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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING SUB-COMMITTEE

THURSDAY 31ST OCTOBER 2024

AT 11.00 A.M.

PARKSIDE SUITE, PARKSIDE, MARKET STREET, BROMSGROVE, B61 8RN

MEMBERS: Councillors A. M. Dale, J. Elledge and S. M. Evans

Reserve Member: Councillor D. J. A. Forsythe

AGENDA

LICENSING SUB-COMMITTEE HEARING PROCEDURE (Pages 5 - 8)

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. Application for variation of a Premises Licence - Coffee N Clay, 5 Station Road, Hagley, Worcestershire, DY9 0NU (Pages 9 - 72)

Sue Hanley
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

22nd October 2024

**If you have any queries on this Agenda please contact
Pauline Ross
Democratic Services Officer**

**Parkside, Market Street, Bromsgrove, B61 8DA
Tel: 01527 881406**

Email: p.ross@bromsgroveandredditch.gov.uk



INFORMATION FOR THE PUBLIC

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- You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.
- You can have access, upon request, to the background papers on which reports are based for a period of up to six years from the date of the meeting. These are listed at the end of each report.
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- A reasonable number of copies of agendas and reports relating to items to be considered in public will be made available to the public attending meetings of the Council, Cabinet and its Committees/Boards.
- You have access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned, as detailed in the Council's Constitution, Scheme of Delegation.

You can access the following documents:

- Meeting Agendas
- Meeting Minutes
- The Council's Constitution

at www.bromsgrove.gov.uk

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Appendix

LICENSING SUB-COMMITTEE (Premises)

HEARING PROCEDURE

1. The Chairman will open the hearing and ask Members of the Sub-Committee and officers present to introduce themselves.
2. The Chairman will ask all parties to the proceedings to introduce themselves.
3. The Charman will ask all parties if they are satisfied with the hearing procedure to be followed. Any variation to the hearing procedures will be at the discretion of the Chairman.
4. The Technical Officer (Licensing), 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 Technical Officer.
6. The Chairman will invite the Applicant and/or their representative to present their case and call any witnesses. A total of 15 minutes will be allowed.
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 their representative.
8. The Chairman will invite the Responsible Authorities to present their representations. A total of 15 minutes will be allowed.
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. A total of 15 minutes will be allowed.
11. The Chairman will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Other Parties.
12. The Responsible Authorities will be invited to sum up. A total of 5 minutes will be allowed.
13. The Other Parties will be invited to sum up. A total of 5 minutes will be allowed.

Appendix

14. The Applicant and/or their representative will be invited to sum up. A total of 5 minutes will be allowed.
15. The Chairman will ask the Legal Advisor if there is any legal advice to be given.
16. The Chairman will close the Hearing so that the Sub-Committee can reach its decision in private.
17. The Sub-Committee's decision will be confirmed in writing to the Applicant and those parties who made representations within 5 working days.
18. If any party to the proceedings wishes to appeal against the Sub-Committee's decision an appeal must be commenced by the appellant giving a notice of appeal to the designated officer for the magistrates' court within a period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision which is being appealed.

NB

In considering any representations or notice made by a party the Sub-Committee may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or with the consent of all other parties at the hearing.

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.***
 - e) ***The report presented to the Sub-Committee by the Technical Officer, and all relevant written and oral representations.***

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BROMSGROVE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

31ST OCTOBER 2024

LICENSING ACT 2003

APPLICATION FOR VARIATION OF A PREMISES LICENCE

COFFEE N CLAY, 5 STATION ROAD, HAGLEY, WORCESTERSHIRE, DY9 0NU

PUBLIC HEARING	
Director:	Head of Worcestershire Regulatory Services
Contact Officer:	Sarah Royall Technical Officer (Licensing) enquiries@worcsregservices.gov.uk
Ward(s) affected:	Hagley East
Appendices:	Appendix 1 – Application Form Appendix 2 – Existing Licence Appendix 3 – Representations from other parties

1. PURPOSE OF REPORT

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

**Coffee N Clay
5 Station Road
Hagley
Worcestershire
DY9 0NU**

- 1.2. A copy of the application is attached at **Appendix 1**.
- 1.3. A copy of the existing licence is attached at **Appendix 2**.

2. BACKGROUND

2.1. On 22 May 2024 an application was received from Miss Ruth Scattergood for variation of the premises licence in respect of

**Coffee N Clay
5 Station Road
Hagley
Worcestershire
DY9 0NU**

2.2. The application contained all the requisite documentation including the fee.

2.3. The application was submitted on the 20th May 2024, there was an initial delay as the application was not advertised in accordance with the legislation.

2.4. It can be confirmed that the application has now 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.

2.5. The applicant is applying for the following variations to their existing licence.

2.6. The current licence authorises the sale of alcohol from 12:00 hours until 17:00 hours Mondays to Tuesdays, 12:00 hours until 22:00 hours Thursdays to Saturdays and 12:00 hours to 15:00 hours on Sundays.

2.7. The proposed variations are:

- To extend the permitted hours for the sale of alcohol from 17:00 hours until 21:00 hours on Mondays, 17:00 hours until 22:00 hours on Tuesdays, 15:00 hours until 21:00 hours on Sundays and the addition of Wednesdays from 12:00 hours until 22:00 hours.
- To permit the playing of live music at the premises between 18:00 hours and 22:00 hours Thursdays to Sundays.

2.8. Members should note that as this application relates to a premises that is already licensed for the sale of alcohol for consumption on the premises, the provisions of paragraph 12A of Schedule 1 and section 177A of the Licensing Act 2003 apply in respect of live and recorded music.

2.9. The result of these provisions is that the performance of live music and the playing of recorded music is not to be regarded as the provision of regulated entertainment provided that:

- The music takes place within the hours of 8am to 11pm
- The music is performed or played in front of an audience not exceeding 500 people (where the music is amplified)

- At the time of the music, the premises are open for the purposes of being used for the supply of alcohol for consumption on those premises.

2.10. Section 177A(2) of the Licensing Act 2003 also means that where live or recorded music is provided in accordance with the above requirements, any licence conditions that relate to live or recorded music do not have effect.

2.11. This means that should Members grant the requested variation to increase the permitted hours for the sale of alcohol, any conditions that are attached that related to live and recorded music will not have effect in the circumstances described above.

2.12. Members should also note that if they decide to refuse the variation application, then live and recorded music could still be provided at the premises in accordance with paragraph 12A of Schedule 1 and section 177A of the Licensing Act 2003, provided the required pre-conditions are met.

3. REPRESENTATIONS

RESPONSIBLE AUTHORITIES

3.1. The application has been forwarded to all responsible authorities prescribed under the Licensing Act 2003. No representations have been received from any of these responsible authorities.

OTHER PERSONS

3.2. 15 valid representations have been received from other persons relating to concerns for the potential for public nuisance and crime and disorder. Representations have also been received highlighting concerns regarding the protection of children from harm and public safety. A copy of these representations are attached at **Appendix 3**.

3.3. Some of the representations also make reference to parking issues associated with the application. Members need to be reminded that parking matters are not considered valid representations under the four licensing objectives outlined in the legislation, and would normally be considered as part of any planning application.

3.4. Representations received referring to untidy land are not considered valid representations under the four licensing objectives outlined in the legislation, and would normally be investigated by planning enforcement.

3.5. Furthermore, references are also made relating to the premises been located in a conservation area and the impact on local planning policies, which cannot be considered as a valid representation that is relevant to the licensing objectives.

3.6. One of the representations contains requests for a large number of additional assessments and surveys to be conducted by the licensing authority before determining the application.

The requested assessments and surveys are not required to be undertaken by the licensing authority and in some cases the authority would be acting outside of its legal powers if they carried out, or required the applicant to carry out, the requested assessments / surveys.

- 3.7. The application must be determined on the basis of the content of the operating schedule, having considered the relevant representations received and any oral submissions made during the Sub-Committee hearing.

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 enquiries@worcsregservices.gov.uk

5. LEGAL IMPLICATIONS

- 5.1. The Sub-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 Sub-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.

Agenda Item 4

- 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.
- 5.8. The hearing should be conducted in accordance with the agreed procedure.

6. FOR DECISION

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

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Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/~~we~~ Rum Scattergood.
(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	<u>21/00981/PREMLI</u>
-------------------------	------------------------

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
<u>5 STATION ROAD, HAGLEY</u> <u>WORCESTERSHIRE</u>			
Post town		Postcode	<u>DY9 0NU</u>

Telephone number at premises (if any)	<u>01562 632061</u>
Non-domestic rateable value of premises	<u>£ 13 000</u>

Part 2 – Applicant details

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

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)

Sale of alcohol - variation.
Monday - until 9pm
Tuesday - until 10pm
Wednesday - 12:00 - 10pm
Sunday until 9pm.

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:

Less than 30

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 see guidance note 3) 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)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (c), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5) Jazz singer - 1 person Amplified		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur	1800	2200	N/A.		
Fri	1800	2200	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	1800	2200	N/A		
Sun	1800	2200			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	12.00	21.00	<p>State any seasonal variations for the supply of alcohol (please read guidance note 6)</p> <p style="font-size: 2em;">N/A</p>	Both	<input type="checkbox"/>
Tue	12.00	22.00			
Wed	12.00	22.00			
Thur	12.00	22.00		<p>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)</p> <p style="font-size: 2em;">N/A</p>	
Fri	12.00	22.00			
Sat	12.00	22.00			
Sun	12.00	21.00			

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 10).

N/A.

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	Closed		<p>School Holidays - Mondays open</p> <p><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 7)</p> <p>Clay Classes - Wednesdays 7-9pm.</p> <p>Pottery Painting Events. Sundays. 4-8pm.</p>
Tue	11.00	4.00	
Wed	11.00	4.00	
Thur	11.00	4.00	
Fri	7.00	22.00	
Sat	10.00	21.00	
Sun	10.00	18.00	

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.

