

**Open**

# **Licensing Sub Committee**

## **Agenda**

**10.30am**  
**Wednesday, 6th March 2019**  
**Civic Room**  
**Wyre Forest House**  
**Finepoint Way**  
**Kidderminster**



## Licensing Sub Committee

### **Members of Committee:**

**Chairman: Councillor J Baker**

**Councillor M Cheeseman**

**Councillor M Rayner**

### **Information for Members of the Public:**

**Part I of the Agenda includes items for discussion in public. You have the right to request to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.**

**Part II of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.**

### **Declaration of Interests by Members – interests of members in contracts and other matters**

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct ("the Code") requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members' Code of Conduct as set out in Section 14 of this constitution for full details.

### **Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)**

DPI's and ODI's are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council's Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

### **For further information:**

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Sian Burford, Assistant Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732766 or email [sian.burford@wyreforestdc.gov.uk](mailto:sian.burford@wyreforestdc.gov.uk)

Wyre Forest District Council

Licensing Sub Committee

Wednesday, 6th March 2019

Civic Room, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

<b>Agenda item</b>	<b>Subject</b>	<b>Page Number</b>
<b>1.</b>	<b>Apologies for Absence</b>	
<b>2.</b>	<b>Appointment of Substitute Members</b>  To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting.	
<b>3.</b>	<b>Declarations of Interests by Members</b>  In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered.  Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
<b>4.</b>	<b>Application for Variation of a Club Premises Certificate</b>  To receive a report from the Head of Worcestershire Regulatory Services which asks the Committee to consider and determine an application for Variation of a Club Premises Certificate for Bewdley Rowing Club, Riverside North, Bewdley, Worcestershire, DY12 1AB.	4

WYRE FOREST DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

6 MARCH 2019

LICENSING ACT 2003

APPLICATION FOR VARIATION OF A CLUB PREMISES CERTIFICATE

BEWDLEY ROWING CLUB

<b>PUBLIC HEARING</b>	
<b>Director:</b>	Head of Worcestershire Regulatory Services
<b>Contact Officer:</b>	Niall McMenamin Senior Practitioner (Licensing) 01905 822799 enquiries@worcsregservices.gov.uk
<b>Ward(s) affected:</b>	WAAWWF
<b>Appendices:</b>	Appendix 1 – Application Form Appendix 2 – Existing Club Premises Certificate Appendix 3 – Representations

**1. PURPOSE OF REPORT**

1.1 To consider and determine an application for variation of the club premises certificate in respect of the following premises:

**Bewdley Rowing Club  
Riverside North  
Bewdley  
Worcestershire  
DY12 1AB**

1.2 A copy of the variation application is attached at “**Appendix 1**”.

1.3 A copy of the existing club premises certificate is attached at “**Appendix 2**”.

**2. BACKGROUND**

2.1 On 8 January 2019 an application was received from Bewdley Rowing Club for variation of the club premises certificate in respect of:

Bewdley Rowing Club  
Riverside North  
Bewdley  
Worcestershire  
DY12 1AB

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

2.3 It can be confirmed that the application has been advertised in accordance with the requirements of the Licensing Act 2003 and associated regulations and that the application has also been served on all responsible authorities.

2.4 The applicant is applying for the following variations to their existing certificate:

- Extend the time for the supply of alcohol on Friday and Saturday until 02:00hrs
- Extend the time for the supply of alcohol on Sundays to between 10:00hrs until 23:00hrs

2.5 The applicant is also applying to vary the existing Non-standard timings to:

- Extend the time for the supply of alcohol on Regatta Days to between 10:00hrs until 02:00hrs
- Extend the time for the supply of alcohol on New Years Eve to between 10:00hrs until 02:00hrs
- Extend the time for the supply of alcohol on Bank Holiday Sundays to between 10:00hrs and 00:00hrs (midnight)

**3. REPRESENTATIONS**

Responsible Authorities

3.1 All of the responsible authorities have been consulted directly and during the consultation period no representations were received from any of the responsible authorities in relation to this application.

Other Persons

3.2 In response to the public notices and during the consultation period a total of five representations were received from other persons. Three representations were

received from local residents or interested persons, a representation was received from the Bewdley Civic Society and also the Bewdley Conservation Area Residents Association. A copy of the representations are attached at “**Appendix 3**”.

