



**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE LICENSING SUB-COMMITTEE**

**THURSDAY 6TH AUGUST 2015 AT 6.00 P.M.**

**THE COMMITTEE ROOM, THE COUNCIL HOUSE, BURCOT LANE,  
BROMSGROVE**

MEMBERS: Councillors B. T. Cooper, P. Lammas and P.L. Thomas

Reserve Members: Councillor S. R. Peters

**AGENDA**

**LICENSING SUB-COMMITTEE HEARING PROCEDURE** (Pages 1 - 4)

1. Election of Chairman for the meeting
2. To receive apologies for absence and notification of substitutes
3. Declarations of Interest  
  
To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
4. Variation to a Premises Licence in respect of Dog & Pheasant, 24 Worcester Road, Bromsgrove, B61 7AE (Pages 5 - 52)

5. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS  
Chief Executive

The Council House  
Burcot Lane  
BROMSGROVE  
Worcestershire  
B60 1AA

27th July 2015

# Appendix

## LICENSING SUB-COMMITTEE (Premises)

### HEARING PROCEDURE

1. The Chairman will open the hearing and introduce Members of the Sub-Committee and officers present.
2. The Chairman will ask parties to the proceedings to introduce themselves.
3. In the event the Applicant is not represented, the Chairman will remind the Applicant that he/she can be represented by a legal representative at his/her own expense.
4. The Licensing Officer, Worcestershire Regulatory Services will present the report.
5. The Chairman will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Licensing Officer.
6. The Chairman will invite the Applicant and/or his/her representative to present his/her case and call any witnesses. The Applicant will be allowed a maximum of 10 minutes to present the case.
7. The Chairman will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Applicant and/or his/her representative.
8. The Chairman will invite the Responsible Authorities to present their representations. New representations must not be raised. The Responsible Authorities will be allowed a total of 10 minutes to present their case(s). If two or more Responsible Authorities wish to address the Sub-Committee the 10 minutes will be divided between them.
9. The Chairman will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Responsible Authorities.
10. All other Parties to the proceedings will be invited to present their representations or elect a spokesperson to speak on their behalf. New representations must not be raised. A maximum of 10 minutes will be allowed for the Parties to present their case(s). If two or more Parties wish to address the Sub-Committee the 10 minutes will be divided between them.

# Appendix

11. **The Chairman will invite Members of the Sub-Committee, the applicant / applicant's representative and the Responsible Authorities to put any relevant questions to the other Parties**
12. **The other Parties will be invited to sum up. A maximum of 5 minutes will be allowed.**
13. **The Responsible Authorities will be invited to sum up. A maximum of 5 minutes will be allowed.**
14. **The Applicant and/or his/her representative will be invited to sum up. A maximum of 5 minutes will be allowed.**
15. **The Chairman will ask the Legal Advisor if there is any legal advice to be given.**
16. **At the conclusion of the hearing Members of the Sub-Committee, the Legal Advisor and the Democratic Services Officer will withdraw from the meeting room so that the Sub-Committee can reach its decision in private**
17. **The Sub-Committee's decision will be sent to the Applicant and those parties who made representations within 5 working days.**



# Appendix

## **Please Note:**

1. ***Each application coming before the Licensing Sub-Committee will be treated on its own merits, and the Sub-Committee will take its decision based upon:***
  - a) ***the promotion of the four licensing objectives, as given by the Licensing Act 2003, namely:***
    - ***the prevention of crime and disorder;***
    - ***public safety;***
    - ***the prevention of public nuisance; and***
    - ***the protection of children from harm;***
    -
  - b) ***Bromsgrove District Council's Statement of Licensing Policy;***
  - c) ***guidance issued under section 182 of the Licensing Act 2003; and***
  - d) ***the Licensing Act 2003.***
2. ***The Chairman may require any person who in his/her opinion is behaving in a disruptive manner to leave the meeting, and may refuse to permit that person to return, or permit him/her to return only on such conditions as the Chairman may specify. However, such person may, before the end of the hearing, submit in writing any information which he/she would have been entitled to have given orally at the meeting had he/she not been required to leave.***
3. ***Decisions may be taken in the absence of the Applicant or any other party. All notices and representations received from absent parties will be considered.***
4. ***Questioning must not be hostile or intended to unfairly undermine the position of any party.***
5. ***Late evidence will only be considered with the agreement of all parties present.***
6. ***The decision of the Sub-Committee will be sent to all parties within 5 working days.***
7. ***An appeal to the Magistrates' Court against the Sub-Committee's decision must be lodged within 21 days of the date on which all parties were notified in writing of the decision of the Licensing Sub-Committee.***

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## BROMSGROVE DISTRICT COUNCIL

### LICENSING SUB-COMMITTEE

THURSDAY 6TH AUGUST 2015

### LICENSING ACT 2003

#### APPLICATION FOR VARIATION OF A PREMISES LICENCE

**DOG AND PHEASANT – 24-26 WORCESTER ROAD, BROMSGROVE, B61 7AE**

<b>PUBLIC HEARING</b>	
<b>Director:</b>	Acting Head of Worcestershire Regulatory Services
<b>Contact Officer:</b>	Sayful Alom Licensing Technical Officer 01562 738010 <a href="mailto:sayful.alom@worcsregservices.gov.uk">sayful.alom@worcsregservices.gov.uk</a>
<b>Ward(s) affected:</b>	Central Ward
<b>Appendices:</b>	List of appendices: Appendix 1 – Application Form Appendix 2 – Existing Licence and plan Appendix 3 – Representations from Police Appendix 4 – Representations from members of the public

#### 1. PURPOSE OF REPORT

- 1.1 To consider and determine an application for variation of the premises licence in respect of the premises below:

**Dog And Pheasant  
24-26 Worcester Road  
Bromsgrove  
Worcestershire  
B61 7AE**

A copy of the application is attached at Appendix 1.

