

## Agenda Licensing Sub Committee 2

Thursday, 25 August 2022 at 10.00 am  
in Committee Room 1 - Sandwell Council House, Oldbury

- |   |  |         |
|---|--|---------|
| 1 | <b>Apologies for Absence</b>   | 5 - 6   |
| 2 | <b>Declarations of Interest</b>  | 7 - 8   |
|   | Members to declare any interests in matters to be discussed at the meeting.  |         |
| 3 | <b>Minutes</b>   | 9 - 16  |
|   | To confirm the minutes of the meeting held on 24 January and 18 July as a correct record.  |         |
| 4 | <b>Application for the grant of a New Premises Licence at The Pub at Bearwood, 537 Bearwood Road, Smethwick, B66 4BQ</b>           | 17 - 58 |
|   | To consider the application for the grant of a New Premises Licence at The Pub at Bearwood, 537 Bearwood Road, Smethwick, B66 4BQ. |         |



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**Managing Director Commissioner**  
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**Distribution**

Councillors Fenton, Z Hussain and Wilkes

Contact: [democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk)

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## Licensing Sub Committee 2

### Apologies for Absence

To receive any apologies for absence from the members of the Committee.



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## Licensing Sub Committee 2

### Declarations of Interests

Members to declare any interests in matters to be discussed at the meeting.



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## Minutes of Licensing Sub Committee 2

**Monday 24 January 2022 at 10.00am**  
**in the Council Chamber at Sandwell Council House, Oldbury**

**Present:** Councillor Mabena (Chair)  
Councillors Allen, Chidley and Webb.

**Officers:** Usha Devi (Senior Licensing Officer);  
Stephen Beresford (Licensing Enforcement Officer);  
David Elliott (Solicitor);  
Karen Walden (Senior Legal Assistant);  
Trisha Newton (Senior Democratic Services Officer);  
Amundeeep Johal (Democratic Services Officer).

1/22 **Apologies for Absence**

There were no apologies for absence.

2/22 **Declarations of Interest**

No interests were declared at the meeting.

3/22 **Minutes**

**Resolved** that the minutes of the meeting held on  
18 October 2021 were confirmed as a correct record.

4/22

### **Exclusion of the Public**

**Resolved** that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order, 2006, relating to any individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

### **Matter Delegated to the Sub Committee to consider Local Government (Miscellaneous Provisions) Act 1976 – Private Hire Driver’s/Vehicles/Operators Licensing related matters**

5/22

### **Members considered a review of the Private Hire and Hackney Carriage Drivers Licence in respect of Mr A H**

Members considered the review of the Private Hire and Hackney Carriage Driver’s Licence in respect of Mr A H.

Mr A H was in attendance at the meeting and had not previously appeared before the Licensing Sub Committee.

The Sub Committee was advised that Mr A H had convictions for operating a vehicle as a private hire vehicle without a current licence and using a motor vehicle on a road/public place without third party insurance.

In April 2021, a complaint had been received from a taxi operator from a passenger that the vehicle which attended to collect them had a different registration number from what had been provided on the confirmation text message.

The operator had investigated the matter and had asked Mr A H to inspect the vehicle but was informed by the driver that this was not possible as the vehicle had been involved in a road traffic collision.

Upon investigating the matter, it was noticed that the vehicle that the passenger had described was not registered to the private hire licence and the road traffic collision had not been reported to the Taxi Licensing Team.

Mr A H was interviewed by the Licensing Enforcement Officer. Mr A H submitted an application to change his private hire vehicle, however, he stated that he was unable to get it licenced due to the pandemic. Mr A H continued to drive the new vehicle and upon investigation, it was found that the road traffic collision had been fabricated to divert the operator's attention with journeys being undertaken without insurance.

The driver confirmed that he was aware of the conditions of his licence.

The Sub Committee took advice from its Legal Advisor before adjourning to make a decision on the application.

The Sub Committee had taken into consideration representations made by all parties. Having considered all the information before them, members were minded to revoke the licence in respect of Mr A H due to the convictions of operating a vehicle as a private hire vehicle without a current licence and using a motor vehicle on a road/public place without third party insurance. Members noted with concern that journeys had been carried out whilst the driver was uninsured and unlicensed. The Sub Committee noted the driver's five-year history with Sandwell Council, but believed that this could not override the serious nature of the offences. The Sub Committee saw no reason to depart from guidance on this occasion.

**Resolved** that the Private Hire and Hackney Carriage Driver's Licence in respect of Mr A H be revoked.

In making the decision the Committee had regard to the Local Government (Miscellaneous Provisions) Act 1976, Council Policy and Guidelines, relevant case law and the Human Rights Act 1998.