#### **4. LOCAL POLICY CONSIDERATIONS**

- 4.1 The Sub-Committee should have regard to the Council’s Statement of Licensing Policy under the Licensing Act 2003.
- 4.2 The Council’s Statement of Licensing Policy is available to download from the Council’s website or to request a hard copy, contact Worcestershire Regulatory Services on 01905 822799 or email [wrsenquiries@worcsregservices.gov.uk](mailto:wrsenquiries@worcsregservices.gov.uk)
- 4.3 The Sub-Committee’s attention should be drawn to the following **Paragraphs 5.3 - 5.6** of the Council’s Statement of Licensing Policy in respect of this application generally:
- (5.3) The licensing authority will aim to carry out its licensing functions in a way that promotes tourism, increases leisure and culture provision and encourages economic development within the District.
- (5.4) However the licensing authority will also always try and balance the needs of the wider community, local community and commercial premises, against the needs of those whose quality of life may be adversely affected by the carrying on of licensable activities, particularly within residential areas.
- (5.5) In particular the licensing authority will attempt to control any potential negative impacts from the carrying on of licensable activities, such as increased crime and disorder, anti-social behaviour, noise, nuisance, risks to public safety and harm to children.
- (5.6) The licensing authority’s aim is to facilitate well run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents.”

#### **5. LICENSING OBJECTIVES**

- 5.1 The representations received objecting to the grant of the variation application raise concerns about the prevention of “Crime and Disorder” and “Public Nuisance” licensing objectives.
- Crime and Disorder**
- 5.2 **Paragraph 2.1** of the s182 Guidance (April 2018) states: “Licensing authorities should look to the police as the main source of advice on crime and disorder”.
- 5.3 In addition to **Paragraph 2.1** of the s182 Guidance referred to above and the subsequent paragraphs of that section, the Sub-Committee’s attention is also

drawn to **Paragraphs 6.11 - 6.19** of the Council's Statement of Licensing Policy relating to the Prevention of **Crime and Disorder** in respect of this application.

**Public Nuisance**

5.4 **Paragraph 2.15** of the s182 Guidance (April 2018) states:

“The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.”

5.5 In addition to **Paragraph 2.15** of the s182 Guidance referred to above and the subsequent paragraphs of that section, the Sub-Committee's attention is also drawn to **Paragraphs 6.24 - 6.29** of the Council's Statement of Licensing Policy relating to the Prevention of Public Nuisance in respect of this application.

5.6 The Sub-Committee's attention is further drawn to **Paragraph 8** of the Council's Statement of Licensing Policy relating to Licensing Hours. The Sub-Committee will see, at Paragraph 8.3, that:

“Consideration may be taken to imposing stricter restrictions on licensing hours when it is appropriate to control noise and disturbance from particular licensed premises, such as those in mainly residential areas”,

5.7 One of the representations received refers to Cumulative Impact. Members should be aware that at this time Wyre Forest District Council has not adopted a special policy on Cumulative Impact.

**6. LEGAL IMPLICATIONS**

6.1 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.

- 6.2 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.
- 6.3 The Sub-Committee will consider every application on its individual merits.
- 6.4 The Sub-Committee must also have regard to the representations made and the evidence it hears.
- 6.5 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.
- 6.6 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.
- 6.7 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.
- 6.8 Any party aggrieved by a decision taken by the Sub-Committee may appeal against the decision to a Magistrates' Court within 21 days of being notified of the decision in writing.
- 6.9 The hearing should be conducted in accordance with the agreed procedure.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 Should the application be refused by the Sub-Committee, there is a right of appeal to the Magistrates Court. Should an appeal successful the Magistrates may make an order for costs.

## **8. RISK MANAGEMENT**

- 8.1 There are no risk management issues arising from this report.

## **9. EQUALITY IMPACT ASSESSMENT**

- 9.1 The Sub-Committee will ensure it has regard to the desirability of exercising its functions with regard to the need to eliminate discrimination and to increase



equality of opportunity. Applications received will be treated in accordance with Wyre Forest District Council's Equal Opportunities policy.

**10 FOR DECISION**

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

**11 CONSULTEES**

11.1 Solicitor to the Council, Legal services, Wyre Forest District Council.

08/02/19

Application to vary a club premises certificate to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING APPLICATION

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.

