

## Geeta Bangerh

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**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

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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:**

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**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.



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**Ext - 811 3044**  
**Mobile -**

**Email: |**

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**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



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