

PREMISES LICENCE - LICENSING ACT 2003

PART A
CONDITIONS APPLIED BY COURT ON APPEAL FROM COMMITTEE 19 MARCH 2012

DATE OF GRANT	29 September 2005	PREMISES LICENCE NUMBER:	008569
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Part 1 – Premises details

Postal address of premises	The Old Crown 56 Sandwell Road West Bromwich B70 8TG
Telephone Number	██████████

Name of premises licence holder	O. Hines Ltd
Address	██████████ ██████████ ██████████ ██████████
Telephone number	██████████
Email address	██████████
Registered number of holder (e.g. Company/Charity)	7183023

Name of Designated Premises Supervisor	Maurice Delroy McLeod
Address	██████████ ██████████ ██████████ ██████████
Telephone Number	██████████
Personal Licence Number	2916/1
Issuing Authority	Birmingham City Council

Where the licence is time limited the dates	N/A
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State whether access to the premises by children is restricted or prohibited	N/A
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Part 2**LICENSABLE ACTIVITIES**

Licensable activities authorised by the licence	The times the licence authorises the carrying out of licensable activities
<p>Films (Indoors)</p> <p>Indoor sporting events</p> <p>Live Music (Indoors)</p> <p>Recorded Music (Indoors)</p> <p>Provision of facilities for making music (Indoors)</p> <p>Provision of facilities for dancing (Indoors)</p> <p>Provision of late night refreshment (Indoors)</p> <p>Sale by retail of alcohol for consumption <u>on</u> the premises</p> <p>Sale by retail of alcohol for consumption <u>off</u> the premises</p>	<p>1000 – midnight Sunday to Thursday 1000 – 0100 Friday and Saturday</p> <p>These hours are extended on New Years Eve from the end of permitted hours on that day to the start of permitted hours on New Years Day.</p>
<p>Opening hours of the premises</p>	<p>1000 – 0030 Monday to Thursday 1000 – 0130 Friday and Saturday</p> <p>These hours are extended on New Years Eve from the end of permitted hours on that day to the start of permitted hours on New Years Day.</p>
<p style="text-align: center;">Homes and Communities Trading Standards & Licensing Unit 33 Coneygree Road Tipton DY4 8RX</p>	

Mandatory Conditions

Section 19 Licensing Act 2003

Where this licence authorises the supply of alcohol,

- 1. No supply of alcohol may be made under the licence:**
 - a. at a time when there is no designated premises supervisor (DPS) in respect of the licence, or
 - b. at a time when the DPS does not hold a personal licence or that licence is suspended
- 2. Every supply of alcohol under the licence must be made or authorised by a person who holds a personal licence**

Section 20 Licensing Act 2003

Where this licence authorises the exhibition of films,

- (1) the admission of children to the exhibition of any film will be restricted.**
- (2) where the film classification body is specified in the licence, unless otherwise stated, admission of children must be restricted in accordance with any recommendation made by that body.**
- (3) Where :**
 - i. the film classification body is not specified in the licence, or
 - ii. the licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

Section 21 Licensing Act 2003

Where this licence includes a condition that at specified times one or more individuals must be on the premises to carry out a security activity, each such individual must

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or**
- (b) be entitled to carry out that activity by virtue of section 4 of that Act.**

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

**(Where the following conditions refer to a responsible person this means the premises licence holder, the designated premises supervisor or a person aged 18 or over who is authorised to allow the sale of alcohol on the premises)*

THE FOLLOWING CONDITION APPLIES TO ALL LICENCES WHICH PERMIT THE SALE OR SUPPLY OF ALCOHOL 'ON OR OFF THE PREMISES'

With effect from 1st October 2010, the premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person* to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Mandatory Conditions continued

THE FOLLOWING CONDITIONS APPLY TO ALL LICENCES WHICH PERMIT THE SALE OR SUPPLY OF ALCOHOL EXCEPT THOSE WHICH AUTHORISE THE CONSUMPTION OF ALCOHOL 'OFF THE PREMISES ONLY'

With effect from 6th April 2010 the responsible person* shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person* is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

With effect from 6th April 2010 the responsible person* shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability)

With effect from 6th April 2010 The responsible person* shall ensure that free tap water is provided on request to customers where it is reasonably available.

With effect from 1st October 2010 The responsible person* shall ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

Steps premises licence holder proposes to take to promote the licensing objectives :

On variation 29 August 2007

General

The licensing objectives have been carefully considered in the light of the proposed variation taking account of the premises and their location.

The proposed variation will not alter the style and operation of the premises.

The proposed variation will promote the licensing objectives in accordance with the Section 182 Guidance.

The premises will operate in accordance with all relevant legislation.