- 1.2 The premises currently benefits from an existing premises licence. A copy of the existing licence and plan is attached at Appendix 2.

## 2. BACKGROUND

- 2.1 On 12 June 2015 an application was received from Elmswyne Leisure Ltd for variation of the premises licence in respect of  
Dog And Pheasant [ph]  
24-26 Worcester Road  
Bromsgrove  
Worcestershire  
B61 7AE
- 2.2 The application contained all the requisite documentation including the fee.
- 2.3 It can be confirmed that the application has been advertised in accordance with the requirements of the Licensing Act 2003 and associated regulations and that the application has also been served on all responsible authorities.
- 2.4 The applicant is applying for the following variations to their existing licence:  
To extend the hours for Indoor sporting, Live/Recorded Music (indoors & outdoors), Performance of Dance (indoors): Fridays, Saturdays and Bank holidays 10:00 – 04:00.  
Late Night Refreshments: Fridays, Saturdays and Bank holidays 23:00 – 04:00.  
Sale of Alcohol: Fridays, Saturdays and Bank holidays (Indoors) 10:00 – 03:30.

## 3. REPRESENTATIONS

### Responsible Authorities

- 3.1 A relevant representation from Inspector Sarah Corteen of West Mercia Police, on the grounds of Crime & Disorder and Public Nuisance, was received on the 8<sup>th</sup> July 2015. This representation is attached at Appendix 3.

### Other Persons

- 3.2 Worcestershire Regulatory Services have received 8 representations from other persons on the grounds of public nuisance and crime & disorder. The representations are attached at Appendix 4.

## 4. LOCAL POLICY CONSIDERATIONS

- 4.1 The Sub-Committee should have regard to the Council's Statement of Licensing Policy under the Licensing Act 2003.
- 4.2 The Council's Statement of Licensing Policy is available to download from the Council's website or, to request a hard copy, contact Worcestershire Regulatory Services on 01905 822799, or email [wrsenquiries@worcsregservices.gov.uk](mailto:wrsenquiries@worcsregservices.gov.uk)

## **5. LEGAL IMPLICATIONS**

- 5.1 The Committee is obliged to determine this application with a view to the promotion of the licensing objectives which are:
- the prevention of crime and disorder;
  - public safety;
  - the prevention of public nuisance;
  - the protection of children from harm.
- 5.2 In making its decision, the Sub-Committee is also obliged to have regard to the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy.
- 5.3 The Sub-Committee must also have regard to the representations made and the evidence it hears.
- 5.4 The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
- (a) Grant the application as requested
  - (b) Modify the conditions of the licence, by altering or omitting or adding to them.
  - (c) Reject the application in whole or in part.
- 5.5 The Sub-Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.
- 5.6 All parties to the hearing will be notified of the Sub-Committee's decision in writing within five working days of the conclusion of the hearing.
- 5.7 Any party aggrieved by a decision taken by the Sub-Committee may appeal against the decision to a Magistrates' Court within 21 days of being notified of the decision in writing.

## **6. FOR DECISION**

- 6.1 The Sub-Committee must consider and determine the application.

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# Agenda Item 4

Appendix 1

## 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/- Elmsvyne Leisure Limited  
(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 182
--------------------------------

#### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Dog & Pheasant 24 Worcester Road			
Post town	BROMSGROVE	Postcode	B61 7AE
Telephone number at premises (if any)	-		
Non-domestic rateable value of premises	£15,159.75		

#### Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town	BROMSGROVE	Postcode	B61 0AT

## Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?     Yes                       No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?  
(Please see guidance note 1)     Yes                       No

**Please describe briefly the nature of the proposed variation (Please see guidance note 2)**  
The Dog & Pheasant is a town centre public house, typically late night drinking only, and we currently only trade on a Friday and Saturday evening due to the decline in trade within the town centre during the recession. Since 'The Grove', another town centre pub in close proximity was granted a late license, the majority of our trade now occurs after 01:00 hours, which means our window of opportunity to successfully trade is limited. We would like to have the option to continue to trade on busy nights at the weekends, Bank Holidays and special events to trade until 03.30 hours and to close the premises at 04:00 hours. On average we successful submit a temporary license to trade for these hours which is not only time consuming for us to process, but other authorities involved and costly.

We are therefore requesting a variation to our existing license to enable us to be flexible with the opening hours for weekends and Bank Holidays. Although we currently do not trade mid-week, we still wish to retain our current hours and licensable activities we hold a license for.