No concerns as license already granted for sale of alcohol and we are adhering to license rules on the days already on the premises license

Please tick as appropriate

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

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

[Faint handwritten text, possibly "I have enclosed the relevant part of the 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 11)

b) The prevention of crime and disorder

MAINTAIN CCTV COVERAGE ALREADY IN PLACE
TABLE BOOKING POLICY ALREADY IN PLACE
MAX CAPACITY SET FOR ALL EVENTS
PROOF OF AGE IN PLACE / FOOD MENU OFFERED.

c) Public safety

FIRE SAFETY & MAINTENANCE POLICIES
ARE UP TO DATE.
FIRST AID & LIGHTING - ALL IN PLACE.

d) The prevention of public nuisance

ALL IN PLACE AS PREVIOUS APPLICATION
FOR LICENSE APPROVED.

e) The protection of children from harm

PROOF OF AGE POLICY
EVENTS (ADULTS) AGE RESTRICTIONS IN
PLACE

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, 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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	[REDACTED]
Date	Thursday 5th September 2024
Capacity	Business Owner.

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 14). 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 15)

[Faint handwritten contact information]			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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LICENSING ACT 2003



Bromsgrove
District Council
www.bromsgrove.gov.uk

PREMISES LICENCE

PREMISES LICENCE NUMBER

21/00981/PREMLI

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Coffee N Clay
5 Station Road
Hagley
Worcestershire
DY9 0NU

Where the licence is time limited, the dates
Not applicable

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Activity – Sale of alcohol	Days	From	To	Consumption On/Off
Sale of Alcohol	Monday	12:00	- 17:00	On Premises
Sale of Alcohol	Tuesday	12:00	- 17:00	On Premises
Sale of Alcohol	Sunday	12:00	- 15:00	On Premises
Sale of Alcohol	Thursday - Saturday	12:00	- 22:00	On Premises

Activity - Other	Days	From	To	Indoors/Outdoors
Non-standard timings				
None				

The opening hours of the premises

Days	From	To
Monday	10:30	- 21:30
Tuesday	10:30	- 21:30
Sunday	11:00	- 16:00
Thursday - Saturday	10:30	- 21:30
None		

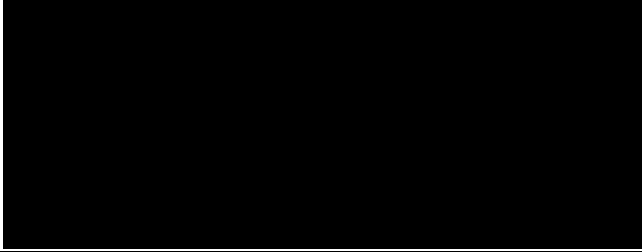
Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption on the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Miss Ruth Scattergood



Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

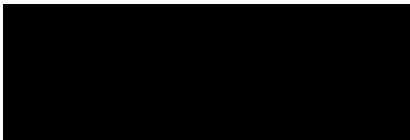
Ruth Scattergood



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence No: 21/02118/PERSLI

Licensing Authority: Wyre Forest District Council



AUTHORISED OFFICER
Head of Regulatory Services
Worcestershire Regulatory Services
On behalf of Bromsgrove District Council

Date of first issue: 4 August 2021

This version valid from: 4 August 2021

Issuing Authority: Bromsgrove District Council
Parkside
Market Street
Bromsgrove
Worcestershire
B61 8DA

ANNEX 1 – MANDATORY CONDITIONS

The making and authorisation of alcohol sales

No supply of alcohol may be made under the premises licence—

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Irresponsible alcohol promotions

The responsible person must 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—

- (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 in a manner which carries a significant risk of undermining a licensing objective;
- (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 in a manner which carries a significant risk of undermining a licensing objective;
- (d) 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;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Provision of free potable water

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age verification policy for the sale or supply of alcohol

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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 either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

Availability of small measures of alcohol

The responsible person must 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;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Permitted price of alcohol

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price
2. For the purposes of the condition set out in paragraph 1—
 - a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979);
 - b) “permitted price” is the price found by applying the formula—
$$P=D+(D\times V)$$
where—
 - P is the permitted price,
 - D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4.
 - (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

a) General – all four licensing objectives (b,c,d,e):

b) The prevention of crime and disorder:

CCTV will be in operation in the shop so the licence holder can view and monitor. CCTV will cover the back garden and the front of the shop.

Customers will not be permitted to take any alcohol off the premises. The licence holder will ensure staff are vigilant when customers have finished their drinks by clearing glasses away from the tables.

A table booking policy is in place and this will remain in place. The licence holder will set a minimum amount of people allowed to book and all bookings are confirmed by the manager before confirmation is sent to the customer.

The licence holder will ensure that they have a proof of age policy in place.

The licence holder will ensure that the food is available at all times when the premises is open.

c) Public safety:

Fire Safety

The licence holder will comply with all fire safety standards and we have a robust fire safety policy in place.

All exit doors are easily opened without keys, security cards etc.

All fire doors are maintained unobstructed and effectively self-closing and will not be held open other than with approved devices.

All fire doors are maintained unobstructed and effectively self-closing and will not be held open other than with approved devices.

Adequate arrangements exist to enable the safe movement within the premises of disabled people and their safe evacuation in the event of an emergency.

First Aid

Adequate and appropriate First Aid equipment and materials are available on the premises.

Lighting

In the absence of adequate daylight suitable and sufficient artificial lighting is provided and maintained in any area accessible to the public.

Fire safety signs are adequately illuminated.

Emergency lighting is installed and regularly maintained.

Emergency lighting tests are conducted monthly. Records of these tests are available upon request.

The premises have current and suitable Public Liability Insurance. A certificate will be obtained each year and displayed at the premises.

The premises have current certificates of inspection for all portable fire fighting equipment. An inspection is carried out every 1 year and new certificates will be obtained at these intervals.

Free Drinking water is available at all times.

The licence holder operates a complete no smoking policy at the premises.

The licensable area provides seats for all customers

d) The prevention of public nuisance:

Noise or vibration from the premises will be maintained at a level that will not be audible at the facade of any neighbouring noise sensitive premises.

Prominent, clear and legible notices will be displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.

Disposal of empty bottles into waste receptacles outside the premises will not be permitted to take place between the hours of 2300 hrs and 0700 hrs to minimise disturbance to nearby occupiers

e) The protection of children from harm:

The licence holder will ensure staff enforce the proof of age policy

The hours of the day during which age restrictions apply are between 2100 hrs and 2200hrs.

Other operating conditions

ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

ANNEX 4 – PLANS

As deposited with the licensing authority

LICENSING ACT 2003



Bromsgrove
District Council

www.bromsgrove.gov.uk

PREMISES LICENCE SUMMARY

PREMISES LICENCE NUMBER

21/00981/PREMLI

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Coffee N Clay
5 Station Road
Hagley
Worcestershire
DY9 0NU

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Activity – Sale of alcohol	Days	From	To	Consumption On/Off
Sale of Alcohol	Monday	12:00	- 17:00	On Premises
Sale of Alcohol	Tuesday	12:00	- 17:00	On Premises
Sale of Alcohol	Sunday	12:00	- 15:00	On Premises
Sale of Alcohol	Thursday - Saturday	12:00	- 22:00	On Premises

Activity - Other	Days	From	To	Indoors/Outdoors
Non-standard timings				
None				

None

The opening hours of the premises

Days	From	To
Monday	10:30	- 21:30
Tuesday	10:30	- 21:30
Sunday	11:00	- 16:00
Thursday - Saturday	10:30	- 21:30
None		

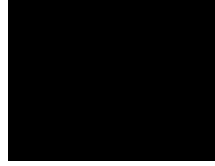
Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption on the premises

Agenda Item 4

Name, (registered) address of holder of premises licence

Miss Ruth Scattergood



Registered number of holder, for example company number, charity number (where applicable)

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Ruth Scattergood

State whether access to the premises by children is restricted or prohibited

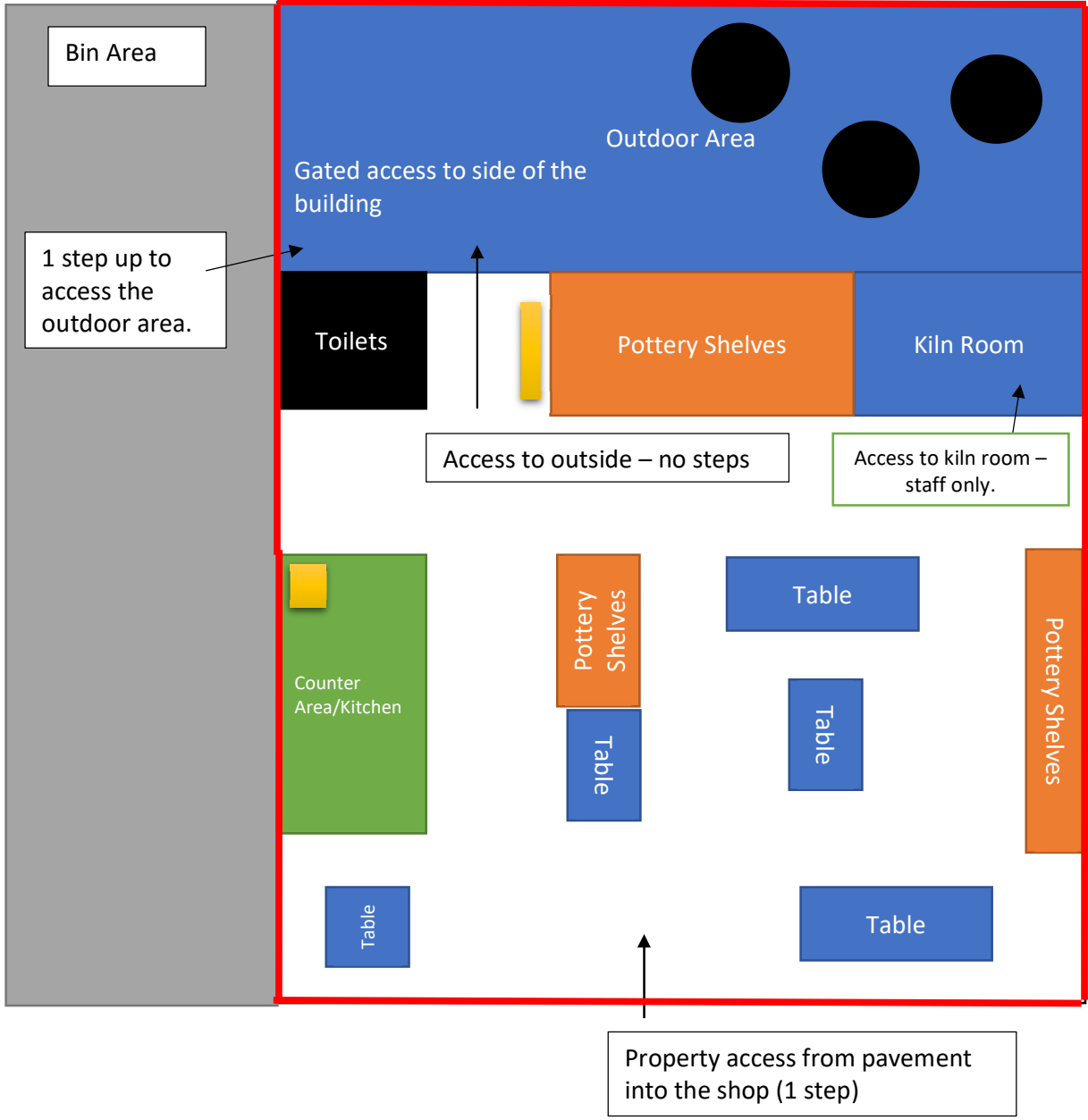
No specific restrictions

Date of first issue: 4 August 2021

This version valid from: 4 August 2021

Issuing Authority: Bromsgrove District Council
Parkside
Market Street
Bromsgrove
Worcestershire
B61 8DA