Details of any additional measures considered necessary to promote the licensing objectives are contained under the relevant objective below.

The prevention of crime and disorder.

The crime and disorder objective has been considered in the light of the proposed variation.

The proposed variation will not alter the style and operation of the premises and will not have an adverse effect on the crime and disorder objective.

The proposed variation will promote the crime and disorder objective in accordance with the Section 182 Guidance.

The premises will continue to operate in accordance with all relevant legislation which promotes the crime and disorder objective.

The premises will liaise and co-operate with the responsible authorities.

A proof of age policy will operate in relation to relevant licensable activities.

A zero tolerance towards illegal drugs will operate at all times.

Any drinks promotion will not adversely affect the promotion of responsible drinking.

Customers will be encouraged to leave the premises in a quiet and orderly manner.

Staff will be trained to observe the measures necessary to promote the crime and disorder objective.

Public safety

The public safety objective has been considered in the light of the proposed variation.

The proposed variation will not alter the style and operation of the premises and will not have an adverse effect on the public safety objective.

The proposed variation will promote the crime and disorder objective in accordance with the Section 182 Guidance.

The premises will operate in accordance with all relevant legislation which promotes the public safety objective including, but not limited to, the Health and Safety at Work etc Act 1974 and associated regulations, the Food Safety Act 1990, the Regulatory Reform (Fire Safety) Order 2005 and the Disability Discrimination Act 1975.

The premises will liaise and co-operate with the responsible authorities.

A zero tolerance towards illegal drugs will operate at all times.

Any drinks promotion will not adversely affect the promotion of responsible drinking.

Customers will be encouraged to leave the premises in a quiet and orderly manner.

Staff will be trained to observe the measures necessary to promote the public safety objective.

The existing fire safety precautions will be retained and maintained.

The prevention of public nuisance.

The public nuisance objective has been considered in the light of the proposed variation.

The proposed variation will not alter the style and operation of the premises and will not have an adverse effect on the public nuisance objective.

The proposed variation will promote the crime and disorder objective in accordance with the Section 182 Guidance.

The premises will operate in accordance with all relevant legislation which promotes the public nuisance objective including, but not limited to , the Environmental Protection Act 1990 and the Noise Act 1996.

**The premises will liaise and co-operate with the responsible authorities
Any drinks promotion will not adversely affect the promotion of responsible drinking.
Customers will be encouraged to leave the premises in a quiet and orderly manner.
Staff will be trained to observe the measures necessary to promote the public nuisance objective.**

The premises will be adequately ventilated to prevent nuisance.

Arrangements will be made for the storage and disposal of refuse which do not cause a nuisance.

Any noise from the licensable activities provided will be monitored in order to prevent nuisance.

The protection of children from harm.

The protection of children objective has been considered in the light of the proposed variation.

The proposed variation will not alter the style and operation of the premises and will not have an adverse effect on the protection of children objective.

The proposed variation will promote the crime and disorder objective in accordance with the Section 182 Guidance.

The premises will operate in accordance with all relevant legislation which promotes the protection of children objective.

The premises will liaise and co-operate with the responsible authorities

A proof of age policy will operate in relation to the relevant licensable activities.

A zero tolerance towards illegal drugs will operate at all times.

Staff will be trained to observe the measures necessary to promote the protection of children objective.

Non-alcoholic drinks will be available.

Conditions consistent with the Operating Schedule:

NONE

Annex 3

Conditions attached after a hearing by the licensing authority

On 19th March 2012 by Sandwell Magistrates Court on appeal against the decision of the Licensing Committee

1. The permitted hours of licensable activities are amended to
10.00 – Midnight Sunday to Thursday (Opening hours 10.00 – 00.30)
10.00 – 01.00 Friday and Saturday (Opening hours 10.00 – 01.30)
2. The condition extending permitted licensable activities by one hour at the end of licensed hours on the morning when British Summer Time commences is deleted.
3. The condition extending permitted hours of licensable activities to commence one hour before the start of an event and end one hour after the conclusion of an event, when the event in question is the transmission of any international sporting event falling outside the standard hours, is deleted.
4. That a noise limiting device capable of interrupting the power supply to any amplification equipment should a present sound limit be exceeded, be installed and maintained in the licensed premises. The level at which the device operates shall be set in consultation with the Local Authority and be agreed in writing. The device shall at all times be retained and operative at the level agreed. Any changes in operative level must be agreed in writing by the Local Authority prior to the alteration being carried out.
5. That details of the proposed noise limiter be forwarded to the Environmental Health Officer for their approval prior to purchase and installation.
6. That all windows and doors remain closed during regulated entertainment except for access and egress.

Annex 4

Plans

The plan attached to this licence is held by Sandwell MBC