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:

N/A
-----



# Agenda Item 4

## 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 all that apply

- |   |                          |
|---|--------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)   | X                        |
| 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)   | 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) | <input type="checkbox"/> |

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

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A

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

**B**

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

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4) We wish to retain our current license, but request a variation to our license for an extension to Friday, Saturday and Bank Holidays.
Day	Start	Finish	<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Mon	-----	-----	
Tue	-----	-----	
Wed	-----	-----	
Thur	-----	-----	
Fri	10:00	04:00	
Sat	10:00	04:00	
Sun	-----	-----	

## D

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

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**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3) We wish to retain our current license, but request a variation to our license for an extension to Friday, Saturday and Bank Holidays.		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	X
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)			
Mon	-----	-----				
Tue	-----	-----				
Wed	-----	-----				
Thur	-----	-----	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)			
Fri	10.00	04:00	<b>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</b> (please read guidance note 6)			
Sat	10.00	04:00				
Sun	-----	-----				

F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3) We wish to retain our current license, but request a variation to our license for an extension to Friday, Saturday and Bank Holidays.		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon	-----	-----				
Tue	-----	-----				
Wed	-----	-----				
Thur	-----	-----	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)			
Fri	10:00	0400	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
Sat	10:00	0400				
Sun	-----	-----				



**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3) We wish to retain our current license, but request a variation to our license for an extension to Friday, Saturday and Bank Holidays.		Indoors <input type="checkbox"/>
Day      Start      Finish			Outdoors <input type="checkbox"/>		Both <input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Wed					
Thur					
Fri	10:00	04:00	<b>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</b> (please read guidance note 6)		
Sat	10:00	04:00			
Sun					



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H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b>Please give further details here</b> (please read guidance note 4)</p>		
Wed					
Thur			<p><b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)</p>		
Fri					
Sat			<p><b>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</b> (please read guidance note 6)</p>		
Sun					

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3) We wish to retain our current license, but request a variation to our license for an extension to Friday, Saturday and Bank Holidays.		Indoors <input type="checkbox"/>	
					Outdoors <input type="checkbox"/>	
					Both <input type="checkbox"/>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon	-----	-----				
Tue	-----	-----				
Wed	-----	-----	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)			
Thur	-----	-----				
Fri	10:00	04:00				
Sat	10:00	04:00				
Sun	-----	-----	<b><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></b> (please read guidance note 6)			

**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) We wish to retain our current license, but request a variation to our license for an extension to Friday, Saturday and Bank Holidays.		On the premises <input type="checkbox"/>
					Off the premises <input type="checkbox"/>
					Both <input type="checkbox"/>
<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	-----	-----			
Tue	-----	-----			
Wed	-----	-----			
Thur	-----	-----	<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)		
Fri	10:00	03:30			
Sat	10:00	03:30			
Sun	-----	-----			

**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)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	<u>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</u> (please read guidance note 6) We wish to retain our current license, but request a variation to our license for an extension to Friday, Saturday and Bank Holidays.
Mon	-----	-----	
Tue	-----	-----	
Wed	-----	-----	
Thur	-----	-----	
Fri	10:00	04:00	
Sat	10:00	04:00	
Sun	-----	-----	

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.

N/A

Please tick as appropriate

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- I have enclosed the premises licence (COPY) X
- 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 not enclosed the premises licence or relevant part of premises licence.

## M

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 and e) (please read guidance note 10)**

Continuation of our current objectives as detailed in the current premises license.

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

Continuation of our current objectives as detailed in the current premises license.

**c) Public safety**

Continuation of our current objectives as detailed in the current premises license.

**d) The prevention of public nuisance**

Outside speakers will continue to be switched off at 11:00 hours.

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

No children are permitted on the premises

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**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or  
I have not made or enclosed payment of the fee because this application has been made in  
relation to the introduction of the late night levy.
- 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING  
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 11)

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

Signature	
Date	12 <sup>th</sup> June 2015
Capacity	Premises Licence Holder and Company Director

**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 13). **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 14)



## 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. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. 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 will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. 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 unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. 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 or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.





# Bromsgrove District Council

The Council House, Burcot Lane, Bromsgrove, Worcestershire, B60 1AA  
 Telephone: 01527 873232 www.bromsgrove.gov.uk

Licensing Act 2003  
**Premises Licence** **182**

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION	
<b>Dog and Pheasant</b> 24 Worcester Road, Bromsgrove, Worcestershire, B61 7AE.	Telephone 01527 559638

WHERE THE LICENCE IS TIME LIMITED THE DATES
Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE
<ul style="list-style-type: none"> <li>- an indoor sporting event</li> <li>- a performance of live music</li> <li>- any playing of recorded music</li> <li>- a performance of dance</li> <li>- entertainment facilities for making music</li> <li>- entertainment facilities for dancing</li> <li>- provision of late night refreshment</li> <li>- the sale by retail of alcohol</li> </ul>