AUTHORISED OFFICER
Head of Regulatory Services
Worcestershire Regulatory Services
On behalf of Bromsgrove District Council



Fire Safety Equipment

— Licensable Area

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

From: [REDACTED]
Sent: Wednesday, September 18, 2024 6:07 PM
To: WRS Enquiries enquiries@worcsregservices.gov.uk

Subject: Application for extension of hours for sale of alcohol and for permission to play live music at her premises by Miss Ruth Scatterwood

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Ref. No. 24/02504/VARYPL

The name of her business is Coffee and Clay. She appears to be diversifying greatly from her original business.

If permission is given to increase her hours for selling alcohol, customers will be able to purchase a drink up until 9 or 10 o'clock at night every day of the week.

The business is being run in a residential area . This will increase the noise during the evenings and also, as more events are taking place, the car parking is becoming quite a problem. Cars are parked on both sides of the road, more often than not half on the road and half on the pavement. This often makes it impossible to use the pavement, especially on the opposite side of the road to premises.

As to the permission to have live music from 6 o'clock to 10 o'clock for 4 days of the week, perhaps once a month but surely not four days of the week!

There is already a certain amount of noise from customers going in and out to vape or smoke and from car doors on leaving. The introduction of live music nights would increase the noise greatly, especially during the summer months when the windows and doors would be open.

Not really acceptable in a residential area.

Therefore we don't think the application should be agreed

[REDACTED]
Sent from my iPad

From: [REDACTED]
Sent: Sunday, September 29, 2024 5:56 PM
To: WRS Enquiries <enquiries@worcsregservices.gov.uk>
Cc: [REDACTED]
Subject: OBJECTION! Coffee & Clay Hagley:24|02504|VARYPL
Importance: High

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29TH September 2024

Reference Number:24|02504|VARYPL

Subject: Objection to Planning Application BY Ruth Scattergood at 5, Station Road , Hagley

Dear Sir/Madam,

I am writing to formally object to the proposed planning application to extend the operating hours and introduce the sale of alcohol and live music at Coffee & Clay, 5 Station Road, Hagley. This proposal raises serious concerns about crime and disorder, public safety, protecting children from harm, and preventing public nuisance within a predominantly residential area.

1. Prevention of Crime and Disorder

The proposed extended opening hours, combined with the introduction of alcohol sales and live music, pose a significant risk of increased crime and disorder in a residential area. Late-night activities, particularly those involving alcohol, are often associated with increased noise, anti-social behaviour, and the potential for public disturbances. This quiet residential road, with several families and elderly residents, cannot handle the possible escalation of such activities. The risk of intoxicated

individuals causing disruptions or accidents is a direct threat to the peace and safety of the neighbourhood.

We have already experienced issues stemming from intoxicated pedestrians. Just this past Friday (27th September), we were woken by a series of intoxicated individuals wrestling outside the day nursery and stealing 'For Sale' signs from properties along the road. On another occasion, following a "Paint and Prosecco" evening, a woman left the premises singing "Thank You for the Music" loudly as she walked down the road, disturbing the sleep of residents, including our toddlers.

Additionally, most establishments that offer alcohol consumption in our village are situated on the high street, where the clientele typically remains, minimising disturbances to residential areas. Introducing this type of entertainment into our peaceful street, which has maintained its residential character for over 100 years, would attract drinkers away from the high street and into a setting that is wholly inappropriate for such activity. This change risks turning a quiet, family-oriented road into a late-night destination, compromising the safety, security, and tranquillity that residents have long enjoyed.

2. Public Safety Concerns

The proposed changes could negatively impact public safety in multiple ways:

- **Increased Traffic and Parking Issues:** The road already faces parking restrictions and congestion, especially during school term times. Extending operating hours, particularly late into the evening, will exacerbate parking shortages and increase traffic. The presence of alcohol-serving premises could lead to unsafe parking behaviour, further obstructing roads and creating hazards for pedestrians, particularly during school drop-off and pick-up hours and on usually quieter evenings when the residents are enjoying the quiet.
- I have requested Ms Scattergood inform her patrons that the road has parking restrictions due to having followed two ladies to their cars parked, both obstructing my driveway. Ms Scattergood's response was 'I can't stop people parking where they want to'. I didn't feel that the resident's opinions were in any way taken into account by her or her team who are regularly STILL parked on the road even when the restrictions come into force.
- **Risk to Pedestrians:** Increased vehicle movement during the proposed late hours raises safety concerns for pedestrians, especially children and elderly residents who frequently use this road. Given that the road includes a children's nursery and schools, it is imperative to maintain a safe and secure environment for families and young children.

3. Protection of Children from Harm

The proximity of this commercial premises to schools and a nursery makes the sale of alcohol particularly inappropriate. The presence of an alcohol-serving venue could expose children to inappropriate behaviour, potentially normalising alcohol consumption in a setting close to educational and childcare facilities. The noise and potential disturbances associated with live music and alcohol consumption are likely to be disruptive, particularly to children's rest and study routines.

Furthermore, as a conservation area, this neighbourhood should be protected from developments that could harm its family-friendly character. Permitting an alcohol-serving venue could set a precedent for further unsuitable businesses to establish themselves in this primarily residential area, endangering the community's welfare.

4. Prevention of Public Nuisance

The proposed hours (up to 21:00 on Monday and Sunday, and up to 22:00 from Tuesday to Saturday) and the introduction of live music between 18:00 and 22:00 would lead to a considerable increase in noise and disturbance during times when residents, including young children and the elderly, expect peace and quiet. Given the current nature of the road, which consists mainly of offices (operating 09:00-17:00) and residential properties, such an alteration would result in an unacceptable intrusion into the daily lives of residents.

- **Noise Pollution:** Live music, even during proposed evening hours, would disrupt the tranquillity of the area. Additionally, patrons leaving the premises late at night could cause further noise disturbances.
- **Public Health and Wellbeing:** The disturbance caused by increased noise, traffic, and potential anti-social behaviour could adversely affect the mental health and well-being of local residents. This is particularly concerning given that many residents in the area are elderly or families with young children.

5. Impact on Conservation Area

This road is situated in a conservation area, which should be preserved in line with local planning policies. The proposed development is inappropriate in this context as it risks damaging the character and peaceful nature of the area. The introduction of a business with extended hours, alcohol sales, and live music does not align with the community-focused and historical significance of the conservation area.

The description of the Conservation Area for Hagley is below, I draw your attention to the 'peaceful ambience' that this license will most definitely alter.

"Residential properties built during the late Victorian and Edwardian periods for the middle classes contributed much to the character of this area. Station Road, as its name suggests is busy at particular times of the day but generally has a peaceful ambience, the character of which has changed little since the turn of the century"

6. Contrary to Existing Local Policies

The proposal contradicts various local and national planning policies aimed at safeguarding residential areas, public safety, and conservation spaces. It fails to consider the National Planning Policy Framework (NPPF) principles, which emphasise protecting the community's well-being and ensuring developments are in keeping with the character and sustainability of their surroundings.

Residential Amenity Impact: The current residential amenities, such as the right to a quiet environment, would be negatively impacted, contravening local policies that seek to protect residents' quality of life.

Lack of Public Support: Local residents are overwhelmingly against the proposal, demonstrating that it does not serve the community's interests and lacks public benefit.

Policy Alignment: The Bromsgrove District Plan and the Hagley Neighbourhood Plan, seemingly prioritise the preservation of residential areas and discourage commercial developments that could disturb peace and safety.

Conclusion

Given these considerations, I strongly urge the council to reject this application on the grounds of increased crime and disorder, threats to public safety, risks to children, potential public nuisance, and the inappropriate nature of this development within a conservation area. Approval of this application would have lasting negative effects on the residents' quality of life and the character of our community.

I trust the planning committee will recognise the unsuitability of this proposal for our area and the significant concerns raised by residents.

Yours faithfully,



From: [REDACTED]

Sent: Tuesday, October 1, 2024 5:59 PM

To: WRS Enquiries <enquiries@worcsregservices.gov.uk>

Subject: Re: Application to vary the premises licence at 5 Station Road, Hagley, Worcestershire, DY90NU

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Dear Sir/Madam.

Ref no. 24/02504/VARYPL

We write in regard to the proposed change/variation in premises licence for number 5 Station Road, Hagley, Worcestershire, DY9 0NU. We live at [REDACTED] Station Road.

First of all, may we say that the current licensing and business arrangement for Coffee N Clay doesn't present any major problems to us, and we acknowledge the respectful nature of how they carry out their business. It should, however, be noted that there is currently an attendant increase in pressure on parking space outside the premises. It is noted in your Hagley Conservation Area document (Bromsgrove District Council) that increased parking pressure is a driver for adverse change in the overall appearance of this protected area.

We have read the proposals for variation in premises licence, and these represent a significant and fundamental change in the way that the business operates. We believe that the planned proposals would have a highly detrimental effect on Station Road and beyond. We outline our concerns as follows:

1. Station Road is the focal point of the Hagley Conservation Area. The stated aim of a conservation area is to manage change in a positive and proactive way that benefits current and future generations. There can be no dispute that Station Road is a residential road so any business development must have minimal impact on this residential status. We believe that the proposals put forward would transform Coffee N Clay into a completely new business (significantly extended license hours, increased hours of opening, live music) and that this would have an adverse effect on the

conservation status of Station Road.