BEWDLEY ROWING CLUB

(Insert name of club)

club applies for a club premises certificate under section 84 of the Licensing Act 2003 for the premises named in Part 1 below

Club premises certificate number	WK1020051144
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Part 1 – Club premises details

Name of club				BEWDLEY ROWING CLUB			
Postal address of premises, if any, or if none Ordnance Survey map reference or description							
RIVERIDE NORTH							
BEWDLEY							
WOLLS							
Post town	BY BEWDLEY			Postcode	DT12 1AB		
Telephone number (if any)	01562 825525						
E-mail address (optional)	clubhouse@bewdleyrc.co.uk						

Name of person performing duties of a secretary to the club				KAREN HUTCHES			
Address of person performing duties of a secretary to the club							
Post town	BEWDLEY			Postcode	DT12 2QG		
Daytime contact telephone number (if any)							
E-mail address (optional)	.com						

Part 2 – Applicant details

Daytime contact telephone number (if any)	01562 825525		
E-mail address (optional)	clubhouse@bendleyrc.co.uk		
Current postal address if different from premises address	[Redacted]		
Post town	KIDDERMINSTER	Postcode	DY11 6RH

Part 3 - Variation

Please tick

Do you want the proposed variation to have effect as soon as possible?

Yes  No

If not when do you want the variation to take effect from?

ASAP 

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (See guidance note 1)

Yes  No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Extending times for sale of alcohol on Friday & Saturday from 10-11pm change to 10a.m - 2a.m  
 on Sunday from 12.00 - 23.00 to 10.00 - 23.00  
 Bank holiday Sundays 10.00 - 00.00  
 New Year 10.00 - 2.00

If the club's 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

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- Formatted: Character scale: 85%, Expanded by 4.4 pt
- Formatted: Character scale: 73%, Expanded by 8.8 pt
- Formatted: Character scale: 72%, Expanded by 8.9 pt
- Formatted: Character scale: 75%, Expanded by 8.75 pt
- Formatted: Character scale: 69%, Expanded by 8.95 pt
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**Part 4 – Club Operating Schedule**

Please complete those parts of the Club Operating Schedule which would be subject to change if this application to vary is successful.

What qualifying club activities do you intend to conduct on the club premises which will be affected by your application?

Provision of regulated entertainment (please read 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 entertainments (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 (e), (f) or (g) (if ticking yes, fill in box H)

**The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club** (if ticking yes, fill in box I)

**The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 6)		
Thur					
Fri			<b>Non standard timings. Where the club intends to use the premises for the performance of a play at different times from those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of film</u></b> (please read guidance note 6)		
Thur					
Fri			<b><u>Non standard timings. Where the club intends to use the premises for the exhibition of film at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details here (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<u>Non-standard timings. Where the club intends to use the premises for indoor sporting events at different times from those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

**D**

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Thur					
Fri			Non-standard timings. Where the club intends to use the premises for the boxing or wrestling entertainment at different times from those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					



**E**

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

**F**

Recorded music Standard days and timings (please read guidance note 8)			Indoors	<input type="checkbox"/>
Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)				
Day	Start	Finish	Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)	
Tue				
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)	
Thur				
Fri			<u>Non-standard timings. Where the club intends to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list</u> (please read guidance note 7)	
Sat				
Sun				

**G**

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6)		
Thur					
Fri			<b>Non-standard timings. Where the club intends to use the premises for the performance of dance at different times from those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment that the club will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>State any seasonal variations for this entertainment</u></b> (please read guidance note 6)		
Fri					
Sat			<b><u>Non-standard timings. Where the club intends to use the premises for this entertainment at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sun					

I

Supply of alcohol Standard days and timings (please read guidance note 8)			<u>Will the supply of alcohol be for consumption</u> – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	10AM	11PM	<u>State any seasonal variations</u> (please read guidance note 6)	Both	<input type="checkbox"/>
Tue	10AM	11PM			
Wed	10AM	11PM			
Thur	10AM	11PM		<u>Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list</u> (please read guidance note 7)	
Fri	10AM	2AM			
Sat	10AM	2AM			
Sun	10AM	11PM			

REGATTA DAYS  
10AM - 2AM

NEW YEARS EVE  
10AM - 2AM

BANK HOLIDAY SUNDAYS  
10AM - MIDNIGHT

J

SAME AS I.

<b>Hours club premises are open to the members and guests</b> Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon			<u>Non standard timings. Where you intend the premises to be open to the members and guests at different times from those listed in the column on the left, please list</u> (please read guidance note 7)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

NONE

L

Please identify those conditions currently imposed on the certificate which you believe could be removed as a consequence of the proposed variation you are seeking.