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES				
Activity (and Area if applicable)	Description	Time From	Time To	
C. Indoor sporting event	Ground Floor	Monday to Saturday	10:00am - 2:00am	
		Sunday	10:00am - 1:00am	
		New Year's Eve		Till the start of trading hours on New Year's Day
	First Floor	Monday to Saturday	10:00am - 2:00am	
		Sunday	10:00am - 1:00am	
		New Year's Eve		Till the start of trading hours on New Year's Day
E. Performance of live music (Indoors)	Ground Floor	Monday to Saturday	10:00am - 2:00am	
		Sunday	10:00am - 1:00am	
		New Year's Eve		Till the start of trading hours on New Year's Day
	First Floor	Monday to Saturday	10:00am - 2:00am	
		Sunday	10:00am - 1:00am	
		New Year's Eve		Till the start of trading hours on New Year's Day







## Bromsgrove District Council

The Council House, Burcot Lane, Bromsgrove, Worcestershire, B60 1AA

Telephone: 01527 873232      www.bromsgrove.gov.uk

Licensing Act 2003

### Premises Licence

# 182

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...**

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors & Outdoors)	Ground Floor	Monday to Saturday	10:00am - 2:00am
		Sunday	10:00am - 1:00am
		New Year's Eve	Till the start of trading hours on New Year's Day
	Outside	Monday to Sunday	10:00am - 11:00pm
	First Floor	Monday to Saturday	10:00am - 2:00am
		Sunday	10:00am - 1:00am
		New Year's Eve	Till the start of trading hours on New Year's Day
G. Performance of dance (Indoors)	Monday to Saturday	10:00am - 2:00am	
	Sunday	10:00am - 1:00am	
	New Year's Eve	Till the start of trading hours on New Year's Day	
I. Provision of facilities for making music (Indoors & Outdoors)	Ground Floor	Monday to Saturday	10:00am - 2:00am
		Sunday	10:00am - 1:00am
		New Year's Eve	Till the start of trading hours on New Year's Day
	Outside	Monday to Sunday	10:00am - 11:00pm
	First Floor	Monday to Saturday	10:00am - 2:00am
		Sunday	10:00am - 1:00am
		New Year's Eve	Till the start of trading hours on New Year's Day
J. Provision of facilities for dancing (Indoors)		Thursday	7:00pm - Midnight
		Sunday	7:00pm - Midnight
		New Year's Eve	Till the start of trading hours on New Year's Day
	First Floor	Monday to Saturday	10:00am - 2:00am
		Sunday	10:00am - 1:00am
		New Year's Eve	Till the start of trading hours on New Year's Day
L. Late night refreshment (Indoors)	Ground Floor	Monday to Saturday	10:00am - 2:00am
		Sunday	10:00am - 1:00am





## Bromsgrove District Council

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Licensing Act 2003

### Premises Licence

# 182

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
<b>L. Late night refreshment (Indoors) continued ...</b>			
Ground Floor	New Year's Eve		Till the start of trading hours on New Year's Day
First Floor	Monday to Saturday	10:00am	2:00am
	Sunday	10:00am	1:00am
	New Year's Eve		Till the start of trading hours on New Year's Day
<b>M. The sale by retail of alcohol for consumption ON and OFF the premises</b>			
Ground Floor	Monday to Saturday	10:00am	2:00am
	Sunday	10:00am	1:00am
	New Year's Eve		Till the start of trading hours on New Year's Day
First Floor	Monday to Saturday	10:00am	2:00am
	Sunday	10:00am	1:00am
	New Year's Eve		Till the start of trading hours on New Year's Day

#### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Saturday	10:00am	2:30am
Sunday	10:00am	1:30am
New Year's Eve		Till the start of trading hours on New Year's Day

#### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

#### Part 2

#### NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Elmsvyne Leisure Ltd

#### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Elmsvyne Leisure Ltd

05564753







## Bromsgrove District Council

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Licensing Act 2003

### Premises Licence

# 182

**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Leslie Gordon REID      Hoolahans, 24 Worcester Road, Bromsgrove, Worcestershire, B61 7AE.  
Telephone 01527 559638

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**

Licence No. 18050218      Issued by Bromsgrove

**ANNEXES**

### Annex 1

#### Mandatory Conditions

- (a) No supply of alcohol may be made under this Premises Licence at a time when:
  - There is no designated premises supervisor in respect of the Premises Licence; or
  - At a time when the designated premises supervisor does not hold a Personal Licence or his/her Personal Licence has been suspended.
- (b) Every Supply of alcohol under this Premises Licence must be made or authorised by a person who holds a Personal Licence.
- (c) Any person employed to be responsible for security, protection, screening the suitability of people entering the premises or dealing with conflict in pubs, clubs and other licensed premises open to the public shall be registered with the Security Industry Authority (SIA).

### Annex 2

#### Conditions consistent with the operating schedule

**(a) General - all four licensing objectives**

- (1) Our aim is to provide a safe and friendly environment for both customers and staff, working within the guidelines. We will achieve this by working with the local services monitoring and improving our services, reviewing and making changes as appropriate.

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

- (2) We operate a zero tolerance to drugs, and any breach, results in a ban from the premises.
- (3) The new pub watch scheme to be implemented by the Police will be supported by us.
- (4) We have full CCTV coverage of all indoor and outdoor areas.