Mr A H would be advised of his right to appeal to the Magistrates Court within 21 days of receiving the decision letter

Meeting ended at 11:19am

Contact: [democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk)

# Minutes of Licensing Sub Committee 2

Monday 18 July 2022 at 10.00am  
in Committee Room 2, Sandwell Council House, Oldbury

**Present:** Councillor Fenton (Chair)  
Councillors Wilkes, N Singh, A Hussain and Akpoteni

**Also present:** Councillor Allen

**Officers:** Usha Devi (Senior Licensing Officer)  
David Elliot (Legal Advisor)  
Stephnie Hancock (Senior Democratic Services Officer)  
Connor Robinson (Democratic Services Officer)  
John Swann (Democratic Services Officer)

XX/XX **Apologies for Absence**

Apologies for absence were received from Councillors Z Hussain and Dunn

XX/XX **Declarations of Interest**

There were no declarations of interest

XX/XX **Exclusion of the Public and Press**

**Resolved** that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order,



2006, relating to any individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**Matter Delegated to the Sub Committee to consider Local Government (Miscellaneous Provisions) Act 1976 – Private Hire Driver’s/Vehicles/Operators Licensing related matters**

XX/XX

**Review of a Private Hire Drivers Licence in respect of Mr K H**

Members considered a review of the Private Hire Drivers Licence in respect of Mr K H.

Mr K H was in attendance, accompanied by a friend. He had not previously appeared before the Licensing Committee.

The Sub Committee was advised that Mr K H had been invited to attend the Sub Committee meeting following a Major Traffic Offence: ‘Conviction for No Insurance using a vehicle uninsured against third party risks’. In addition, he had failed to notify the Taxi Licensing Office of the offence in writing within seven days, as required by the conditions of his licence.

The Committee heard that the fixed penalty notice was as result of a road traffic offence taking place in early June 2022 in which Mr K H was driving an associate’s vehicle without being covered by the insurance policy in place. Mr K H had accepted that this was the case, and further accepted that this incident had not been reported to the Taxi Licensing Office within the required timescales.

Mr K H explained to the Sub Committee that while accompanying an associate to Scotland they had shared the driving. Mr K H believed that the insurance he had purchased as a licenced private hire driver had included third party cover. Mr K H stated that following the incident in Scotland, he now understood that it was very important to read the insurance carefully and would not make the same mistake again.



The Licensing Sub Committee heard that Mr K H currently had nine points on his licence.

Mr K H stated that he had been licenced by Sandwell Council since 2014 and had no incidents until recently. It was accepted that Mr K H was not working as a taxi driver at the time of the offence and was not in a licenced vehicle.

Members heard submissions from the Licensing Officer that it was important to ensure that drivers were aware of the conditions of their license and insurance policies and acted within the boundaries of the law at all times.

The Sub Committee took advice from its legal advisor before adjourning to make a decision on the application.

The Licensing Sub Committee had taken into consideration of representations made by all parties.

Having considered all the information before it, the Sub Committee decided to suspend Mr K H's licence for a period of 28 days and issue a severe warning. The Sub Committee noted the serious nature of the road traffic offence and the failure to provide written notification in accordance with the licensing conditions, it was however acknowledged that Mr K H had not been driving his licenced vehicle and had not intended to drive while uninsured.

**Resolved** that the Private Hire Drivers Licence held by Mr K H is suspended for a period of 28 days, and a severe warning issued to Mr K H.

In making the decision the Committee had regard to the Local Government (Miscellaneous Provisions) Act 1976, Council Policy and Guidelines, relevant case law and the Human Rights Act 1998.

Mr KH would be advised of his right to appeal to the Magistrates Court within 21 days of receiving the decision letter.

Meeting ended at 12.28pm  
(meeting adjourned 11.30am to 11.45am)

Contact: [democraticservices@sandwell.gov.uk](mailto:democraticservices@sandwell.gov.uk)



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## Report to Licensing Sub Committee 2

**25 August 2022**

<b>Subject:</b>	Application for the grant of a New Premises Licence at The Pub at Bearwood, 537 Bearwood Road, Smethwick, B66 4BQ.
<b>Director:</b>	Director – Borough Economy – Alice Davey
<b>Contact Officer:</b>	Geeta Bangerh (Licensing Officer) licensing_team@sandwell.gov.uk

### 1. Recommendations

1. Consider the application for the grant of a new premises licence under section 17 of the Licensing Act 2003 in respect of The Pub at Bearwood, 537 Bearwood Road, Smethwick, B66 4BQ.
2. Each application must be considered on its merits taking into account the evidence presented at the hearing, and the Guidance issued under Section 182 of the Licensing Act 2003 and the Council’s Licensing Policy. The options that can be considered once evidence has been heard are detailed at section 5.


