

[Insert name and address of relevant licensing authority and its reference number (optional)]

**Application for the review of a premises licence or club premises certificate 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 Cllr Harrison Rone-Clarke -----

(Insert name of applicant)

**apply for the review of a premises licence under section 51 / apply for the review of a club
premises certificate under section 87 of the Licensing Act 2003 for the premises described in
Part 1 below (delete as applicable)**

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

The Golden Lion,
Austin Road
Charford

Post town
Bromsgrove

Post code (if known)
B60 3PB

Name of premises licence holder or club holding club premises certificate (if known)

Marstons PLC

Number of premises licence or club premises certificate (if known)

PL0117

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible
authority (please read guidance note 1, and complete (A)
or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates
(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Cllr

Other title
(for example, Rev)

Surname

Rone-Clarke

First names

Harrison

Please tick ✓ yes

I am 18 years old or over ✓

**Current postal
address if
different from
premises
address**

XXXXXXXXXXXX

Post town

XXXXXXXX

Post Code

XXXXXX

Daytime contact telephone number

XXXXXXXXXX

**E-mail address
(optional)**

h.rone-clarke@bromsgrove.gov.uk

(B) DETAILS OF OTHER APPLICANT

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 2)

Despite a number of meetings, leading to multiple informal agreements between residents and the licensees/Marston's, facilitated and overseen by myself as the local Councillor, a Noise Abatement Order, voluntary additional licence conditions, and noise monitoring 4 times in the period since 2018, The Golden Lion still fails to adhere to the licencing objectives set out above. Since 2018, when residents first raised their concerns, there have been three permanent Licensees (DPS's) and one temporary Licensee (on two separate occasions). The issues residents have encountered have prevailed throughout all these changes despite raising them each and every time there has been a change. These issues are described in greater detail throughout this application.

Unreasonable noise levels cause a disturbance to local residents at all times of the day, not just during the evening/night. Furthermore, there are concerns regarding anti-social behaviour as residents have been exposed to fights etc... with one resident even reporting a pub-goer urinating on their house outside a bedroom window. This clearly flouts licencing objectives 1 and 2 (public safety and prevention of crime and disorder). This becomes all the more concerning when one considers that children are regularly seen/heard on the premises after 10pm. Paired with the above concerns, this further flouts licencing objective 4 (prevention of children from harm).

We believe that the pub is not operating in a way that is appropriate to either the local area or the licencing objectives. With loud/live music occurring late into the night, a loud smoking 'area' and a 'late-night culture'. Given that The Golden Lion is intended as a quiet local pub surrounded in very-close proximity by homes, this is not appropriate and flouts licencing objective 3 (prevention of public nuisance). We note similar local pubs such as The Hanbury Turn operate in a peaceful manner, with the aforementioned having a beer garden that is always peaceful and co-exists with neighbouring homes. Residents have also observed that music is still being played outside in the daytime, and the recent additional conditions are regularly still not being adhered to. Specifically there is still: outdoor drinking after 9pm; removal of open alcohol from the premises; children present after 10pm; doors propped open while music is playing; and people in outside areas more than half an hour after closing.

Therefore, to protect local residents from further regular and often unrelenting public nuisance and disturbance, conditions must be implemented in order to achieve the following objectives:

- A peaceful outdoor space, intended for smokers or quiet discussion in order to peacefully co-exist with neighbouring gardens etc...
- A pub culture that does not encourage discos, karaoke and parties, as these also cause a disturbance, particularly during the summer when doors are left open and music is allowed to emanate from the premises (or even just through frequent use of exits.) and while neighbours' windows are open.
- That the above is regularly enforced by the licensees, as this has not been the case thus far.

I suggest that these reasonable requests could be implemented through changes to the permissions relating to:

- All licensable activities cease at 11pm and opening hours cease at 11:30pm
- Performance of live music inside the premises
- Playing of recorded music inside the premises
- Playing of recorded music outside the building from speakers or TV
- Sale of alcohol in any outdoor areas
- All outdoor areas to close at 9pm
- Under 18s off entire premises by 9pm
- Monitor and challenge customer noise levels in all outside areas at all times
- Ball games, scooters, skateboards, bicycles etc

Furthermore, as specified above, local residents are asking for the necessary conditions in place to prevent 'people noise' emanating from the beer garden and creating a public nuisance.

Finally, The Golden Lion has recently been bought under temporary new management, which myself and local residents had hoped could lead to significant improvements, negating the need for a licence review. However, the very same issues have been allowed to continue. Below are just some of the reports I have received from residents in the across June, July and August 2022 period, since this change in management:

‘Some children seem to be having a screaming match at the back of the pub.’

‘Still disturbed by people noise front and back, and rear beer garden music. I often struggle to sleep or am awoken by people noise.’

‘Unable to sleep due to racket of people talking/shouting at front of pub after 9ish, same voices for prolonged periods. Continuous until 11:10pm then restarted 11:30-11:40pm.’

‘Awoken at 5:27am by a group shouting and swearing at front of pub (male and female), continued for around 20 minutes.’

‘Disturbed by noisy people at front of pub all evening. Shouting and arguing heard in our dining room at 9:40, another blazing row at 11:00, continuous noise with lots of swearing, glass smashing at 11:49. Unable to sleep as noise continued until 12:25; daughter had to put in ear plugs. No intervention from pub staff.’

‘Noisy bunch out the back with kids kids kicking a ball around...egged on by parents...it is annoying the thud thud of the ball being hit.and the accompanying whooping etc’

‘Disturbed by the very loud banging at around 23:50 last night’

‘We thought someone was actually trying to break the fence down at the bottom of our garden...!!’

‘Adult father climbing tree at the bottom of our garden swearing and making monkey sounds...egged on by his kids.’

Please provide as much information as possible to support the application (please read guidance note 3)

Prevention of Public Nuisance:

- Loud disco music and karaoke emanating from inside the pub often heard at sing-along volume inside homes, and sometimes inescapable through totally closed double glazed window
- People screaming, singing and shouting inside the beer garden throughout the day and late into the night
- People swearing and using obscene/threatening language in the beer garden throughout the day and into the night
- Fights which can spill out into the car-park/street
- Children screaming and shouting, incl playing with scooters, footballs etc...
- Drivers playing music from car stereo in the pub car park
- Car horns from vehicles picking up/dropping off
- Residents have reported pub-goers urinating on someone's home next to a bedroom window
- Prolonged noise from generators

Public Safety:

- Fighting which has spilled out into the car park/street
- Police attending the site on a number of occasions
- Residents report seeing bouncy castles unsupervised which is a public safety concern

Prevention of Crime and Disorder:

- Residents report smelling marijuana from cars parked in the car park
- Urination on private property/block of flats nearby
- Fighting/threatening behaviour

The Protection of Children from Harm:

- Under current guidance, children are not allowed on the premises from 10pm but can regularly still be heard and seen after this time.
- Further, our concern is, given the expressed above, that children have/can be exposed to anti-social behaviour.
- Children seen playing on bouncy castle unsupervised

Please tick ✓ yes

Have you made an application for review relating to the premises before

No

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature H.Rone-Clarke

.....

Date 21/07/2022

.....

Capacity Local Councillor representing residents of Farrier Close, Austin Road, Cooper Close

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Cllr Harrison Rone-Clarke Bromsgrove District Council Offices, Parkside Building, Market Street	
Post town Bromsgrove	Post Code B61 8DA
Telephone number (if any) 07548353125	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) h.rone-clarke@bromsgrove.gov.uk	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