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Licensing Act 2003

### Premises Licence

# 182

ANNEXES continued ...

(5) Our door staff are all SIA qualified and we operate a preventive and calming approach. Door supervisors will be provided every Thursday, Friday and Saturday from 12 midnight onwards.

**(c) Public safety**

- (6) A full review has recently been undertaken by the Fire Officer to which we fully conform.
- (7) Health and Safety weekly review of facilities and resource.
- (8) Conformance to all environmental directives to keep the public areas in good repair.
- (9) Capacity levels for the ground floor have been set to a maximum of 240 and the first floor has been set to a maximum of 135 persons including employees.

**(d) The prevention of public nuisance**

- (10) The manager, Mr. L. Reid has operated a licence in the Bromsgrove area and knows the local clientele and operates a zero tolerance to any conflict.
- (11) Outside speakers will be switched off at 11.00 p.m.

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

- (12) From February 2006, no children will be permitted on the premises under the age of 14 years old. Currently children are only allowed on the premises with the consent of the duty manager and never after 8.00 p.m.

### Annex 3

Conditions attached after a hearing by the licensing authority

Not applicable.







## Bromsgrove District Council

The Council House, Burcot Lane, Bromsgrove, Worcestershire, B60 1AA

Telephone: 01527 873232    www.bromsgrove.gov.uk

Licensing Act 2003

# Premises Licence Summary

# 182

### Premises Details

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**

## Dog and Pheasant

24 Worcester Road, Bromsgrove, Worcestershire, B61 7AE.

Telephone 01527 559638

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Not applicable

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

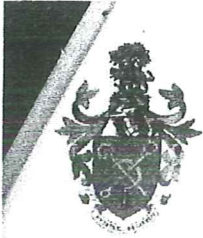
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**

Activity (and Area if applicable)	Description	Time From	Time To
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	Sunday	10:00am	1:00am
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	Sunday	10:00am	1:00am
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	Sunday	10:00am	1:00am
	New Year's Eve		Till the start of trading hours on New Year's Day
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	Sunday	10:00am	1:00am







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Licensing Act 2003

### Premises Licence Summary

# 182

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...**

Activity (and Area if applicable)	Description	Time From	Time To
<b>E. Performance of live music (Indoors) continued ...</b>			
First Floor	New Year's Eve		Till the start of trading hours on New Year's Day
<b>F. Playing of recorded music (Indoors &amp; Outdoors)</b>			
Ground Floor	Monday to Saturday	10:00am	2:00am
	Sunday	10:00am	1:00am
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First Floor	Monday to Saturday	10:00am	2:00am
	Sunday	10:00am	1:00am
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	New Year's Eve		Till the start of trading hours on New Year's Day
<b>I. Provision of facilities for making music (Indoors &amp; Outdoors)</b>			
Ground Floor	Monday to Saturday	10:00am	2:00am
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	New Year's Eve		Till the start of trading hours on New Year's Day
Outside	Monday to Sunday	10:00am	11:00pm
First Floor	Monday to Saturday	10:00am	2:00am
	Sunday	10:00am	1:00am
	New Year's Eve		Till the start of trading hours on New Year's Day
<b>J. Provision of facilities for dancing (Indoors)</b>			
	Thursday	7:00pm	Midnight
	Sunday	7:00pm	Midnight
	New Year's Eve		Till the start of trading hours on New Year's Day





## Bromsgrove District Council

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Licensing Act 2003

### Premises Licence Summary

# 182

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
J. Provision of facilities for dancing (Indoors) continued ... First Floor	Monday to Saturday	10:00am	2:00am
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	New Year's Eve		Till the start of trading hours on New Year's Day
First Floor	Monday to Saturday	10:00am	2:00am
	Sunday	10:00am	1:00am
	New Year's Eve		Till the start of trading hours on New Year's Day

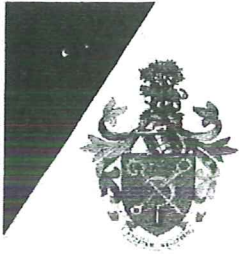
#### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
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Sunday	10:00am	1:30am
New Year's Eve		Till the start of trading hours on New Year's Day

#### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises





## Bromsgrove District Council

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Licensing Act 2003

### Premises Licence Summary

# 182

**NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE**

Elmsvyne Leisure Ltd

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**

Elmsvyne Leisure Ltd

05564753

**NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Leslie Gordon REID

**STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED**

Please refer to Section 145 of the Licensing Act 2003 for any restrictions.