### 2. Reasons for Recommendations

- 2.1 The Licensing Sub Committee is asked to make a decision on the application based on any evidence presented at the hearing taking into account the Guidance issued under Section 182 of the Licensing Act 2003 and the Council’s own Statement of Licensing Policy and to give reasons for their decision.
- 2.2 To consider an application for the grant of a new premises licence in respect of The Pub at Bearwood, 537 Bearwood Road, Smethwick, B66



4BQ, following representations received from the local resident, objecting to the grant of the application due to public safety and the prevention of crime and disorder issues.

### 3. How does this deliver objectives of the Corporate Plan?

	<p><b>A strong and inclusive economy</b> Investing in people and jobs. Licensed premises provide employment in the Borough and help to support the Borough's economy.</p> <p>It is the Authority's aim to offer a wide choice of high quality and well managed entertainment and cultural venues within a safe, orderly and attractive environment; valued by those who live here, work here and come to visit. We want to ensure that businesses operate responsibly and safely so that our residents live in decent neighbourhoods and have a good quality of life.</p>
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### 4. Context and Key Issues

4.1 Under the Licensing Act 2003, a responsible authority or any other person may make representations in respect of the application which must be relevant to one or more of the four licensing objectives, namely:

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

4.2 Representations have been received from local residents and a local Councillor. A copy of the representations is attached at Appendix 10.

#### CURRENT POSITION

4.3 An application has been made by The Pub at Bearwood Limited for the grant of a new premises licence.

4.4 A copy of the full application pack is attached at Appendices 1, 2, 3 and 4.



- 4.5 The proposed Licensable activities for are, Late Night Refreshment Monday to Sunday 23:00 to 00:30 and Sale of alcohol (On and off the premises) - Monday to Sunday 09:00 to 00:00.
- 4.6 The proposed opening hours are Monday to Sunday 09:00 to 00:00.
- 4.7 The application states the premises main business will be a Public House.

#### 4.10 **Operating Schedule/Proposed Conditions**

##### **General**

The Premises licence holder shall ensure at all times there are sufficient confident staff on duty for fulfilling all conditions on the licence and preventing crime and disorder.

##### **The prevention of crime and disorder**

The Premises Licence holder shall ensure CCTV will be fitted /updated to the specifications and recommendations of West Midlands Police Licensing Officer for the area. CCTV to record throughout the whole of the licensable activity. CCTV will display the correct time and date stamp and be downloadable. There will be at least 1 camera which covers the outside frontage of the premises. CCTV recordings and images will be made immediately available to any of the responsible authorities on request. There will always be at least 1 member of staff on duty (while the premises are open for licensable activity) that is capable of operating the CCTV system and downloading images. All CCTV recordings will be held for a minimum of 31 days. If the hard drive needs to be replaced for any reason, then the old / previous hard must be kept on the premises for a minimum of 31 days.

The Premises Licence holder shall ensure, if door staff are deployed at the premises, then they will sign on and off duty. The premises will maintain profiles of all door staff which will include a copy of their SIA badge and photographic ID. (If photographic ID is not available then a utility bill, no older than 3 months old may be accepted.) The Premises Licence holder shall ensure the premises will keep the signing in book and profiles for a minimum of 3 months and both are to be made immediately available to any of the responsible authorities on request.



## Public Safety

The Premises Licence holder shall ensure appropriate fire safety procedures are in place including fire alarm, fire extinguishers, internally illuminated fire exit signs and emergency lighting. The Premises licence holder shall ensure all fire exits shall be kept clear of obstruction at all times.

## The prevention of public nuisance

The Premises Licence holder shall be requested to leave the premises quietly and ensure clear and legible notices will be proximately displayed to remind customers to respect neighbours.

## The Protection of children from harm

The Premises shall operate a challenge 25 policy. Challenge 25 signage will be prominently display on the entrance door(s) and bar service area(s). All staff will be trained in their responsibilities under the Licensing Act, Challenge 25 policy and premises licence conditions and the training will be documented and signed by both the trainer and trainee. No staff to work at the premises (while it is carrying out licensable activity) without this documented training, with the exception of personal licence holders.

4.11 A location map of the premises is attached at Appendix 4.

### 4.12 Consultation (customers and other stakeholders)

A notice has been published in a local newspaper Express and Star and a public notice has been displayed at the premises outlining the application and inviting comments/representations to be sent to the Licensing Authority, detailing a closing date for these to be received. Details of the application were also published on the Council's website.