2. There's always been parking pressure in Station Road and we believe that there'll be a very substantial increase in parking pressure over a larger proportion of the week if the proposed changes are passed. This will have ramifications not only in Station Road but also in Brake Lane and Sweet Pool Lane and beyond. The current situation is that Station Road can often be subject to significant constriction in traffic flow at various times of the day, including but not confined to the start and finish times for the two secondary schools in Brake Lane. Given our proximity to the major traffic-light controlled crossroads with Worcester Road it is vital that the road is as free flowing as possible at all times.

3. By its very nature, the introduction of greatly extended alcohol licence does raise the possibility of local disturbance and public nuisance. As things stand, we are subject to occasional noise from the 'West One' business in Worcester Road which backs on to some of the residential properties in Station Road, but we have always taken the practical view that this business is in keeping with the amenities and businesses that one may find in a typical high street. This does not apply to the proposed variation in premises licence at Coffee N Clay which seeks to replicate a high street business in a residential street.

4. Coffee N Clay's proximity to several residential properties such as our own has the potential to lead to unacceptable levels of noise in the evenings if live music is allowed.

5. The planned proposal in relation to the Sunday licence hours could have a significant impact on visitors to residents in Station Road. Sunday is traditionally a day when traffic volumes to the area can be high and parking is under pressure. Visiting families will, in many situations, need to park on the road so any additional road parking related to Coffee N Clay will make the situation worse.

In summary we fully accept that businesses have a right to operate and we have no objection to the conditions under which it currently operates. We have not challenged earlier business proposals for Coffee N Clay, but the latest proposed Premises Licence Variation crosses a line that will have significant adverse impact. We hope that when you come to examine the proposal you will conclude that the potential harms to Hagley Conservation Area, Station Road and beyond exceed the benefits. Upon that basis we request that you REJECT the proposal.

Yours faithfully,

A large black rectangular redaction box covers the signature and name of the sender.

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



Sent: Wednesday, October 2, 2024 1:29 PM
To: WRS Enquiries <enquiries@worcsregservices.gov.uk>
Subject: Objection 24/02504/VARYPL

This email originated from outside of the organisation STOP : Were you expecting this email? Does it look genuine? THINK : Before you CLICK on any links or OPEN any attachments.

To whom it may concern,

We, who reside at [redacted] station road (opposite coffee n clay) strongly oppose the application for new trading hours.

In addition to unwarranted noise and extra footfall to the residential street after and during trading hours; it should also be extremely disruptive to the children who live on the street.

Although the noise act 1996 states after 11pm should be observed, with little parking available on the street, it's inevitable that a 10pm close will stretch, and could be stretched in the future should this application be successful.

This is not only damaging to the street, but will have a negative impact on house prices, when many of us have spent large sums on purchasing houses on this street.

It is completely abhorrent to allow such chaos to happen within our street.

Neighbours respect each other on station road. This application is nothing short of disrespectful.

Regards,



Sent from my iPhone

From 

Sent: Sunday, October 6, 2024 7:40 AM

To: WRS Enquiries <enquiries@worcsregservices.gov.uk>

Subject: Notice of Licence Variation 5 Station Road, Hagley 24/002504/VARYPL

I would like to object to the application to vary the existing Licence at 5, Station Road, Hagley (Coffee and Clay) 24/002504/VARYPL Conservation Area.

I strongly urge WRS to refuse this application on the grounds that the varied conditions are totally unsuited to a residential area and the operation of a commercial business, and the sale of alcohol into the evening. As way of a reminder this business already operates in a Conservation Area and as such these merits should be upheld and protected.

There are already reports from affected residents of noise, light, parking and general disturbance and nuisance. Such extensions to the licence with the sale of alcohol will only exacerbate the problem further and lead to further disruption to residents enjoyment and peace of their lives.

The application to Vary is totally out of keeping with the residential and conservation area and should be refused.

If there is an opportunity to make my representation in person to a Licencing committee I would be happy to attend if the WRS officers are minded to approve the variation.

Kind regards



From: 

Sent: Sunday, October 6, 2024 8:19 AM

To: WRS Enquiries <enquiries@worcsregservices.gov.uk>

Subject: RE: Notice of Licence Variation 5 Station Road, Hagley 24/002504/VARYPL

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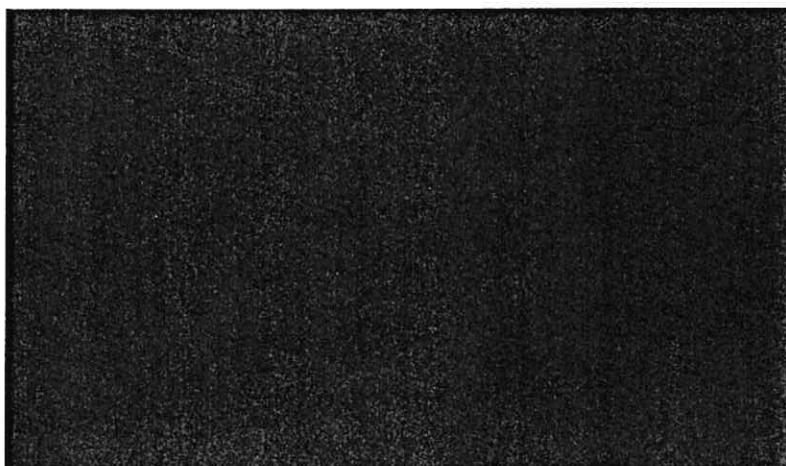
Further to this licence application to vary, I would like to add the additional comments in respect of the application for a live music licence.

The application for a live music licence at this location is totally unreasonable and shows a total disregard to the feeling and wellbeing of local residents and the intrusion into the enjoyment of their lives. The premises is in close proximity to neighbouring residential houses, it is either pre or inter war construction, will have no sound proofing and will be a significant cause of noise, light and general nuisance and disruption. The later opening hours and sale of alcohol and live music is not in keeping with a conservation and residential areas.

This business is in a residential area where both young children and elderly people live. The variation, if approved would have a significantly detrimental impact on families and their lives, their health and wellbeing, and mental wellbeing. If approved, it sets an unwelcome precedent for other applications.

I strongly urge that the variation to the application is refused.

Kind regards



From: [REDACTED]
Sent: Monday, October 7, 2024 12:05 PM
To: WRS Enquiries <enquiries@worcsregservices.gov.uk>
Subject: Re: 24/02504 VARYPL Coffee and Clay, 5 Station Road

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STOP : Were you expecting this email? Does it look genuine?

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Dear Sir / Madam

Re: Coffee and Clay, 5 Station Road, Hagley ref 2424/02504 VARYPL

I am writing to object to the application to extend the sale of alcohol, permit the playing of live music and outdoor seating at the above premises.

I live on Station Road which is a residential road and the only conservation area within Hagley.

My main objection is the licence for live music. If live music is allowed I will be able to hear it from my house. This could be in the day and late at night and there will be disturbance when customers leave the premises after music events and after consuming alcohol. I am regularly disturbed by customers leaving the shop now - day and night. With the music and addition of alcohol this will be a public nuisance to myself and neighbours surrounding the property and could result in crime and disorder. Smoking / Vaping are not allowed inside so there will be people outside the shop doing this, possibly causing a nuisance / disturbance.

Extending the sale of alcohol hours will result in more people drinking and possibly causing disturbances day and night.

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Public safety is a major issue on Station Road with the parking on the road and traffic, especially during term time. There are two secondary schools at the end of the road, with the only access to the schools being Station Road. This is already a concern to public safety with school coaches traveling on a small road, narrow pavements in parts and the volume of school children walking along the pavement - the addition of tables outside the shop would make this even more dangerous with congestion on the pavements and possibly more parked cars from customers.

The shop already has a licence to sell alcohol at certain times - the business is primarily pottery painting so I do not understand the need to serve more alcohol and have live music for this business.

This application if allowed could result in public nuisances, harm to children and additional crime and disorder. I hope you take into consideration these points and deny the application.

Yours sincerely,



From: [REDACTED]
Sent: Wednesday, October 9, 2024 3:38 PM
To: WRS Enquiries <enquiries@worcsregservices.gov.uk>
Subject: Ref: 24/02504/VARYPL

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Dear whoever this may concern.,

Ref: 24/02504/VARYPL

I am writing to express my concerns regarding the proposed extension of operating hours and alcohol sales at Coffee and Clay. As an elderly resident of Station Road who is unsteady on my feet, I am deeply worried about the potential impacts on my safety and wellbeing.

Public Safety is a key concern for me. The introduction of late-night alcohol sales will bring increased foot and vehicle traffic to our quiet residential street. Station Road already faces parking and congestion issues, particularly during school hours, and I fear that the extended hours will result in more reckless behaviour from drivers, making it dangerous for me to navigate the area safely, especially after dark. I use a walking aid and often feel vulnerable when crossing the road, and the risk of encountering intoxicated individuals at night is unsettling.

I am also worried about the **Prevention of Crime and Disorder**. I have already witnessed disturbances in the area, such as groups of intoxicated individuals creating noise late at night. As someone who values the peace of my neighborhood, the idea of live music and alcohol-fueled events happening until 10 p.m. is distressing. Such activities could attract more anti-social behavior, further putting residents like myself at risk.

The **Protection of Children from Harm** is crucial, given that many families with young children live here. The presence of two schools and a nursery makes this area unsuitable for late-night alcohol sales. Children should not be exposed to the potential disturbances caused by loud music and intoxicated individuals. This peaceful environment, which has been a safe space for families for generations, is now at risk of being disrupted.

Lastly, the **Prevention of Public Nuisance** is a major concern. The noise from live music and patrons leaving late at night would disturb the tranquillity that residents, especially elderly people like myself, rely on for a good night's rest. The noise pollution, combined with the increased activity, will severely impact my quality of life. Our **conservation area** should remain a peaceful place, as it has been for over 100 years, and not be turned into a late-night entertainment spot.

I sincerely urge you to reject this application and protect the safety, peace, and character of our neighbourhood.