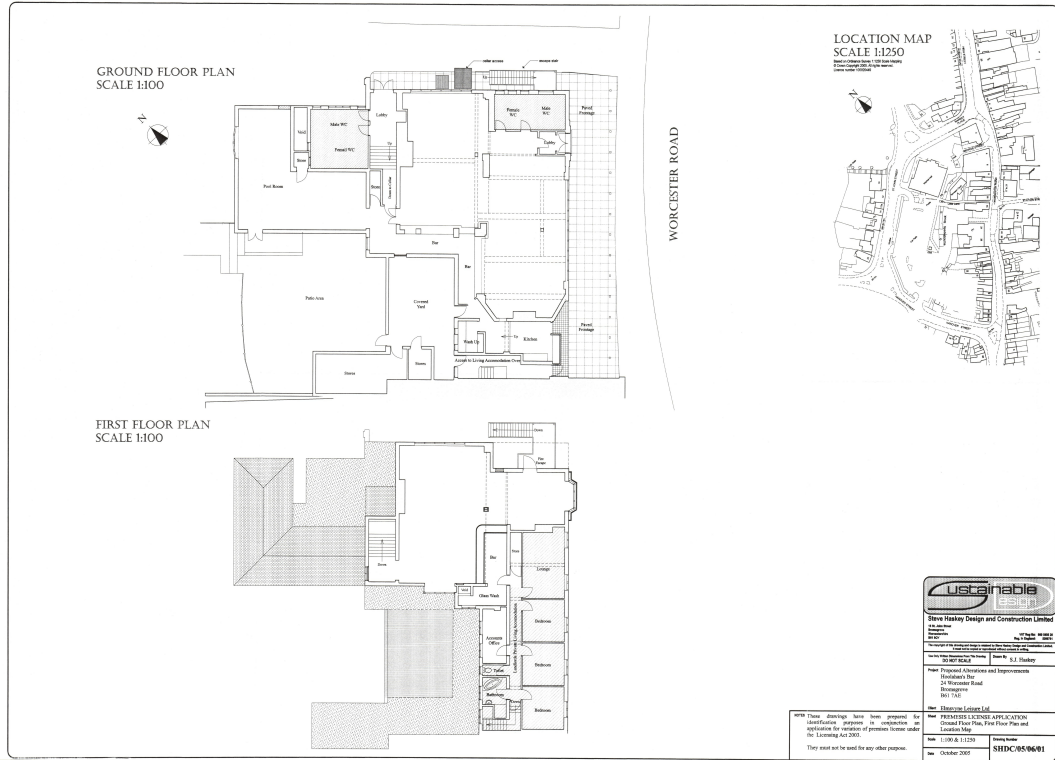


## Notes for Guidance

**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. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. 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 will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. 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 unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. 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 or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

# Agenda Item 4



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# Agenda Item 4

From: Corteen,Sarah  
Sent: 08 July 2015 12:03  
To: Dave Etheridge

Subject:

Dave,

I am informing you that West Mercia Police are making an objection to a variation in licence conditions for The Dog and Pheasant based on the previous incidents recorded against the premises this year, and a belief that a 4am licence would result in an accumulative effect in Bromsgrove High Street where other premises are also licensed to trade until 4am. I believe that, should a 4am variation be granted, there will be an increase in crime and disorder, public nuisance and a risk to public safety.

Kind regards

Sarah

Inspector 2146 Corteen  
North Worcestershire  
Bromsgrove Safer Neighbourhood Team

## DOG & PHEASANT INCIDENTS

0939S 040715	04-JUL-2015 23:31	NOISE COMPLAINT
0064S 310515	31-MAY-2015 01:20	ASSAULT INSIDE D&P
0061S 250415	25-APR-2015 02:13:53	MALE REFUSING TO LEAVE AND

## ARGUING WITH THE DOOR STAFF – MALE EJECTED

0055S 180415	18-APR-2015 02:05:02	FIGHT – BOTH MALES AND FEMALES
0046S 070315	07-MAR-2015 01:41	FIGHT OUTSIDE
0093S 080215	08-FEB-2015 02:58	FIGHT – FEMALE - ARGUMENT BETWEEN FRIENDS
0100S 070215	07-FEB-2015 03:14	TAXI DRIVER PROBLEMS OUTSIDE D&P – VIOLENT FARES

## – OFFENDERS MOVED ON

0117S 310115	31-JAN-2015 03:37	SNOWBALL FIGHT- TURNING INTO A FIGHT
0064S 180115	18-JAN-2015 02:07	ASSAULT - DOWNGRADED- NO IP & NO OFFENDER

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

From:

Sent: 06 July 2015 20:54

To: WRS Enquiries

Subject: Objection to the Dog and Pheasant variation (application for extended licence time)

To whom it my concern,

I am writing to object to the variations and extended opening times of The Dog and Pheasants license specifically -

Every Friday and Saturday (Including bank holidays)

- Playing music ( Indoors and Outdoors) 10 am - 4 am

- Serving alcohol ( Indoors and Outdoors ) 10 am - 3.30 am

My reasons for objecting to this are

- Music pollution - I feel that this will greatly impact on my life, as already the music currently from the venue is excessive to the point that mine and my daughter's sleep is disturbed. I work nights in the week and the weekend I need to catch up on my sleep which I already struggle with the current noise already and it is only going to get worse now for a longer period.

- Increased noise from people loitering in the street after 4 am - This I am extremely worried about as at present we get frequently disturbed by drunk people walking up the hill where I live fighting and shouting and have police constantly in the area which upsets my daughter's sleep.