## 5. Alternative Options

- 5.1 The options available to the Licensing Sub-Committee having considered all the relevant information are as follows:
- to grant the licence subject to conditions consistent with the operating schedule accompanying the application, and any mandatory conditions which must be included in the licence
  - to exclude from the scope of the licence any of the licensable activities to which the application relates;
  - to refuse to specify a person in the licence as the premises supervisor;
  - to reject the application
- 5.2 Conditions may be altered or omitted, or any new condition added.
- 5.3 Additional conditions or restrictions to licensable activities and/or times should only be imposed if considered appropriate for the promotion of the licensing objectives. If other law already places certain statutory responsibilities on a premise, it would not be appropriate to impose similar duties.
- 5.4 Members of the Sub Committee should be advised that the applicant, or any other person who made relevant representations in relation to the application, may appeal against the decision made to the Magistrates' Court within 21 days of the date on which they were notified.

## 6. Implications

<b>Resources:</b>	<p>There are no direct strategic resource implications associated with this application.</p> <p>In respect of premises licence applications, we do not foresee any issues in respect of sustainability of proposals.</p>
<b>Legal and Governance:</b>	<p>Members of the Licensing Sub Committee when making their decision on the application must take into account the four licensing objectives, the Guidance</p>



	<p>issued under Section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy. The applicant and those who have made relevant representations have the right to appeal the decision made by the Licensing Sub Committee to the Magistrates Court, so the Committee are asked to give reasons for their decision wherever possible.</p> <p>Members of the Sub-Committee should not allow themselves to predetermine the application or to be prejudiced in favour or opposed to the applicant and/or the licence holder and shall only determine the application having had an opportunity to consider all relevant facts.</p>
<b>Risk:</b>	<p>The Police are a statutory consultee for all Licensing Act 2003 applications. Prevention of Crime and Disorder is one of the four licensing objectives and applicants have to demonstrate how they will achieve this objective by volunteering measures in the operating schedule submitted with the Licence application.</p> <p>The Police have not made a representation to this application.</p> <p>Whilst full details of the application and any representations have been shared with the committee members, only information that is in the public domain has been made available for the reports that have been made public online, in line with data protection protocols.</p>
<b>Equality:</b>	<p>The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.</p> <p>The operators of this premises are responsible for complying with all relevant legislation.</p>
<b>Health and Wellbeing:</b>	<p>This is not applicable to applications for premises licences submitted under the Licensing Act 2003.</p>
<b>Social Value</b>	<p>This is not applicable to applications for premises licences submitted under the Licensing Act 2003.</p>



## 7. Appendices

- Appendix 1 – Licence Application
- Appendix 2 – Plan
- Appendix 3 – Location Plan
- Appendix 4 – Representations

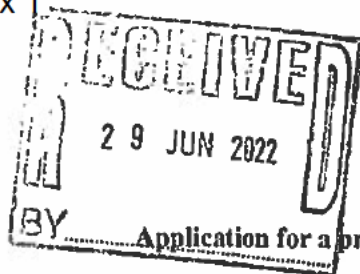
## 8. Background Papers

- Sandwell Metropolitan Borough Council Licensing Policy
- Guidance issued under Section 182 of the Licensing Act 2003
- The Licensing Act 2003 (Hearings) Regulations 2005



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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 THE PUB@ BEARWOOD 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 537 BEARWOOD RD SMETHWICK B66 4BQ			
Post town	BIRMINGHAM	Postcode	B66 4BQ
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£	14.239

**Part 2 - Applicant details**

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

- |  |                              |
|--|------------------------------|
| a) an individual or individuals *                    | please complete section (A)  |
| b) a person other than an individual *               |                              |
| i as a limited company/limited liability partnership | please complete section (B)X |
| 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 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**SECOND INDIVIDUAL APPLICANT (if 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					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(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	THE PUB @ BEARWOOD LIMITED
Address	165 HIGH ST KINGSHEATH B14 7DJ
Registered number (where applicable)	14016447
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY

Telephone number (if any)
E-mail address (optional) THEPUBBEARWOOD@OUTLOOK.COM

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD		MM		YYYY			
2	1	0	0	6	2	0	2

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)

PUBLIC HOUSE

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)X
  - d) boxing or wrestling entertainment (if ticking yes, fill in box D)
  - e) live music (if ticking yes, fill in box E)X
  - f) recorded music (if ticking yes, fill in box F)X
  - g) performances of dance (if ticking yes, fill in box G)X

- h) anything of a similar description to that falling within (e), (f) or (g)  
(if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I) **X**

