input type="checkbox"/>
Fri	19.00	00.00	<input type="checkbox"/>	<input type="checkbox"/>
Sat	19.00	00.00	<input type="checkbox"/>	<input type="checkbox"/>
Sun	19.00	23.00	<input type="checkbox"/>	<input type="checkbox"/>

J

Provision of facilities for dancing Standard timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing Dancing throughout premises for pub customers during playing of recorded/live music – clearing sufficient space for customers to dance. Dancing will be limited to end at least an hour before the supply of alcohol finish time to minimise nuisance.		
Mon	19.00	23.00	Please give further details here (please read guidance note 3)		
Tue	19.00	23.00			
Wed	19.00	23.00	State any seasonal variations for providing dancing facilities (please read guidance note 4) None		
Thur	19.00	23.00			
Fri	19.00	00.00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list. (please read guidance note 5) When hours for the sale of alcohol are extended these hours are also extended		
Sat	19.00	00.00			
Sun	19.00	23.00			

K

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	✓
Mon	23.00	00.00	Please give further details here (please read guidance note 3) Provision of hot drinks, hot food and snacks for pub customers.		
Tue	23.00	00.00			
Wed	23.00	00.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) None		
Thur	23.00	00.00			
Fri	23.00	03.00	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. (please read guidance note 5) When hours for the sale of alcohol are extended these hours are also extended		
Sat	23.00	03.00			
Sun	23.00	00.00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) None 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 5) One extra hour after the finish times shown on the following days:- New Year's Day, Valentine's Day, Thursday before Good Friday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, Sunday and Monday of all Bank Holiday weekends St Patrick's Day, St George's Day, St David's Day, St Andrew's Day 23 rd – 30 th December (inclusive) New Year's Eve – 36 hours as existing.		
Mon	10.00	00.00			
Tue	10.00	00.00			
Wed	10.00	00.00			
Thur	10.00	00.00			
Fri	10.00	03.00			
Sat	10.00	03.00			
Sun	10.00	00.00			

N

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

The restrictions set out in the Licensing Act 2003 will apply.
 AWP machines for the use of adults only.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) None
Day	Start	Finish	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 5) 30 minutes after the sale of alcohol times for non-standard days listed in Section M
Mon	10.00	00.30	
Tue	10.00	00.30	
Wed	10.00	00.30	
Thur	10.00	00.30	
Fri	10.00	03.30	
Sat	10.00	03.30	
Sun	10.00	00.30	

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

Remove all embedded restrictions inherent in the Licensing Act 1964 and the Cinematograph (Safety) regulations 1955.

Please tick yes

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

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

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

The application for conversion was sent during the period of transition but the licence has not yet been granted.

P

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

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

The types of regulated entertainments proposed reinstate and then enhance the normal pub and family entertainments that were previously unregulated, with the benefit to enhance the local facilities for social entertainment and reduce the focus on alcohol.

No new steps have been identified in risk assessment in relation to the four licensing objectives except as detailed below.

I have considered the terms of your local licensing policy in preparing this application.

b) The prevention of crime and disorder

Providing a 30-minute extension of opening hours after the end of the sale of alcohol will promote this objective as the last drink will be consumed less quickly, with access to the pub's toilet facilities

Regular liaison with Police

Proof of Age verification scheme in operation

Zero tolerance policy on the use or supply of drugs

c) Public safety

The fire safety measures with which the premises are provided, will be maintained in good working order, and their adequacy will be determined on a regular basis, by carrying out of a fire risk assessment. As the safety of occupants is influenced by numbers of persons present, their disposition and the activities taking place, a safe occupancy level will be maintained.

No risks are identified that are not covered by other legislation

Annual Corgi testing of appliances and PAT testing as required

Fire exits to be kept clear

d) The prevention of public nuisance

All regulated entertainment will end at least an hour before the supply of alcohol.

Regular noise checks during regulated entertainment and appropriate action taken

Customer notices re leaving the premises quietly

Outside areas kept clean and tidy and bins emptied regularly

No drinks taken off-site apart from off-sales

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply

No unusual risks of harm to children are identified

Proof of Age scheme in operation

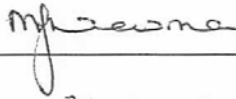
Please tick yes

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

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

Part 5 – Signatures (please read guidance note 10)

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

Signature	
Date	31.10.2005
Capacity	LICENSING CONSULTANT (RLS)

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

Signature	
Date	
Capacity	

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

RIDGEWAY LICENSING SERVICES
HARWELL INNOVATION CENTRE
173 CURIE AVENUE
HARWELL INTERNATIONAL BUSINESS CENTRE

Post town DIDCOT Post code OX11 0QG

Telephone number (if any) 01235 838535

If you would prefer us to correspond with you by email your email address (optional)
rls@inns4.fsnet.co.uk