- The amount of people in the street after 4 am - As I said above this is concerning about people loitering about where I live on my own and when they are hanging around the entrance to the where I live this makes me feel uneasy and unsafe

I hope you can take my objections into consideration and understand my reasons for objecting

Kind Regards

# Agenda Item 4

From:

Sent: 08 July 2015 13:56

To: WRS Enquiries

Subject: Objection to the Dog and Pheasant Variation

Dear Sir / Madam

I am writing to object to the variations of the Dog and Pheasant's license specifically

- playing music outdoors until 4am, already they keep their doors open playing music outside longer than they are aloud.

My reasons for this is the music already keeps us awake however when they close the doors it's not bad. The problem is when the doors are left open,as the music travels straight through our house, we might as well be in the bar. We also have a 10month old baby who gets disturbed by this, it will be a huge problem for my family if you allow them to keep their doors open playing music until 4am. It would be much appreciated if you could take my email into consideration and I look forward to hearing from you.

Kind regards

# Agenda Item 4

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

From:

Sent: 08 July 2015 19:07

To: WRS Enquiries

Subject: Objection to the Dog and Pheasant Variation

To whom it may concern

My name is [redacted] and I speak on behalf of my wife and I. We have properties [redacted] the Dog and Pheasant [redacted] Worcester Road et ( [redacted] ) and also properties [redacted] at & St John Street.

Our issues are that we were encouraged by the council to transform the upper floors of our properties into living accommodation to breathe some life into Worcester Road, after business hours. This is only going to push away current tenants and discourage future tenants.

We already have numerous issues with a nightclub next door for example noise from fights, blood and vomit stains on the windows, doors and pathway, this along with broken windows.

We can foresee further issues in regards to fighting with both the nightclub and dog closing at similar times. This added to the fact that Bromsgrove no longer has a police presence during these hours, potentially making Worcester Road a NO GO AREA for residents.

We are in the process of transforming St John Street in luxury apartments potentially and also St John Street into an upmarket wine and tapas bar/ restaurant, trying to assist in turning Bromsgrove into a respectable town.

We can only see a return to the Bromsgrove's darker days of 5 or so years ago with a massive police presence patrolling the street along with riot vans waiting in the car park if this variation is granted.

Kind Regards

# Agenda Item 4

From:

Sent: 09 July 2015 07:10

To: WRS Enquiries

Subject: Objection to the dog and pheasant variation

To whom it may concern i am writing to to you i live matter of from the dog and pheasant pub we have music all nite we have all the drunks up the hill sumtimes goes till 5am in morn i have been down 2 the owner he is no help arrogant and selfish we have children who get woken up people who have 2go 2 work nxt day they are suppose 2 shut the doors at 11pm so the noise is less i have been down om numenos occasions and they wide open this is a great impact on our lives and we have needed help of a doctor 4 the stress.

# Agenda Item 4

From:

Sent: 09 July 2015 10:00

To: WRS Enquiries

Subject: Objection to the Dog and Pheasant Variation

To whom it may concern

My name is [redacted] and I speak on behalf of my wife and I. I currently occupy [redacted] on the Worcester Road.

We already have numerous issues with a nightclub [redacted] for example noise from fights, blood and vomit stains on the windows, doors and pathway, this along with broken windows.

We can foresee further issues in regards to fighting with both the nightclub and dog closing at similar times. This added to the fact that Bromsgrove no longer has a police presence during these hours, potentially making Worcester Road a NO GO AREA for residents.

We can only see a return to the Bromsgrove's darker days of 5 or so years ago with a massive police presence patrolling the street along with riot vans waiting in the car park if this variation is granted.

Kind Regards



# Agenda Item 4

From:

Sent: 09 July 2015 17:04

To: WRS Enquiries

Subject: Objection to the variation of PremisesLicense Dog & Pheasant 24 Worcester Road  
Bromsgrove B61 7DN

Dear Sirs

I object in the most strongest terms possible to the potential changes in opening times & the serving of alcohol times.

We are already subject to significant noise pollution, the use of our premises as a convenient "toilet" & petty vandalism as a direct result of this individual establishment. Since the adjacent nightclub has been taken under new ownership in the last 2 years or so the situation has improved slightly – due mostly to the presence of their staff in Worcester Road. It is my belief that extending the hours of opening/alcohol purchase potential will have a significantly detrimental effect on the current status quo. It also occurs to me that having people leaving both the nightclub and the Pub simultaneously could well cause flashpoints with so many people in the street immediately outside of our premises at such a late hour having potentially been consuming alcohol all night. We have done nothing but improve this area of Worcester Road & the immediate surrounding area, investing significant amounts on developing our site, establishment run such as the Dog & Pheasant is have only the opposite effect and extending their opportunity is gravely concerning to me.

Dealer Principal  
Neale's Garage

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# Agenda Item 4

Love 2 Love  
Worcester Road  
Bromsgrove  
B61 7DN

9<sup>th</sup> July 2015

Dear Sirs

**Re: Objection to extended hours of trade and playing of music at The Dog and Pheasant Worcester Road Bromsgrove**

We write as the owners of Love 2 Love Bromsgrove, and also represent Era Leisure 1 Ltd and the premises licence holder. We would respectfully point out that if the application is approved then the Dog and Pheasant will be able to operate within the conditions of the extended licence. The fact that they make claims that it is for occasional use should not have a bearing on the grant.