**Supply of alcohol** (if ticking yes, fill in box J) **X**

**In all cases complete boxes K, L and M**

**A**

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Wed			<b>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</b> (please read guidance note 6)		
Thur					
Fri					
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</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
			<u>Please give further details here</u> (please read guidance note 4)		
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon	09:00	00:30	
Tue	09:00	00:30	
Wed	09:00	00:30	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Thur	09:00	00:30	
Fri	09:00	00:30	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat	09:00	00:30	
Sun	09:00	00:30	



**D**

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (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 <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	X
				Outdoors	
Day	Start	Finish		Both	
Mon	09:00	00:30	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	09:00	00:30			
Wed	09:00	00:30	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur	09:00	00:30			
Fri	09:00	00:30	<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	09:00	00:30			
Sun	09:00	00:30			

**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	X
Day	Start	Finish		Outdoors	
				Both	
Mon	09:00	00:30	<b>Please give further details here</b> (please read guidance note 4)		
Tue	09:00	00:30			
Wed	09:00	00:30	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur	09:00	00:30			
Fri	09:00	00:30	<b>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</b> (please read guidance note 6)		
Sat	09:00	00:30			
Sun	09:00	00:30			

**G**

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
Day	Start	Finish		Outdoors	
				Both	
Mon	09:00	00:30	<u>Please give further details here</u> (please read guidance note 4)		
Tue	09:00	00:30			
Wed	09:00	00:30	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	09:00	00:30			
Fri	09:00	00:30	<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)		
Sat	09:00	00:30			
Sun	09:00	00:30			

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> 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	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	X
Mon	09:00	00:30		Outdoors	
				Both	
Tue	09:00	00:30	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed	09:00	00:30			
Thur	09:00	00:30	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri	09:00	00:30			
Sat	09:00	00:30	<b><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></b> (please read guidance note 6)		
Sun	09:00	00:30			

I

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	
Day	Start	Finish		Outdoors	
Mon	<del>          </del> 23.00	<del>          </del> 00.30	<u>Please give further details here</u> (please read guidance note 4)		
Tue	<del>          </del> 23.00	<del>          </del> 00.30			
Wed	<del>          </del> 23.00	<del>          </del> 00.30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	<del>          </del> 23.00	<del>          </del> 00.30			
Fri	<del>          </del> 23.00	<del>          </del> 00.30	<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	<del>          </del> 23.00	<del>          </del> 00.30			
Sun	<del>          </del> 23.00	<del>          </del> 00.30			<input checked="" type="checkbox"/>

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	
				Off the premises	
				Both	X
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	09:00	0030			
Tue	09:00	00:30			
Wed	09:00	00:30			
Thur	09:00	00:30			
Fri	09:00	00:30			
Sat	09:00	00:30			
Sun	09:00	00:30			
			<b>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</b> (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):

<b>Name</b>	EDWARD BOLTON
<b>Date of birth</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal licence number (if known)</b>	426180/089368

**Issuing licensing authority (if known)**  
**STAFFORD BOROUGH 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**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	09:00	00:30	<p><b>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</b> (please read guidance note 6)</p>
Tue	09:00	00:30	
Wed	09:00	00:30	
Thur	09:00	00:30	
Fri	09:00	00:30	



Sat	09:00	00:30	
Sun	09:00	00:30	

## 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)**

THE LICENSEE WILL ENSURE AT ALL TIMES THERE ARE SUFFICIENT CONFIDENT STAFF ON DUTY FOR FULFILLING ALL CONDITIONS ON THE LICENCE AND PREVENTING CRIME AND DISORDER.

**b) The prevention of crime and disorder**

CCTV TO BE INSTALLED THROUGHOUT AND IMAGES TO BE HELD FOR A MINMIUM OF 31 DAYS AND INCEDENTS OF A CRIMINAL NATURE WILL BE REPORTED TO THE POLICE AND REPORTED.

**c) Public safety**

APPROPRIATE FIRE SAFETY PROCEDURES ARE IN PLACE INCLUDING FIRE ALARM, FIRE EXTINGUISHERS, INTERNALLY ILLUMINATED FIRE EXIT SIGNS AND EMERGENCY LIGHTING. ALL FIRE EXITS SHALL BE KEPT CLEAR OF OBSTRUCTION AT ALL TIMES.

**d) The prevention of public nuisance**

ALL CUSTOMERS WILL BE REQUESTED TO LEAVE THE PREMISES QUIETLY AND CLEAR AND LEGIBLE NOTICES WILL BE PROMINENTLY DISPLAYED TO REMIND CUSTOMERS TO RESPECT OUR NEIGHBOURS.