NONE

Please tick as appropriate

- I have enclosed the club premises certificate
- I have enclosed the relevant part of the club premises certificate

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

Reasons why the club has not enclosed the club premises certificate or relevant part of it:

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

MEMBER ON SITE AT ALL TIMES  
SECURITY IF REQUIRED.

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

SECURITY ON SITE FOR  
LARGER EVENTS.

**c) Public safety**

AS ABOVE

**d) The prevention of public nuisance**

DOORS AND WINDOWS CLOSED  
AFTER 11. REQUEST THAT ALL  
LEAVE PREMISES QUIETLY

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

CHILDREN ONLY PERMITTED  
WITH PARENT OR RESPONSIBLE  
ADULT.



**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities.
- I understand that I must now advertise my application.
- I have enclosed the club premises certificate 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)

I .....  
(Insert full name)  
make this application on behalf of the club and have authority to bind the club

Signature	[Redacted]
Date	5/11/14
Capacity	Clubhouse Chair

Address for correspondence associated with this application (please read guidance note 13)

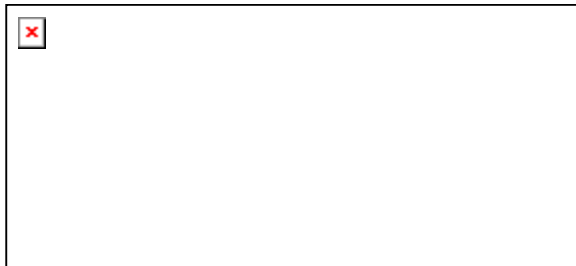
Bewdley Rowing Club

Bewdley

Post town	DX12 1AB	Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e mail, your e mail address (optional)			

**Notes for Guidance**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy.
2. Describe the premises, for example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for people to consume these off-supplies, please include a description of where this will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.



# Licensing Act 2003

## Club Premises

## Certificate

Club Premises Certificate Number

WK/020051144

### Part 1 – Club Details

<b>Name of club in whose name this certificate is granted and relevant postal address of club</b>	
Bewdley Rowing Club Boathouse Riverside North Bewdley Worcestershire	
<b>If different from above, the postal address of club premises to which the certificate relates, or if none, ordnance survey map reference or description</b>	
<b>Telephone number</b>	01299 402899

<b>Where the certificate is time limited, the dates</b>
Not applicable

<b>Qualifying club activities and times authorised by the certificate</b>				
<b>Activity</b>	<b>Days</b>	<b>From</b>	<b>To</b>	<b>Indoors/Outdoors</b>
Performance of Dance	Sunday	12:00	- 23:00	Both
Performance of Dance	Monday to Saturday	10:00	- 01:00	Both
Performance of Live Music	Sunday	12:00	- 23:00	Indoors
Performance of Live Music	Monday to Saturday	10:00	- 01:00	Indoors
Playing of Recorded Music	Sunday	12:00	- 23:00	Indoors
Playing of Recorded Music	Monday to Saturday	10:00	- 01:00	Indoors
Supply of Alcohol	Sunday	11:00	- 22:30	
Supply of Alcohol	Monday to Saturday	10:00	- 23:00	

**Non-standard timings**

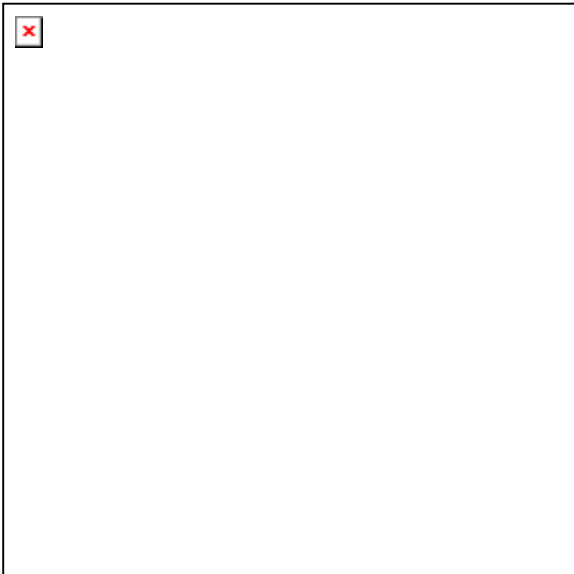
New Year's Eve - 10:00 - 02.00

**The opening hours of the club**

<b>Days</b>	<b>From</b>		<b>To</b>
Sunday	10:00	-	00:00
Friday to Saturday	10:00	-	02:00
Monday to Thursday	10:00	-	23:00