Notes for guidance

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

1. Describe the premises: For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or un-amplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick on, if you wish people to be able to purchase alcohol to consume away from the premises, please tick off. If you wish people to be able to do both, please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

APPENDIX 2
S43

Mr & Mrs Hughes
7 Barrack Lane
Halesowen
B63-2UX

8th December 2005

Dear Sirs

We are writing to object to the opposed licensing hours applied for by the Crown Public house in Barrack Lane. We would like to give just a few reasons for this objection. Firstly because the position on the Crown is in a highly built-up residential area all noise on the occasions that they have Party's or karaoke's can be heard from inside the surrounding houses. This is bad enough at 11.30 at night and very disturbing for children trying to sleep, this would be unbearable at 3am.

Secondly when customer's are leaving at night the noise of banging car doors, pub doors and taxies blasting on there horn repeatedly for customers, is very annoying when you have just gone to sleep, again this would be extremely disturbing in the early hours of the morning.

Mr & Mrs Hughes

Legal & Democratic
Services
Licensing Section
16 2005



5, Barrack Lane
Halescruen
West Midlands
B63 2UX.

To. Mrs. J. Elliott.

Please find enclosed a petition with regards to The Crown, 12 Barrack Lane. wishing to extend its opening hours.

The petition is AGAINST the application and has been signed by residents who would be affected, i.e. Barrack Lane, Slade Road, Park Road, Busfield Road, and some in Long Innage.

Many Thanks.

W. Rose. (for all residents).

WE THE UNDERSIGNED ARE AGAINST THE PROPOSAL BELOW:

THE CROWN - 12 BARRACK LANE OPEN TO THE PUBLIC ON THE

FOLLOWING OPENING HOURS - :

SUNDAY -THURSDAY 10.00 - 03.30 HRS. FRIDAY & SATURDAY 10.00 - 03.30

SELLING BY RETAIL - 10.00 - 00.30 SUNDAY - THURSDAY AND 10.00 - 03.00

FRIDAY & SATURDAY. PROVIDING REGULAR ENTERTAINMENT ALL WEEK

INDOOR EVENTS SUNDAY - THURS. UNTILL MIDNIGHT. FRIDAY & SATURDAY

UNTIL 03.30 AND LATE NIGHT REFRESHMENT UNTIL 03.30 FRIDAYS AND

SATURDAYS. PLUS ONE EXTRA HOUR ON SPECIAL OCCASIONS.

NAME	Address	Signature
W. ROSE	Barrack Lane	W. Rose
D. ROSE	" "	D. Rose
A.T. (MOVED)	" "	A.T. (MOVED)
D.A. (MOVED)	" "	D.A. (MOVED)
D.G. SADDLER	21 BARRACK LANE	D.G. SADDLER
R. SADDLER	19 BARRACK LANE	R. SADDLER
Joan Sadler	19 Barrack Lane	Joan F. Sadler
RITA HOLLOWAY	17 BARRACK LANE	RITA HOLLOWAY
JOHN HOLLOWAY	17 BARRACK LANE	John Holloway
GARY WOOD	20, BURFIELD ROAD	G. Wood
SHARRON DALTON	20, BURFIELD ROAD	Sharron Dalton
JULIE ROSE	18, BURFIELD ROAD	J. Rose
DAVID ROSE	18, BURFIELD ROAD	D. Rose
STEVEN ROSE	18, BURFIELD ROAD	P. Rose
JENNIFER GAZING	14 BURFIELD ROAD	J. Gazing
E. CHAS GRASSMAN	14 BURFIELD ROAD	E. Grassman
D. HUMPHRIES	10 BURFIELD RD	D. Humphries
B. PARSONS	10 BURFIELD RD	B. Parsons
R. ROSE	12, BURFIELD RD	R. Rose
W. NOSELEY	8, BURFIELD RD.	W. Noseley
P. NOSELEY	8, BURFIELD RD	P. Noseley
STEVEN TRIGGS	6, BURFIELD RD	Steven Triggs
PAULINE TRIGGS	6, BURFIELD RD.	P. Triggs
MATTHEW TRIGGS	6, BURFIELD RD	M. Triggs
BRIAN WHITMORE	150A PARK RD	B. Whitmore
C. WHITMORE	150A PARK RD	C. Whitmore
A. FORD	152B PARK ROAD	A. Ford
T. MUDRY	152B PARK ROAD	T. Mudry
J. BERTS	154 PARK ROAD	J. Berts
M. BERTS	154 PARK ROAD	M. Berts
J. & M. MULLOY	142 PARK ROAD	J. & M. Mulloy

UNTIL 03.30 AND LATE NIGHT REFRESHMENT UNTIL 03.30 FRIDAYS AND

SATURDAYS. PLUS ONE EXTRA HOUR ON SPECIAL OCCASIONS.