**e) The protection of children from harm**

ALL STAFF WILL BE FULLY TRAINED IN CHALLENGE 21 REQUIREMENTS SUCH AS PROOF OF ID IE DRIVING LICENCE OR PASSPORT AND CHILDREN UNDER THE AGE OF 18 WILL BE REQUIRED TO BE ACCOMPANIED BY AN ADULT.

**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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 the UK (please read guidance note 15).</li> <li>• 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)</li> </ul>
Signature	EDMOND BOLAND 
Date	21/06/2022
Capacity	DIRECTOR

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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	BIRMINGHAM	Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

**Consent of individual to being specified as premises supervisor**

I EDWARD BOLTON  
[full name of prospective premises supervisor]

of 165 High ST  
Kingsheath  
B14 7DJ

-----  
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

DPS.  
-----  
[type of application]

by

THE PUB BEARWOOD LTD.  
-----  
[name of applicant]

relating to a premises licence \_\_\_\_\_  
[number of existing licence, if any]

for

THE PUB BEARWOOD  
537 BEARWOOD RD  
B66 4DQ

-----  
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

THE PUB BEAMWOOD LTD.  
[name of applicant]

concerning the supply of alcohol at

537 BEAMWOOD RD  
B66 4BQ

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

426180 / 089368  
[insert personal licence number, if any]

Personal licence issuing authority

STAFFORD.  
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Name (please print)