Yours faithfully,

[REDACTED]

From: [REDACTED]
Sent: Wednesday, October 9, 2024 2:45 PM
To: WRS Enquiries <enquiries@worcsregservices.gov.uk>
Subject: 24/02504/VARYPL

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To whom this may concern,

I wish to formally object to the license extension application for Coffee and Clay on Station Road.

While the business originally operated as a pottery studio, serving families and children, the proposed changes—extended hours, alcohol sales, and live music—pose serious concerns regarding the **Prevention of Crime and Disorder**. We have already experienced disturbances in the area, such as disruptive behaviour in the road and for sale boards being moved and vandalised and loud singing by a lady leaving the Abba Pottery Party (she was singing ABBA SONGS). Allowing the sale of alcohol until 22:00 will likely attract more of this behaviour, compromising the safety of the neighbourhood and the peaceful evenings that we are all accustomed to.

Furthermore, the **Public Safety** implications are significant. Station Road is a quiet residential area with a large number of elderly residents and families with young children. The street already faces parking congestion due to the nearby schools and train station, as well as the resident businesses on the road (Academic Choice and Coffee and Clay). The introduction of late-night alcohol consumption will increase footfall and vehicular traffic, creating additional hazards for pedestrians, particularly during peak school hours when children are travelling to and from the area. Many a time I have witnessed the proprietors of both previously referred-to businesses parked during the restricted time zones, causing havoc for the school buses and traffic. It is also a small premises, overcrowding has to be taken into consideration.

The proposed extension will also affect the **Protection of Children from Harm**. With a children's nursery operating on the same road and two schools nearby, late-night alcohol sales and live music events are inappropriate in a family-oriented setting. Children could be exposed to intoxicated

individuals or disruptive behaviour, creating an unsafe environment for families. As Ms Scattergood states the venue is for children and families it would be a concern that the environment will change with the clientele if the extension of the licence and the serving of alcohol is granted. I have also witnessed people smoking and vaping on the pavement directly outside Coffee and Clay. This too is a concern as children and elderly will have to walk through this to pass the shop as the pavement is wider and safer on that side of the road.

Moreover, the **Prevention of Public Nuisance** must be considered. The late-night noise from live music and patrons leaving the venue will disturb the peace of this predominantly residential area, affecting the sleep of residents, including young children and the elderly. This is incompatible with the conservation status of the area, which has remained largely unchanged for over 100 years. The extended hours and live music will detract from the historical and peaceful character of the **conservation area**. The venue's bins overflowing and positioned at the front of the property is already a cause for concern, not to mention the giant cardboard cut outs of Taylor Swift and Flashing window lights.

I would like to draw attention to the previous planning application of Ms Scattergood and the notes from the previous hearing whereby parking was ignored due to it not complying with the 4 planning objectives. This should be disputed as the congestion and parking on Station Road has been an ongoing consideration to the wellbeing of young children attending the school and the residents. There have been accidents due to parked cars on the road, causing drivers to act erratically to get to where they want to go a little quicker. Tempers are high and road users have been reckless in response. All contributing factors should be heard as this licencing extension will be a contribution.

I would also like to make comment on the banishing of all references to other licenced premises in the village. Again, this WILL have a bearing on the residents as mostly the objections are due to noise, and the disorder that usually comes from the selling of alcohol and directly impacts the residents of the road. These important examples should not be ignored as they are an example of licences premises and the behaviour that can be associated.

Ms Scattergood stated "The venue predominately attracted families and those interested in arts and crafts, and she had no intention of changing that" so I am at a complete loss as to HOW the extension of a late alcohol licence would benefit families. It is also noted "It was not her intention to open the venue during the evening as a wine bar or bistro" but yet we are considering a late licence AND a music licence? This seems to vary widely from her original intentions stated in the last hearing.

While the residents are asked to disregard any 'hearsay' or other examples of anti-social behaviour, and parking issues the residents were told "she (Ms Scattergood) did not envisage that any of her customers would leave the premises drunk and disorderly or urinate outside of the premises. She could not be held responsible for any existing anti-social behaviour in the area" – this seems ludicrous that she can abstain from responsibility but also state she doesn't THINK her customers

Agenda Item 4

would or could be a nuisance (how about ABBA songs being screamed outside my house at 10pm waking my toddler or people urinating in another residents driveway?).

From a noise pollution viewpoint, my house is over 100 years old (as are a number due to the conservation protectant) , and therefore people getting in and out of cars and slamming their doors can be heard clearly, we can even hear the pedestrian crossing at the other end of the road. It doesn't necessarily have to be people shouting or singing or intoxicated to disrupt our household. Extending the licence would mean a higher probability of people coming and going, getting into cars, having conversations outside the house that would disturb our life.

While Ms Scattergood continues to argue that she doesn't intend to use the premises for a wine bar or bistro – but the knock on effects of her Painting Parties are already causing anxiety and disruption to the road without extending this later and longer. The residents have already protested on the original licence with many (in my opinion) justified concerns being bulldozed over in favour of a business and owners that do not reside in the locality.

There has already been breach of her original licencing with alcohol being served outside of the agreed hours, and music events being advertised. There has been NO attempt to appease the residents or locality as the proprietor isn't pleasant to talk to, and most of the emails or conversations with the residents are hostile, sarcastic or could appear goading.

Given these serious concerns, I urge you to reject this application. It doesn't seem justified that we should have to protest to this kind of business given the history and nature of the environment. Perhaps the proprietor could have considered a premises that is more in keeping with their business goals. What began as a pottery craft shop for children is now growing arms and legs and creating real anxiety for the residents of this cherished residential road.

Yours sincerely



From: [REDACTED]
Sent: Tuesday, October 8, 2024 9:22 PM
To: [REDACTED]
Cc: WRS Enquiries <enquiries@worcsregservices.gov.uk>
Subject: Re: Extension of Licensing hours and the playing of Live music at Coffee and Clay, 5 Station Road, West Hagley

This email originated from outside of the organisation

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On Tue, 8 Oct 2024, 21:19 , [REDACTED] wrote:

Sent via BT Email App

From: [REDACTED]
Sent: 8 October 2024 18:45:01 BST
To: enquires@worcsregservices.gov.uk
Subject: Extension of Licensing hours and the playing of Live music at Coffee and Clay, 5 Station Road, West Hagley

Ref No 24/02504/ VARYPL

I wish to object most strongly to the extension of licensing hours, which would mean 7 evenings a week, and also to the playing of live music on 4 evenings a week. This is not a main high street, Station Road is a residential road and a number of us live in close proximity to Coffee and Clay.

Section 8.2 of Licensing hours in the BDC statement of Licensing Policy states that:
'When determining what licensing hours are appropriate for a premises, the Licensing Authority will take into account: Environmental quality, residential amenity, character and function of a particular area'

Agenda Item 4

This proposal would greatly affect the Neighbourhood. This premises has changed from a Coffee Shop with pottery painting to an entertainment venue with themed evenings including Tarot card reading and so on. The application to extend the licensing hours and the playing of live music shows a total disregard for the Neighbourhood.

Protection of children and Public safety

Parking is a huge problem already, cars are parked completely blocking the pavement, which means that the elderly, disabled, those in wheelchairs, disabled scooters, adults with children are forced onto the road. School children are constantly walking up and down from school and there is a childrens nursery in the road where the children are taken up and down from school. Parking on double yellow lines in the narrowest part of the road, sometimes completely blocking the pavement and over private driveways. Many of these are customers of Coffee and Clay.

Public Nuisance

Customers gather outside the shop smoking and vaping, talking and laughing and loud talking and laughter from inside can be heard from the open door.

Live Music

This is a completely unsuitable premises to have Live Music. It would most likely lead to singing and this would create a thoroughly pub-like atmosphere. This would inevitably be heard outside the premises through windows at the back and the front door. There is no sound proofing. This is quite unsuitable for a residential road.

Prevention of potential crime

The side entrance contains the large refuse bins and often rubbish and wooden pallets. The bins are constantly overflowing and loose cardboard can fly around in a high wind and cause a hazard in the road, together with other rubbish which is left by the fence may be tempting for vandalism including setting alight. It should be scrupulously tidy and well kept in this premises. The side entrance is also used by customers and staff of the sub let Nail bar upstairs.

I would urge most strongly that this extension of Licensing Hours to seven evenings a week and the playing of Live Music on 4 nights a week, including Sunday, is not granted, it is quite inappropriate and would also mean no peace for the residents.

Thank you



Sent via BT Email App

Objection to Coffee N Clay's Premises Licence Application

8th October 2024

Licensing Authority

WRS

Dear Sir/Madam,

Re: Premises Licence Application for Coffee N Clay, [Station Road, Hagley]

I am writing to express my strong objection to the premises licence application submitted by Coffee N Clay. My objections are firmly grounded in the four licensing objectives outlined in Section 4(2) of the Licensing Act 2003:

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance
4. The protection of children from harm

Summary of Key Objections:

- Potential increase in crime and antisocial behaviour
- Serious public safety concerns, including traffic and emergency response issues
- Significant risk of public nuisance, particularly noise and disruption
- Threats to child safety and well-being
- Cumulative impact on our conservation area and community character
- Historical evidence of licensing violations and disregard for regulations
- Concerns about the suitability and experience of the proposed Designated Premises Supervisor
- Inadequacies in the proposed operating schedule
- Potential negative health and economic impacts on the local area

Below, I detail my objections:

1. The Prevention of Crime and Disorder

1.1. I formally request that the Licensing Authority obtain and analyse detailed crime statistics for our area over the past 5 years, comparing them with similar residential areas where alcohol licences have been granted, as per the guidance in Section 182 of the Licensing Act 2003, particularly paragraphs 8.42 to 8.46 regarding crime and disorder.

1.2. I have grave concerns about the extension of operating hours to 10 pm. Based on data from similar areas, this could lead to a significant increase in alcohol-related antisocial behaviour. I strongly urge a comprehensive assessment of the potential impact on local policing resources.

1.3. I respectfully insist that the Licensing Authority thoroughly scrutinise the applicant's proposed crime prevention measures and staff training plans. Given the applicant's lack of experience in managing licensed premises, I request evidence of how they intend to effectively manage excessive alcohol consumption and related behaviours.