1 DANIEL 2 LONGINVASI J. Brangier

3 HANES 4 LONG IMAGE

5 HANES 6 LONG IMAGE

7 HANES 8 LONG IMAGE

8 HANES 9 LONG IMAGE

9 HANES 10 LONG IMAGE

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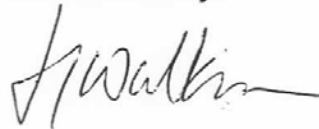
45 HANES 46 LONG IMAGE

13 Barrack Lane,
Halesowen,
West Midlands,
B63 2UX.
5th December 2005.

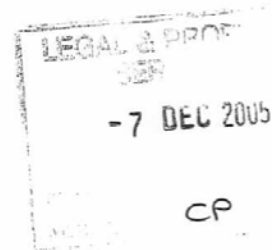
Dear Sir/Madam,

I should hereby like to make an formal objection to the proposed extended opening hours of The Crown Public House (12 Barrack Lane).I feel that the licencing hours that the pub adhere to now are more than suitable for a public house in its position, surrounded on all sides by residential housing.Opening hours and entertainment into the early morning are totally unexceptable and would be a complete torment for a very settled neighbourhood.

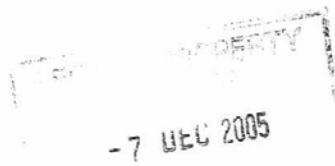
Yours Sincerely,



A.J.Walton (Mr).



18, Burfield Rd,
Cradley,
Halesowen.
B63 2XA.



5th December, 05.

Dear Sir or Madam,

Re: The Crown Public House,
Barrack Lane,
Cradley, Halesowen.

I have been told that the above
pub. has applied for a licence
to serve alcohol until 3.00 A.M.

I strongly urge you not to
grant this licence, as it is
based in the middle of a

residential area, with houses directly opposite and along side.

We already put up with a lot of noise nuisance from this pub in the early hours as it is
i.e.

On Saturday the 3rd December police were called at 2 o'clock^{a.m.} approx, for people fighting outside the pub, with windows being put in - glass all over the pavement the following morning. This disturbed a lot of people sleeping - people who work shifts - my husband included who has to get up at 1/4 past 5 in the morning.

Also my husband says there is no name displayed over the

door, and that there is an extension or some sort of building work going on at the rear of the pub.

P. are do not grant such a licence to this pub, due to the nuisance that residents would have to put up with.

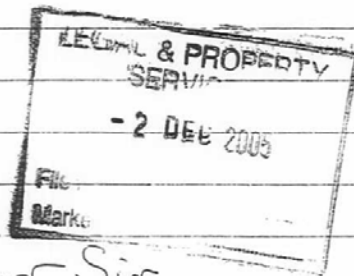
Thanking you.

Yours faithfully

Mrs. J. Rose

14 Barrack Lane
Cradley
Halesowen

B6.3 2UX
01384-561798



Dear Sir

My Family and I strongly object to you giving the Crown Pub Barrack Lane, extra licence time opening. We have complained to police about the loud music, car horns blowing, car doors banging, cars parked on the road blocking out vision when we leave our home. The day long parks over our drive. The police have been called about the loud music and fighting and shouting outside the Pub; they were singing in the Pub after 1am on Saturday. There has not got a licence who runs the Pub over the door also no music licence. I live next door and my family

can not get a good nights sleep
and we find old bottles and can
and used needles thrown into our
garden, This is a residential
area which mainly consist of
young families and elderly
residents and is not suitable for
a public house to be open until 3am
Mrs Ann Haywood

16 Bortack Lane

Halesowen

30th Nov. 2005.

01384 564724.

Dear Sir,

My husband and I wish to strongly object to the proposed new hours of opening at the CROWN PUBLIC HOUSE situated two doors away from us. Printed in the Halesowen News (page 6 dated 24/11/2005) the manager Mr. Jones intends to open

1 quote: Sunday - Thursday	10.00	—	00.30 a.m.
To open: Friday and Saturday	10.00	—	03.30 a.m.
To sell alcohol: Sunday - Thursday	10.00	—	00.00 a.m.
Friday and Saturday.	10.00	—	3.00 a.m.

to provide regulated entertainment including the playing of recorded music, karaoke, live bands or discos. With an extra hours opening for Bank Holidays and numerous special days.

This is a small residential lane with mostly retired people of families with children whose lives will be greatly disrupted by late opening hours and noisy music and the inevitable nuisance of the customers when they leave in the middle of the night. There will be taxis blowing their horns, cars revving up their engines and slamming their doors. When people have been drinking they are inclined to be noisy and often aggressive and have no consideration for the disturbance they cause to the residents also such as small, quiet road. A public house in such a situation should never be allowed such long opening hours and definitely no music licence.