**Our objections are as follows:-**

**Dispersal.**

By local agreement, Love 2 Love closes at 3.30 am Friday and Saturdays although we are licensed until 4am.

This is done in recognition of the lack of Taxis at that time of the morning, police resource, and that there is sufficient time for customers of the Dog and Pheasant to have dispersed after their closure, currently 2.30am on both nights.

The capacity of the Dog and Pheasant is 375 and our capacity is 625 both include customers and staff.

If a grant of 4am was given to the Dog and Pheasant, we would be forced to stay open until 4am also, which gives a possible 1000 people discharging into the streets from two venues less than 25 meters apart.

It is our belief that allowing this situation to arise contravenes two of the licensing objectives as laid down in the 2003 act. They are Prevention of Crime and Disorder and Prevention of Public Nuisance.

Furthermore, the Istanbul Kebab takeaway closes at 4am as their licence permits. This works well at the moment as customers leaving the Dog and Pheasant at 2.30am do so and choose to eat or get a taxi home. Either way the dwell time spent eating slows dispersal in a positive way as taxis begin to return to the rank to service customers who have chosen to eat. At 3.30am when we close, a similar situation exists and by 4am The Istanbul closes and Worcester Road has only a few revellers left behind.

## **Disorder.**

It is easy to imagine with consideration to the above how even 500 people in Worcester Road at 4am could create Disorder and Public Nuisance issues for the following reasons

1. The amount of noise generated by that number of people in the street at that time.
2. The Istanbul takeaway will be closed, but will have the impression of being open as the lights will be on and staff will be present carrying out cleaning duties.
3. There will be less taxis available for customers to get home so the taxi queue will become disorderly and customers will try and "intercept" taxis before they return to the rank, or queue jumping will ensue stimulating acts of violence.
4. It is well known that taxi drivers will not return to a disorderly rank or where they feel threatened which is likely to be the case.
5. There will be distinctly two different types of customer in close proximity to each other which again can create acts of violence.

In summary we believe that the area of Worcester road between Love 2 Love , the Dog and Pheasant, The Istanbul Take away and the head of the taxi rank will become an area of violence, Public disorder, Public Nuisance, and an issue of Public safety, which are three of the four licensing objectives which will be breached should the application be granted. It is also our belief that Worcester Road will probably not clear of revellers until 5am or later causing huge problems for local residents who are entitled to a decent night's sleep at the very least.

## **Serving and consumption of Alcohol until 3.30am.**

We only see that the serving of alcohol to 3.30am drives the need for a 4am closure time and therefore supports our objection further.

## **Music played outside and in until 4am.**

Whilst not affecting us directly it does have an impact. We regularly receive complaints from neighbours about the volume of the music. On every occasion we have been able to prove that actually it is the music from the Dog and Pheasant which is causing concern This is substantiated by the fact since our ownership for the past three years we have only received complaints pre 2am and one after which was when the Dog and Pheasant had an event on. Given that we trade until 3.30 and have not had any complaints relating to us means that we are not causing a nuisance throughout a trading session.

## **Other points for consideration.**

1. The reason given for the extended hours is accommodate regular functions and not use up the TENS . The events are held upstairs in B61 so why not apply for a variation to that room.
2. The Love 2 Love smoking area is restricted to 30 people maximum no alcohol no music and no seating, surrounded by a 15ft sound dreading wall and entranced via a double door sound lobby. It was clearly recognised by the authorities that residents should be well protected from noise and nuisance. We therefore would expect that any request which impacts on any neighbours be treated as stringently.
3. The crime figures in Worcester road have gone down. This is we believe down to the fact that we marshal the taxi queue as and when required.

# Agenda Item 4

4. At the end of each session we check nearby doorways for any unexpected deposits and clean as necessary and clear/ tidy the street generally in conjunction with Istanbul Takeaway.

Finally, because of the balance of permitted hours in Worcester Road, and the co operation of all in recognising issues and dealing with them, Bromsgrove night life is slowly improving as it has started to shed a dreadful reputation of violence and drunken antisocial behaviour.

A grant of a 4am licence to the Dog & Pheasant will change the dynamics of Worcester Road at night to the detriment of everything done by everyone involved in the turn round.

On this basis and with due consideration to all of the above we ask the application is refused.

Yours Faithfully

On Behalf of:-  
Love 2 Love Bromsgrove  
Premises Licence holder  
ERA Leisure 1 Ltd

# Agenda Item 4

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

From:

Sent: 10 July 2015 15:37

To: WRS Enquiries

Subject: Dog and Pheasant proposed change in licensing hours.

I am writing to object to the proposed change in the licensing hours specifically... Playing music indoors and outdoors until 4am and serving alcohol until 3.30am.

my reason for objecting are playing loud music until 4am [the situation is bad enough already] plus noise from people leaving the venue afterwards as this is a residential area.

I also would like to question if this

is a Public House or a Night Club as the application appears to require the opening time to be 11pm?  
Plus if it is a Public House why is it only open on a Friday Saturday and occasional Sunday?

Kind Regards