1.4. The premises' location approximately 200 metres from the train station is a critical concern. I formally request:

- a) Consultation with British Transport Police regarding existing issues with alcohol-related behaviour at or near the station.
- b) A detailed assessment of the potential for the premises to contribute to alcohol-related incidents along the route between the station and the venue.
- c) A formal Cumulative Impact Assessment, evaluating this application in conjunction with existing licensed establishments near the station, as outlined in Section 5A of the Licensing Act 2003.

1.5. I draw attention to specific incidents that raise concerns about the applicant's ability to adhere to licensing regulations, listed chronologically:

- a) On 10/05/2021, music from the premises could be heard from 150m away, violating noise regulations.
- b) On 29/05/2023, it was reported that the license holder had violated licensing hours.
- c) On 26/06/2023, photographic evidence was provided of alcohol being served outside licensed hours, indicating a disregard for licensing laws.
- d) On 02/08/2024, WRS reported that the premises was holding unlicensed events including alcohol sales.

These incidents demonstrate a pattern of non-compliance that severely undermines my confidence in the applicant's ability to uphold licensing objectives.

2. Public Safety

2.1. I formally request a professional traffic impact assessment to evaluate the increased risks posed by additional traffic on our narrow Victorian streets, particularly given the proximity to a children's nursery. This should include projected increases in vehicle and pedestrian traffic at various times of day and night.

2.2. I strongly urge consultation with local emergency services to assess whether the proposed changes could impact response times in our area. This should include written statements from police, fire, and ambulance services.

2.3. I respectfully insist on a full fire safety assessment, including evaluation of escape routes, fire detection systems, and firefighting equipment. This is particularly crucial given the age and historic nature of the building.

2.4. I urge the Licensing Authority to establish and enforce strict capacity limits for the premises, based on a professional assessment of safe occupancy levels, in accordance with the Regulatory Reform (Fire Safety) Order 2005.

2.5. I request a comprehensive risk assessment and maintenance plan, with particular attention to slip, trip, and fall prevention given the age of the building. This should include regular safety audits and public reporting of compliance.

2.6. I strongly urge clear protocols on medical emergency responses and confirmation of the presence of qualified first aiders at all times when the premises is open.

2.7. I request to see up-to-date electrical safety certificates and detailed maintenance schedules, especially if there are plans to host entertainment events.

2.8. I am deeply concerned about the overgrown wasteland immediately behind the rear seating area, which reportedly has problems with rats and vermin. I formally request that an environmental health officer conduct a thorough assessment of potential health risks to patrons using the outdoor seating area, including the risk of disease transmission.

Traffic Concerns:

I highlight the significant traffic and parking issues on Station Road, which is already a busy road with parking restrictions. The increased traffic from the proposed licence extension would exacerbate these problems, particularly:

a) Congestion and Safety Hazards:

- The narrow nature of Station Road means that even a small increase in vehicles stopping for drop-offs or pick-ups could cause significant congestion and safety hazards.
- The combination of alcohol consumption and increased vehicle traffic for pick-ups is a particular safety concern, especially given the narrow pavements and limited street lighting in some areas.

b) Idling Vehicles:

- Vehicles idling, particularly during evening hours, pose both a safety risk due to reduced visibility and an environmental concern due to increased emissions in a residential area.

c) Pedestrian Safety:

- Increased traffic poses a significant risk to pedestrians, especially children, given the narrow pavements and proximity to a nursery.

I formally request a detailed traffic management plan from the applicant, addressing how they intend to mitigate these risks, including potential designated drop-off/pick-up areas and measures to discourage vehicle idling.

3. The Prevention of Public Nuisance

3.1. I formally request that the council conduct professional noise impact assessments, focusing on:

a) Noise from Premises:

- The late-night dispersal of patrons
- The external seating area at the back of the property where live and recorded music may be played
- General noise from the premises, noting that on 10/05/2021, music could be heard from 150m away, violating noise regulations

b) Traffic-related Noise:

- Noise from vehicles arriving and departing, especially during later hours when the ambient noise level in our residential area is typically low

c) Patron Behaviour:

- Noise from patrons congregating outside the premises, particularly in any designated smoking areas

3.2. I strongly urge projected decibel levels at property boundaries for all potential noise sources, conducted by an independent acoustic expert, in accordance with the Noise Policy Statement for England (NPSE).

Additional Nuisance Concerns:

3.3. I propose implementing a system for logging noise complaints in the area immediately, to establish a baseline that can be monitored if the licence is granted.

3.4. I request that an environmental health officer assess the potential increase in litter and its impact on our conservation area. This should include a waste management plan from the applicant.

3.5. I strongly urge a comprehensive parking survey to quantify current pressures and model the impact of additional visitors to the premises. This should include an assessment of parking availability at peak times and potential overspill into residential areas.

3.6. I respectfully insist on a detailed crowd management plan, addressing how queues and customer dispersal will be managed, especially at closing time and during events. This should include specific measures to minimise disturbance to local residents.

3.7. The premises has security lights at the rear that shine directly into neighbouring properties, causing distress to residents. I request a lighting plan that minimises light pollution.

3.8. I am concerned about the potential designation of a smoking area, which could lead to groups congregating outside the premises, causing noise and disturbance to nearby residents.

Cumulative Impact:

I draw attention to the fact that the premises is located approximately 100m from another public house that also has a licence for live and recorded music and sporting events. Given the proximity to the train station (approximately 150 metres), I strongly urge consideration of:

- a) The cumulative effect of noise from multiple venues in close proximity within a residential area.
- b) Projected increases in foot traffic and associated noise in our residential area, especially late at night.
- c) Measures to prevent patrons from congregating outside the premises while waiting for trains.
- d) A formal assessment of the impact on the residential character of the area if the premises becomes a regular stop for commuters or visitors arriving by train.

I urge the Licensing Authority to conduct a formal Cumulative Impact Assessment to evaluate whether granting this licence could lead to an oversaturation of licensed establishments in our primarily residential area.

4. The Protection of Children from Harm

4.1. I formally request consultation with the management of the nearby children's nursery to fully understand and document potential safeguarding concerns.

4.2. I propose that the Licensing Authority seek written advice from local child welfare experts on the potential impacts of normalising alcohol consumption in previously family-friendly spaces.

4.3. I strongly urge a comprehensive risk assessment regarding increased traffic and its danger to children who currently play freely in the area. This should include an analysis of peak times for child activity in the area and how these coincide with the proposed operating hours of the premises.

4.4. I respectfully insist on detailed plans from the applicant on how they intend to prevent underage drinking and protect children from exposure to alcohol-related behaviour. This should include specific training protocols for staff and measures for age verification, in line with the Challenge 25 scheme recommended by the Home Office.

4.5. Given the applicant's lack of experience in managing a licensed establishment, I request:

- a) A detailed child protection policy and implementation plan from the applicant.

b) Mandatory specific training on child protection issues for all staff, with records available for public scrutiny.

c) A commitment to more frequent checks and audits to ensure compliance with child protection measures.

Additional Considerations

Conservation Area Status

I formally request that the Licensing Authority consult with the local Conservation Officer regarding the impact of the proposed changes on our area's historic Victorian and Edwardian character. This should include an assessment of how the change in use might affect the architectural and historical integrity of the area, as protected under the Planning (Listed Buildings and Conservation Areas) Act 1990. The introduction of a licensed premises with extended hours could significantly alter the ambiance, increase noise and light pollution, and potentially lead to physical alterations incompatible with the conservation area's character.

Planning Concerns

I respectfully insist that the Licensing Authority liaise closely with the Planning Department to ensure all regulations are being adhered to, particularly in light of the original planning permission which did not include alcohol sales. I request confirmation that any necessary change of use applications have been properly submitted and approved.

Historical Context

I emphasise that this property has traditionally been used for businesses with normal trading hours. It was previously a ladies' clothes shop and then a pottery painting cafe, neither of which caused significant disruption to the area. The change to serving alcohol for up to 10 hours a day represents a dramatic and concerning shift in use that is out of character with the property's history and the surrounding area.

Applicant's Experience and Conduct

I have serious reservations about the applicant's lack of experience in running a licensed establishment. This inexperience, coupled with the documented incidents of non-compliance, raises significant concerns about their ability to effectively manage a licensed premises and uphold the licensing objectives. I note with concern that there have been instances where licensing notices for this application had to be removed and reposted due to errors. This suggests a lack of attention to detail and potentially a lack of understanding of licensing requirements, further undermining my confidence in the applicant's ability to responsibly manage a licensed premises.

Additionally, I have concerns about the proposed Designated Premises Supervisor (DPS):

- I request information about the qualifications and experience of the proposed DPS in managing licensed premises.
- I ask for clarification on how the DPS plans to ensure compliance with licensing objectives, given the applicant's history of non-compliance.

Critique of Operating Schedule

I respectfully request that the Licensing Authority critically examine the applicant's operating schedule. Specifically, I ask for:

- A detailed assessment of the measures proposed to prevent crime and disorder, ensure public safety, prevent public nuisance, and protect children from harm.
- Clarification on any inadequacies or vague points in the operating schedule.
- Information on how the proposed measures compare to best practices in the industry.

Local Area Profile

Our Victorian conservation area is characterized by:

- Predominantly residential properties, many of which are family homes
- Narrow streets with limited parking
- A quiet, community-oriented atmosphere, especially in the evenings
- Proximity to a children's nursery and the train station

I ask the Licensing Authority to carefully consider how the introduction of a licensed premises with extended hours would impact this established residential character.

Health and Economic Impact

I urge the Licensing Authority to consider the potential health and economic impacts of increased alcohol availability in our area. This could include increased alcohol consumption among residents, potential strain on local health services, possible reduction in property values, and potential impact on the viability of existing, well-established local businesses.

Security and Staff Training

I request detailed information from the applicant regarding CCTV coverage, security staffing plans, and procedures for logging and reporting incidents. Additionally, I ask for specific information about staff training programs, including age verification training, protocols for dealing with intoxicated customers, and training on upholding the four licensing objectives.

Proposed Alcohol Selection

I request information about the types of alcohol to be sold, particularly whether high-strength beers or spirits will be available, and any measures to promote responsible drinking.

Personal Impact Statement

As a resident living in close proximity (3 metres) to Coffee N Clay, I am deeply concerned about the impact this licence extension would have on my family and our neighbourhood. The proposed changes would significantly affect our quality of life and the character of our residential area. We already experience disruption from the current operations, with background noise making it difficult to enjoy our garden in the summer. The lack of privacy due to customers wandering down the side access is also a concern.