Some customers at the pub already park completely on the pavement and make it very dangerous for us to get off our own drives.

We understand that any licence change should be stated

to the immediate neighbours but none of us have had any letters. There is a small notice in the window in the pub which is too difficult to read as it is very small and positioned behind frosted glass.

All of our neighbours are intending to write and complain and request that no licences are issued to Mr. Jones.

Yours ~~for~~ sincerely,
Mr. B. C. and Mr. A. T. Groves.



15 Barrack lane
Halesowen
B63 2UX

1st December 2005

Dear Sirs

I have lived in this house for near on 42 years and my neighbours are a good mix of young families and pensioners like myself. We have never had any problems with the public house opposite and object strongly to the proposed changes to the licensing times and proposals to the change of use to a sports bar, karaoke etc.

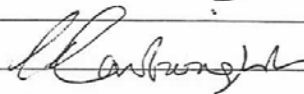
This is bound to bring nuisance to the residents and worries of vandalism

and drunken behaviour due to those changes.

We are a close community who all know and help each other and these changes will be a detriment to the locals who live here. Already there is talk of some who would prefer to move than put up with changes that can only be for the worse.

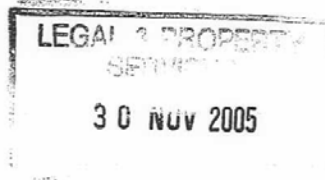
I strongly object to these proposals and hope that the application for change of use will fail and the residents can continue to enjoy the close community spirit that exists here.

Yours faithfully



CISSIE CARTWRIGHT (MRS)

MRS J. BATE, 9 BARRACK LANE,
HAGESWEN,
WEST MIDLANDS



B63 2UX.
28th Nov. '05.

Dear Sir/madam.

I am writing in connection with a Public Notice in the Halesowen News dated 24/11/05 for extended opening and entertainment at The Crown public house at 12 Barrack Lane.

As this is in the middle of a residential area, I am very concerned about the noise this will create at times up to 3am both from the pub itself and from customers when they leave. I also have reservations about parking in the area and the problems this

would create from the increase in grade. Also there would be the problem of taxis sounding horns when picking customers up.

I submit this letter for your approval and look forward to hearing your comments.

Yours Faithfully
J. Bate



5, Barrack Lane
Malesheren,
West Midlands
B63 2UX.

To whom it may concern,

which regards to the Public
Notice regarding 12, Barrack
Lane, Malesheren (THE CROWN),
concerning the variation of license.

We wish to protest against
the hours stated, especially for
a residential area. There has been
previous problems with noise etc.
during normal hours. Patrons using
premises have no thought or consideration
for residents living in the street.

Doors banging, taxi horns, music.
My husband has to get up at
6am as I can't sleep otherwise. On
some occasions the police have

Dean called. I hope these
points will be taken on board
Many Thanks.

Ms & Mrs. Rose.

Carl Phillips (LDS Licensing)

From: Pete Miles
Sent: 01 December 2005 16:36
To: Liquor Licensing
Cc: Dolores Nellany; Sarah Welch
Subject: Crown Inn 12 Barrack Lane Halesowen

543

Application to vary a premises licence under the Licensing Act 2003

An application was received by this Directorate on 24th November 2005.

This section of the Directorate has record of one complaint alleging noise problems since 1995. This was from a Karaoke type function on the 16th July 2005. The licensee stated that on that night he had been away from the pub and had left someone else in charge for the evening. Residential accommodation is directly adjacent to the public house.

I visited the premises by appointment on Friday 25th November 2005.

The interior of the Pub was undergoing refurbishment at the time of my visit.

This has involved the removal of the kitchen to the rear of the premises and the creation of a larger function room using that space.

None of the windows at the premises are double glazed. Only one of the windows was openable to the function room, and the licensee agreed to fit a window lock to the opening so that he had control if members of the public wanted to open the window in hot weather. A rear window had been bricked up to the rear of the room and information was given about ensuring that the gaps between the frame to the fire door and the external wall were filled with solid material with good acoustic properties.

The licensee stated that he was to monitor noise levels from the function room, and would consider fitting secondary glazing if he felt that noise levels were unsatisfactory. There was no noise limiting device fitted at the premises.

A new extract fan was in the process of being fitted to the rear function room, and advice was given to the licensee and the builder on site about the provision of an acoustic cover on the external outlet from the fan.

The builder on site stated that the electrical wiring to the function room was protected by a RCD trip switching.

I wish to make the following representations regarding the application:

- i) The windows of the public house are to remain closed when any form of entertainment is taking place within.*
- ii) An acoustic cover is provided to the external fan opening to the function room.*
- iii) The gaps around the frame to fire door to the function room are effectively sealed to prevent sound escape.*

Kind regards

70 1

Pete Miles
Senior Environmental Health Officer
Food & Occupational Safety
D.U.E.
x2734