EDWARD DOLTON

Date

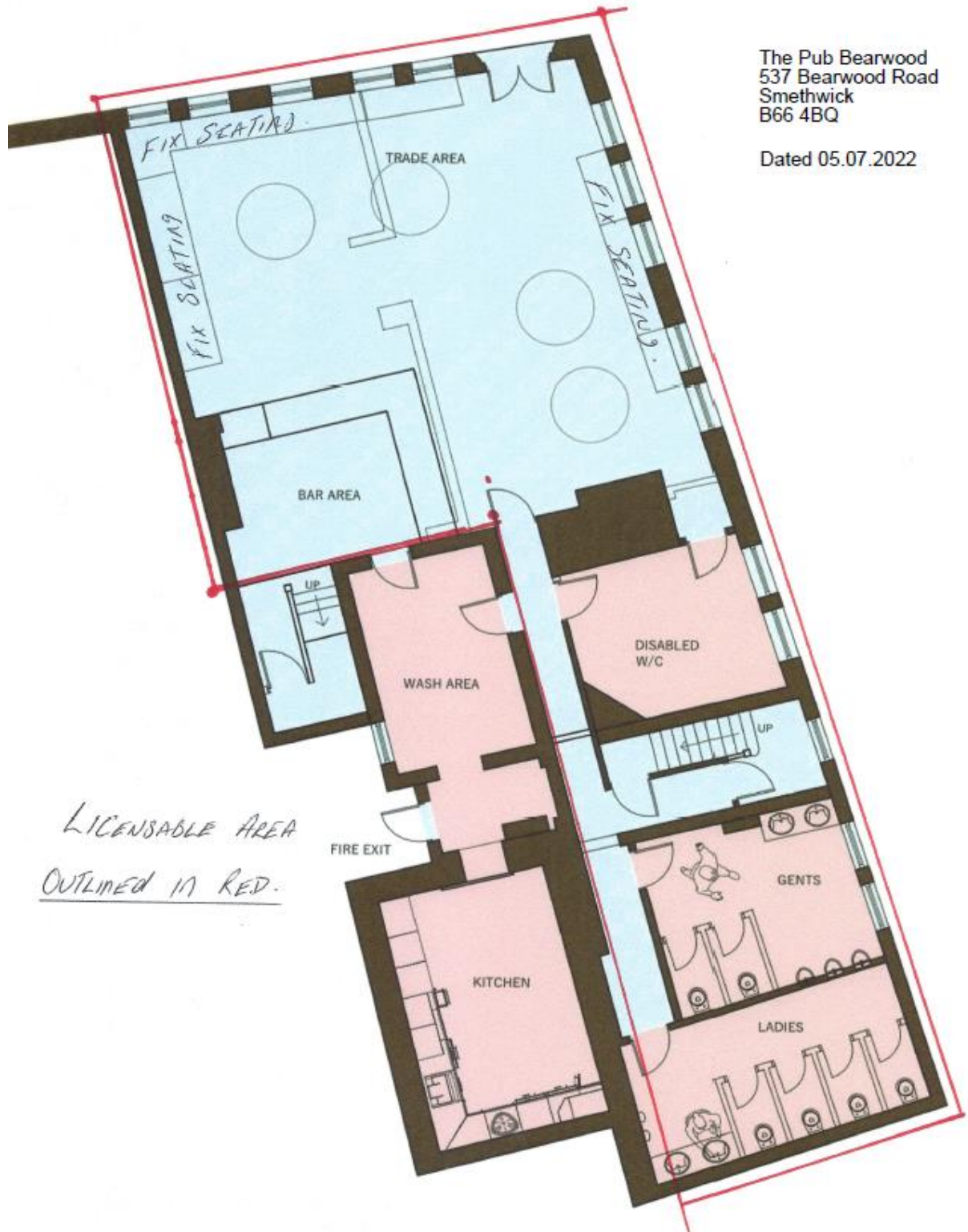
21 / 6 / 22



Appendix – 2 – Plan

The Pub Bearwood  
537 Bearwood Road  
Smethwick  
B66 4BQ

Dated 05.07.2022



**PROPOSED GROUND FLOOR PLAN** SCALE 1:100

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## Geeta Bangerh

---

**From:** @westmidlands.police.uk>  
**Sent:** 05 August 2022 12:05  
**To:** 'the pub kingsheath'  
**Cc:** Geeta Bangerh; Licensing Team for Alcohol & Gambling  
**Subject:** RE: [External]: Re: Application for The Pub Bearwood, 537 Bearwood Road, Smethwick, B66 4BQ

**Categories:** Geeta

**CAUTION: This email originated from outside of the Council / Children's Trust. Do not click links or open attachr**

Hi Edmund

Just to confirm there is no breach of the Data Protection Act if you do want to contact the objector as the law requires that all objections are disclosed in full to the applicant (there is an exception if the objector has raised a specific concern re their personal safety/security being threatened but these situations are rare). The Licensing Act 2003 does this as it is meant to be in spirit of Act with interested parties, applicants and responsible authorities, all working together plus you have to be aware of the objector details to provide you an opportunity to counter their objection if needed ( an objector may say they live at X and will be affected and you or your legal representative could say back actually your venue will not affect the address concerned, etc.).

I would add you are under no obligation to contact them at all and the objector likewise is under no obligation to speak to you, which is often the case with objectors that they refuse to engage with applicants.

The Licensing Team I am sure will initially disclose the details of the agreement made to the objector as a matter of course and to see if it changes the objectors position but just wanted to point out you can also make contact with the objector if you so wish to speed matters up.

Hope that makes sense.



**Nicola Stansbie 60234**  
**Licensing Officer**  
**West Bromwich Police Station,**  
**Moor St,**  
**West Bromwich,**  
**B70 7AQ,**  
**Ring 101**  
**Ext - 811 3044**  
**Mobile ·**

**Email:**



**From:** the pub kingsheath <  
**Sent:** 05 August 2022 11:55  
**To:** Nicola Stansbie  
**Cc:** Geeta Bangerh <geeta\_bangerh@sandwell.gov.uk>  
**Subject:** Re: [External]: Re: Application for The Pub Bearwood, 537 Bearwood Road, Smethwick, B66 4BQ

Hi Nicola yes that's confirmed however it's the local authority that has to make contact with the person objecting as it's a breach of data protection if not but yes there now should be no need for a review as his only objection was 12:30 closing I suggest licensing contract him and inform him of this  
Regards

On 5 Aug 2022, at 11:13 am, Nicola Stansbie < > wrote:

Edmund

Thanks for confirming. So for clarity so the Local Authority are satisfied, you full agree to the conditions and amendment suggested?

If so, you might want to also send the details of the agreement over to the objector as the agreement may provide reassurance to them and negate the need for a hearing if they withdraw their representation.



Nicola Stansbie 60234  
Licensing Officer  
West Bromwich Police Station,  
Moor St,  
West Bromwich,  
B70 7AQ,  
Ring 101  
Ext - 811 3044  
Mobile -

Email: |



**From:** the pub kingsheath <>  
**Sent:** 04 August 2022 10:34  
**To:** Nicola Stansbie <>  
**Cc:** Geeta Bangerh <>  
**Subject:** [External]: Re: Application for The Pub Bearwood, 537 Bearwood Road, Smethwick, B66 4BQ

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Hi Nicola

Re our conversation yesterday and your subsequent e mail I'm happy to amend the hours to 12 o'clock with half hour thereafter drinking up time.

The regulated entertainment can also be removed from the application.

We install 4k cctv as standard across our sites as it forms part of our safeguarding commitment and will be available to the local constabulary should or if it's required.