The extension of operating hours would exacerbate these issues. The potential increase in noise, traffic, and disturbance, particularly in the evenings, would severely impact our ability to relax in our own home. The change in the area's character from a quiet, family-friendly neighbourhood to one with a more active nightlife is not something we desire or feel is appropriate for this conservation area.

Furthermore, as a parent, I am worried about the safety implications for children in the area, including increased traffic and the normalisation of alcohol consumption in what has traditionally been a family-oriented space. The potential for increased antisocial behaviour and the strain on local services are also significant concerns.

I urge the Licensing Authority to consider the profound impact this licence extension would have on long-term residents like me and our tight-knit community. The granting of this licence would fundamentally alter the nature of our neighbourhood and potentially diminish the quality of life for many families who have chosen to make their homes here.

Conclusion

The granting of this licence would severely undermine the licensing objectives and potentially cause irreparable harm to the character and safety of our community. I strongly urge the Licensing Authority to reject this application.

Yours faithfully,



From: [REDACTED]
Sent: Wednesday, October 9, 2024 3:11 PM
To: WRS Enquiries <enquiries@worcsregservices.gov.uk>
Subject: Ref:24/02504/VARYPL

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STOP : Were you expecting this email? Does it look genuine?

THINK : Before you **CLICK** on any links or **OPEN** any attachments.

To whom it may concern:

REF: 24/02504/VARYPL

I am writing to formally object to the proposed extension of hours and alcohol license for Coffee and Clay on Station Road.

The original business model of a pottery studio for families and children has shifted dramatically with this application which seeks to introduce late-night alcohol sales and live music events.

This raises significant concerns under the **Prevention of Crime and Disorder, Public Safety, Protection of Children from Harm, and Prevention of Public Nuisance.**

Firstly, the **Prevention of Crime and Disorder** is critical in this residential area. The introduction of late-night alcohol sales can lead to an increase in anti-social behaviour, as we have already seen with previous evening events hosted by this business. Incidents of drunken behaviour have been reported, including patrons leaving the venue intoxicated and causing disturbances, such as singing loudly and disrupting residents. This behaviour will only intensify if alcohol is served until 22:00, leading to further disorder in an otherwise quiet neighbourhood.

It's also a small venue, attention should be paid to how this business will cope with live music events if things get out of hand or too many people turn up, it's likely to be overcrowded and could risk violence or disruptive behaviour. There are NO Police stations nearby and this is a risk should anything happen of this nature.

Public Safety is also a major issue. Station Road is home to two schools and a children's nursery, and traffic is already a problem during school hours. While previously you have overlooked the impact of the traffic on the licence granted, I urge you to understand the link. The increased traffic that will come with late-night events will exacerbate parking issues, creating unsafe conditions for both

pedestrians and drivers. Without the licence, the premises would NOT be attractive to more people arriving or using the road to park. The road is not equipped to handle the volume of traffic that an alcohol-serving venue or live music venue would attract in the evening, especially with many families and elderly residents living in the area. The cars parked on the road obstructs the flow of traffic on a residential street. Even if only 4-5 cars were to park on the road it would add to the risk of accidents of frustrated drivers that can't progress due to congestion. Many vehicles also obstruct the driveways of residents which causes unwarranted distress, especially to mothers with young children or elderly people.

The **Protection of Children from Harm** is paramount, given the proximity of the nursery and schools. Allowing an alcohol-serving venue to operate late into the evening increases the risk of children being exposed to inappropriate or disruptive behaviour. This family-oriented area should not be subject to disturbances caused by intoxicated patrons, and live music events late into the evening would disturb children's sleep and daily routines not to mention the number of vapers and smokers outside the front of the shop during these "events".

The **Prevention of Public Nuisance** is also a significant concern. Live music and extended hours will inevitably lead to increased littering, and noise pollution, disturbing the peace of this predominantly residential street. This doesn't necessarily mean shouting and loud behaviour, but can also be the slamming of car doors, lights of cars as they reverse and use residents drives to turn, or music. The area's **conservation status** reflects its importance as a quiet, historically significant neighbourhood. The proposed license extension will erode the character of the street, which has remained largely unchanged for over a century.

In light of these concerns, I respectfully urge you to reject this application and protect the integrity of our community.

Kind regards,



From: [REDACTED]
Sent: Tuesday, October 8, 2024 9:29 PM
To: WRS Enquiries <enquiries@worcsregservices.gov.uk>
Subject: Fwd: REF No 24/02504VARYPL

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Sent via BT Email App

From: [REDACTED]
Sent: 8 October 2024 21:09:45 BST
To: enquires@worcsregservices.gov.uk
Subject: REF No 24/02504VARYPL

Coffee and Clay, 5 Station Roadday West Hagley

I would like to object most strongly to the extension of licensing hours to the above premises, which would mean 7 evenings a week and also to the playing of live music on 4 evenings a week, including Sunday!

Station Road is a residential road in the only conservation area in Hagley. If granted this would mean the business could be open for 10 hours a day, 7 days a week. No peace!

(1) Prevention of Crime and Disorder

The access alley to the business has industrial size waste bins near the pavement, on full view of the residents and the public who pass by. The BDC yellow bin is often overflowing with bags, some with food waste. The BDC pink bin does not have a lid, it is often piled high with cardboard boxes against the wooden fence of No 3 and surrounded with wooden pallets with torn wrapping. This could easily tempt a passing arsonist!

(2) Public Safety

The BDC waste bins mentioned in (section1) are placed almost on the pavement. Cardboard from the pink bin has blown along the road on a windy day, this is hazardous to drivers and pedestrians. I have retrieved the loose cardboard on many occasions this year! The BDC yellow bin is often overflowing, some food waste has attracted rats in the past, so much so that I contacted WRS Environmental Services last year, summer 2023

(3) Protection of children

Some staff and customers from the premises have been smoking and vaping at the front of the building, mainly by the front door.

Parking of vehicles partly on the pavement, pedestrians, some with children, some children on their own from the one junior school and the two senior schools have sometimes to walk in the road.

Vehicles are often parked on double yellow lines (the narrowest part of the road)

Vehicles are often parked tightly by hedges on the opposite side of the road to Coffee and Clay, the children and pedestrians then have to walk in the road.

(4) Prevention of Public Nuisance

(a) as stated in section 1 Bins and pallets.

(b) as stated in section 2 Bins and Pallets

(c) Smoking and Vaping, parking of vehicles partly on the pavement close to hedges by nos 16, 14, 12, 10, 8. Also the banging of car doors and loud voices, sometimes shouting can be disconcerting!

(d) If the playing of live music were to be allowed, the noise would be a nuisance to most neighbours in the road, especially to those who live beside and opposite Coffee and Clay.

(e) At present the noise coming from the business can be a nuisance, talking, raucous laughter (specially hen parties) a general clattering of dishes etc. This is often due to the front door being open as there is no air conditioning. This building is not appropriate for an entertainment venue where large numbers may gather.

(f) The window lights are on 24 hours a day, sometimes with vigorous flashing.

(g) My front garden cannot be enjoyed as it used to be, especially on summer evenings.

(h) Often the opening times on the website bear no relation to the times that the premises are actually open. It states closed when it is actually open.

These premises are not an appropriate place for the expansion of this business.

I strongly urge that the extension to licensing hours and the playing of live music is not granted.



Sent via BT Email App

From: [REDACTED]
Sent: Wednesday, October 9, 2024 10:32 AM
To: WRS Enquiries <enquiries@worcsregservices.gov.uk>
Subject: Variation to Premises Licence 24/02504/VARYPL Coffee N Clay

This email originated from outside of the organisation

STOP : Were you expecting this email? Does it look genuine?
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Good morning,

I wish to object to the above variation to the Coffee and Clay Licence.

I am extremely concerned regarding this variation to the Licence.

I am informed that the doors are left open and the noise from the permeates across the road and prevents residents enjoying their gardens.

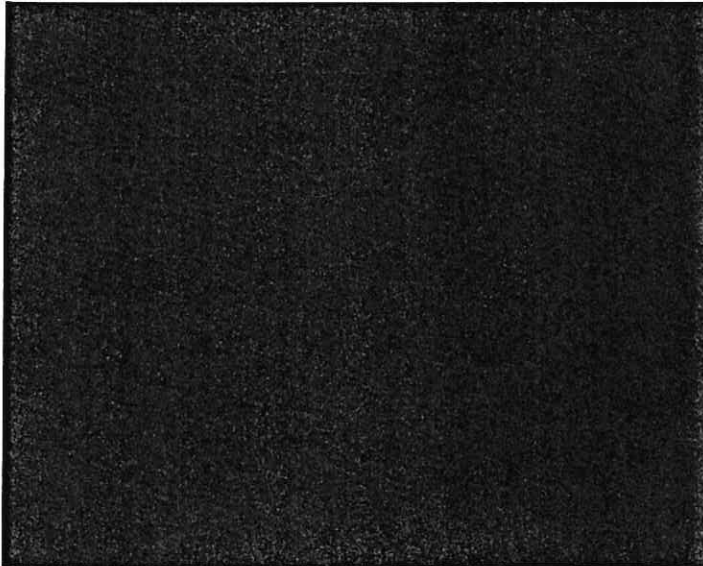
I am informed that alcohol is already being served outside the current permitted hours.

Customers smoke and vape on the pavement outside the premises, restricting the width of the pavement for residents walking past which is a concern as this is on route to schools on Station Road; one of the schools has a well-used gym that residents use outside of school hours too.

All of the above demonstrates public nuisance and a potential risk to children.

Many thanks.

Kind regards



From: [REDACTED]
Sent: Wednesday, October 9, 2024 8:27 AM
To: WRS Enquiries <enquiries@worcsregservices.gov.uk>
Subject: Re: 5 Station Road, Hagley - representations

This email originated from outside of the organisation STOP : Were you expecting this email? Does it look genuine? THINK : Before you CLICK on any links or OPEN any attachments.

I write to object to this application.

The objection is on the grounds of the licensing objectives relating to a) prevention of public nuisance and b) protection of children from harm.