Challenge 25 is a standard we adhere to anyway and welcome it as part of our commitment

I hope this Elat's any of you're concerns re the application and I welcome any further input from yourself

Kind regards

On 3 Aug 2022, at 5:46 pm, Nicola Stansbie <> wrote:

Hi Edmund

Thanks for taking time to go through things. Apologies this is so late on in the day but I have been on Commonwealth Games duties and so away from the office.

As discussed, the application states supply of alcohol will end at **12:30 midnight** and the closing hours are the same. As discussed, I would want to see the licensed hours end earlier than the opening hours so there is some wind down period. I understand that you actually intend to stop serving alcohol at 12 midnight anyway and so my suggestion would be that you amend the application to the Local Authority and state you would like the alcohol hours to end at 12 midnight (I have no issue with Late night refreshment until 12.30 as would consider if people want a hot drink or hot refreshment during the wind down period that is reasonable).

Additionally I note you have applied for most of the regulated entertainment. During our conversation you mentioned that you intended to have karaoke at times, some acoustic performers and to show the football. As discussed, if you are showing live sporting events or live tv, that does not fall within the licensing regime, it is only for any non-live television or screenings. Additionally, under the provisions of the Live Music Act, there are various exemptions that mean you can have such entertainment up until 11pm for no more 500 people providing the Premises are open for the sale of alcohol. The exemptions that I think are most useful to you are the following;

Recorded Music: no licence permission is required for: – 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

Live music: no licence permission is required for: – a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises. – 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.

The above exemptions mean that you can operate those activities even if you had not applied for them in the application but the Premises must be open for the sale of alcohol to use that exemption and only for up to 500 people.

If you are happy that you do not need the activities past 11pm, I would suggest removing them from the application as that would allay some of my concerns, would allow you operate the activities you need and it may also allay the concerns of the resident if you advise them that actually you will only be having entertainment up until 11pm and so have removed this from the application given that the law allows you operate those activities in the circumstances said.

Additionally the only other thing is I would want the following conditions added to the licence which are on your Birmingham licence and would seem sensible and good practice -

1. CCTV to be fitted /updated to the specifications and recommendations of West Midlands Police Licensing Officer for the area. CCTV to record throughout the whole of the licensable activity. CCTV will display the correct time and date stamp and be downloadable. There will be at least 1 camera which covers the outside frontage of the premises. CCTV recordings and images will be made immediately available to any of the responsible authorities on request. There will always be at least 1 member of staff on duty (while the premises is open for licensable activity) that is capable of operating the CCTV system and downloading images. All CCTV recordings will be held for a minimum of 31 days. If the hard drive needs to be replaced for any reason then the old / previous hard must be kept on the premises for a minimum of 31 days.
2. If door staff are deployed at the premises then they will sign on and off duty. The premises will maintain profiles of all door staff which will include a copy of their SIA badge and photographic ID. (If photographic ID is not available then a utility bill, no older than 3 months old may be accepted.) The premises will keep the signing in book and profiles for a minimum of 3 months and both are to be made immediately available to any of the responsible authorities on request.
3. The premises will operate a challenge 25 policy. Challenge 25 signage will be prominently display on the entrance door(s) and bar service area(s). All staff will be trained in their responsibilities under the Licensing Act, Challenge 25 policy and premises licence conditions and the training will be documented and signed by both the trainer and trainee. No staff to work at the premises (while it is carrying out licensable activity) without this documented training, with the exception of personal licence holders.

So if you agree to the above conditions and proposals, you need to just reply to me and the Licensing Team copied in and state the below (feel free to copy it):

1. Amend the hours for the supply of alcohol to 12 midnight everyday

2. Remove all of the regulated entertainment from the application (check the above exemptions in yellow above, work for you and what you want to do)
3. Agree to the bullet point conditions stated above in blue



**Nicola Stansbie 60234**  
**Licensing Officer**  
**West Bromwich Police Station,**  
**Moor St,**  
**West Bromwich,**  
**B70 7AQ,**  
**Ring 101**  
**Ext - 811 3044**  
**Mobile -**

**Email:**

**Preventing crime, protecting the public  
and helping those in need**



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Rep 1

From: ,

Sent: 03 August 2022 16:46

To: Licensing Team for Alcohol & Gambling <Licensing\_Team@sandwell.gov.uk>

Subject: The pub at bearwood

---

**CAUTION: This email originated from outside of the Council / Children's Trust. Do not click links or open attachn**

Dear Sandwell Council,

I contest the application made for another pub on high street. Bearwood needs to be vibrant with an array of things that other neighbourhood has to offer not littered with betting shops and public houses attracting an array of unsavoury/asb.

Kind Regards

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