The requested permissions would change the nature of the venue's permissions to that of a live entertainment/drinking venue, in very close proximity to families with children. The premises themselves are neither suitable for, nor adapted toward, being a suitable venue for live music and 7 day drinking until 10pm. They would constitute a public nuisance and cause harm to children

Details (1) The permissions sought, together with those already existing, would permit the serving of alcohol until 10 pm 7 nights per week. It would also permit live music 4 nights per week. There would be permission for a full time drinking/live entertainment venue.

(2) The premises are not suitable for a live entertainment/full time drinking establishment. The premises were not constructed for these purposes, nor have any relevant adaptations been made or proposed. In particular there are no sound proofing measures and no measures for control of people spilling out of the front door onto the pavement or gathering on the pavement outside the premises. The pavement is very narrow.

(3) Families with children are very, very close. To give an example - the live entertainment drinking venue would be Number 5. Numbers 4 and 6 are both family houses with school age children. In those houses are children due to do public examinations such as GCSEs, in both 2025 and 2026. Number 3, a family house, adjoins the proposed live entertainment /drinking venue and is literally just a few yards from the proposed live music and drinking venue.

(4) The rest of the road would also suffer a public nuisance from the proposed live entertainment drinking venue and children would be harmed by noise and other likely behaviours. The road is residential with 32 houses used entirely as single residences, mostly by families. There is also a children's nursery at Number 21.

There is a further reason to reject this application. The way in which notice of this application was previously given demonstrated a slapdash approach to compliance with licensing rules. This required intervention/advice from Regulatory Services. Sadly this gives cause for concern that this business will not comply with regulatory/licensing rules unless subject to a close ongoing supervision (which of course WRS will not be in a position to provide).

Agenda Item 4

I urge the rejection of this application in its entirety. As others previously feared, the limited previous permission is being used as a Trojan Horse or (to mix my metaphors) the thin end of the wedge. Granting this application, in whole or part, would permit a live entertainment venue/drinking establishment very very close to where young children live in a way that will cause a public nuisance and risk harm to those children.

I would be grateful if you could acknowledge safe receipt.



I would like to object to the license application by Ms. Scattergood re.Coffee N Clay

On the 4th August 2021 I sat at a Sub Committee hearing to review the initial application by Ms. Scattergood for an alcohol license for 5 Station Road (Coffee n Clay).

The minutes from that meeting stated that Ms Scattergood 'intended to run the business in a very professional manner' (page 3) and that the members of the committee 'had every confidence that the applicant would be a responsible licensee who would make every effort to promote the licensing objectives' (page 6).

I would like to raise awareness in response to this of the following;

- 1) 10/5/24 - I first made contact with WRS (Simon Wilkes) regarding events being booked outside licensing hours (with the presumption of alcohol being sold). **Ref 24/04496/LIACEN.** On the 23/5 Sarah Royal replied to say that the license holder had been contacted and reminded of the hours held on the license for the sale of alcohol.
- 2) 26/6/24 - photographic evidence was provided of alcohol still being served outside licensed hours. **Ref 24/06272/LIAENT.** A reply was received on the 4/7 to say that the license holder had been contacted and 'advised in writing' that the sale of tickets with the inclusion of free alcohol does constitute the sale of alcohol and that they 'had been advised of the consequences of breaching the license'.
- 3) 2/8/24 - WRS again informed that the premises were still advertising events including alcohol outside their permitted hours by including a 'free glass of fizz' for a ticketed event. **Ref 24/07649/LIAENT.** This is still ,according to Sarah Royal, 'being reviewed' by WRS and 'we are in communication with the premises'

Once again the minutes from the 2021 review stated that 'anyone could call that license in for review should there be any concerns/issues' (page 4) and that 'any party could request a review of a license where evidence indicated that the licensing objectives were not being met' (page 7). I would suggest that having to be contacted numerous times by WRS for breaching their licensing hours would certainly provide grounds for a full review and that the premises license should certainly not be extended as Ms Scattergood has shown that she is not a 'responsible licensee'.

I would also like to raise awareness of an event which occurred in July 2024 when two erroneous application notices for Coffee N Clay were posted on Station Road. One for an extension to licensing hours and one for a pavement license 'for serving food & drinks'. Both notices were incorrect - neither had gone through a formal consultation process and as such both were invalid. Both caused consternation and worry amongst Station Road residents and in some cases resulted in representations being made to WRS. Despite frequent attempts being made to contact Ms Scattergood, the notices had to be removed by Karen May as the owner remained uncontactable.

All these cases indicate that Ms Scattergood has a careless attitude towards her position as licensee for the premises and complete disregard for the actual residents of Station Road. I have little faith that this will change.

I would also like to raise the following objections to the proposed license extension with reference to Public Nuisance

1) Noise pollution.

I live_ the premises. We are separated at parts by a brick wall and a wooden fence - my garden backs on directly to their outside space. I am very concerned about the owners application for a permit to play live music 4 days/nights per week until 10.00 pm. As far as I am aware there is no sound proofing at the premises. Windows are single glazed and there is no air conditioning - as such they often leave the front door and rear windows open.

BDC Statement of Licensing 2024-29 section 6.32 (i) states that the licensing authority will consider 'prevention of noise and vibration escaping from the premises including music....and human voices' and 6.32 (ii) and the structural suitability of the premises to provide the licensable activities including for example matters such as whether the premises benefits from double glazing'

2) Light pollution

The building is effectively lit up all evening & overnight. They have security lights at the rear of the property which are always left on creating a security risk. The front of the building is likewise illuminated overnight with flashing lights causing distress for residents living opposite. I have pictorial evidence of what the building looks like at 12.30am - certainly not something you would expect to see on a residential road.

Again please refer to 6.32(xii) - the location of external lighting including security lighting

3) Refuse and litter.

The proposed changes to the licensing times effectively means that the business can operate between 10.00 - 22.00 seven days per week with licensable activities from 12.00-22.00. This obviously creates an increase in refuse and litter. All the refuse bins are located in the space in front of the garage - to the side of number 5 and abutting number 3 Station Road. They are frequently overflowing with bags left on the floor. There are always multiple pallets left by the garage door and plastic wrapping from deliveries. Again I have pictorial evidence and I believe this has been reported to a local councillor on one occasion.

Again please refer to 6.32(xv) - whether the premises would lead to increased refuse storageor additional litter in the vicinity of the premises'

4) Designated smoking area.

Currently I don't believe there is one. As such groups of customers congregate outside the premises 'vaping'. They do not use the rear of the property. Again this is a residential road in a conservation area.

5) Increase in tra c and resultant parking problems.

Station Road is a very busy road with twice daily parking restrictions.

There is a space for 2 cars to park in front of Coffee N Clay (outside these restrictions) but they are not designated parking spaces for the premises. When the business has an 'event' (often evenings & weekends) there is an increase of cars being parked on the road. However the road does not have the width to enable 2 way traffic alongside the parked cars - as such cars mount the pavement and it can generally be quite dangerous.

Likewise Ms Scattergood sublets part of the building to a nail bar who have a constant flow of customers as well (with cars!).

Agenda Item 4

For me personally at [redacted] I find that cars are parked on the double yellows either side of my drive making it extremely difficult to see oncoming vehicles when reversing on the drive. This has been reported and I have plenty of pictorial evidence.

My concern is that the extended license and potential increase in 'events' will exacerbate this problem. I note that whilst in 2021 parking and traffic problems were deemed outside the scope of a license application Section 6.32(vi) does discuss 'arrangements for parking by patrons & staff and the effect of parking on local residents'. I therefore hope that this will be taken into consideration under Public Nuisance.

Finally I would like to draw your attention to section 8.0 Licensing Hours in the BDC Statement of Licensing Policy. 8.2 it states that 'when determining what licensing hours are appropriate for a premises the licensing authority ...will take into account

- environmental quality
- residential amenity
- the character and function of a particular area.

As you are already aware Station Road is a residential road and the only conservation area within Hagley. Ms Scattergod is proposing to create an establishment that will be open 7 days per week, serving alcohol for 10 hours a day (including Sunday) and having live music on 4 days - again including Sunday. This is now surely something more than simply a pottery painting & coffee establishment. The fact that she applied (incorrectly) for a pavement license in the summer would support this.

She has shown an unwillingness to comply with the existing regulations and liaise with the authorities when breaches have occurred. As such any attempt to extend the current licensing hours should be robustly declined.

Personal Statement

We purchased our family home in 2006. At that point number 5 Station Road was a ladies clothes shop which kept normal trading hours. We had a good relationship with the owners and staff. We thought, naively as it turned out, that if the business closed it would remain a retail space and if not any change in classification would result in a planning application and public/resident consultation (including Highways and Hagley Parish Council). In the event a reclassification did occur in 2018 but due to a change in planning regs no consultation with relevant parties occurred.

As a result a shop which inhabited the ground floor only became a pottery painting cafe. The footprint of the premises increased to include the 2nd floor and rear outside space. Again with no consultation. Food could be consumed on the premises and the opening hours of the business increased dramatically. Part of the building was also sublet to nail technicians. Then came further applications for an alcohol license and now a live music permit.

At every point in this tortuous process the feelings and wishes of the local residents and indeed the Parish Council have meant nothing. I still find it absolutely astonishing that if I wish to change the frontage of my house I would need to apply for planning because of the Conservation Area status. Ditto my neighbours have to submit a planning application every time they wish to cut back certain trees in their garden. However a retail outlet can become a cafe - serving alcohol for 10 hrs a day & open until 10.00pm 7 days a week with very little consultation and no formal planning application.

This has had a massive impact on us as a family and the general neighbourhood.

We now no longer enjoy the garden in the summer because of the background noise of people painting and drinking in CNC's 'garden'. We have no privacy on one side of our house because of people walking down the side access (including those visiting the nail bar in an area sublet by Ms Scattergood) or from a window on the 2nd floor which looks directly into our house. The hours of opening also mean that people are leaving the premises between 10 - 11.00 pm at night with the usual noise of slamming car doors, talking etc. And then we have the parking which at certain times is actually dangerous as I can't see oncoming cars and they can't see me!

These are our homes at the end of the day. We pay council tax, we have mortgages, we have a commitment to the street and area. We don't want to look out of our windows at mess - bags and wooden pallets strewn across the side return, flashing lights and groups vaping at the front.

I appreciate that none of this is 'relevant' to the licensing application. But I wanted to show how a change in planning law which was designed to help reinvigorate high streets by removing red tape has had such a calamitous impact on us!