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

Alcohol is supplied for consumption both on and off the club premises



AUTHORISED OFFICER  
Licensing and Support Services Manager  
Worcestershire Regulatory Services  
On behalf of Wyre Forest District Council

**Date of first issue:** 7th September 2005  
**This version valid from:** 7th September 2005  
**Issuing Authority:** Wyre Forest District Council  
Finepoint Way  
Kidderminster  
Worcestershire  
DY11 7WF

## **Annex 1 – Mandatory conditions**

### **Qualifying Clubs**

Under the rules of the club persons may not— .

(a) be admitted to membership, or .

(b) be admitted, as candidates for membership, to any of the privileges of membership, .

without an interval of at least two days between their nomination or application for membership and their admission.

Under the rules of the club persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission. .

The club must have at least 25 members.

It is a condition of the certificate that alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club

### **Conditions**

- 1 (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- 1 (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
  - 1 (2)(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);
  - 1 (2)(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - 1 (2)(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;
  - 1 (2)(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - 1 (2)(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

- 2 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 3 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 4 (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
- 5 The responsible person shall ensure that–
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.

## **Annex 2 – Conditions consistent with the Operating Schedule**

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

As below

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

Security on site for larger events

### **c) Public safety:**

Security on site for larger events

### **d) The prevention of public nuisance:**

Ask people to leave quietly

Doors and windows closed after 23:00

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

Children are only permitted with a responsible adult

### **Other operating conditions**

**Annex 3 – Conditions attached after a hearing by the licensing authority**

None



[wrsenquiries@worcsregservices.gov.uk](mailto:wrsenquiries@worcsregservices.gov.uk)

I wish to object to the application WK/020051144 from Bewdley Rowing Club on the following grounds:

**1** It is demonstrable that the addition of this licence, if granted, will have a negative cumulative impact on licensing objectives.

**2** The extensive terms of the application is inappropriate to a small sports club with a membership of 224 (as declared on its website) and limited premises not designed for the purpose (as evidenced by the constant use of marquees and roof awnings to accommodate special events). Might it not need an application for a Planning change of use?

The club lies on the banks of the Severn within the Bewdley Conservation Area and close to around one thousand homes. Mine is one of them: on the riverside about 350 metres from the club. The river acts as an all-too effective echo chamber that causes loud music to reverberate across and throughout the town centre.

In its *Conservation Area Appraisal (2015)*, the District Council designates the town centre as a “tranquil area” and cites late-night music as “intruding...into the residential domain.” The situation has become even more difficult since then hence the concern about the cumulative impact.

**3** The proposal to play live and recorded music – outdoors as well as indoors - for an average of twelve or thirteen hours a day every day throughout the year is grossly unreasonable for a small sports club and will interfere with my own enjoyment of my own property and land. The venue is about 350 metres from my riverside property. The river acts as an all-too effective echo chamber that causes loud music to reverberate throughout the town centre.

This objection is based on previous experience of the venue causing a noise nuisance (music in excess of 100dB) as described in the 1993 *Noise and Statutory Nuisance Act*

**4** The application does not include the name of a designated premises supervisor (*The appropriate box has been left blank*)

**5** Bewdley Town Council has only last year agreed that in licensing terms, midnight should be the witching hour. Then, the Chair of the Planning and Licensing Committee, Councillor Calne Edginton-White said: “We recognise how important the night-time economy is to Bewdley but at the same time there are a lot of residential properties in the town centre. We must strike a balance and we believe that midnight is late enough in Bewdley.”

It has been said the Club is only applying for this blanket licence to save having to return to the Licensing Committee for individual event licences. Frustratingly however, the Club has not found the time to discuss the application with their neighbours and we therefore have to take their application at face value and that their intention/aspiration is to turn their premises into a 365-days-a-year drinking and entertainment venue. The building was not designed for that purpose.

While I acknowledge that one person’s noise is another person’s music, I fear the balance inevitably and incontrovertibly swings towards *noise* as the hours pass, as the alcoholic intake reduces normal inhibitions of those enjoying the music and dancing and increases the temperature in any enclosed space...and thus the improbability of doors and windows being kept closed after **11pm** as required under section (d) of the Licensing Objectives ie **the prevention of public nuisance** and the even greater improbability that those who have been drinking for many hours will respond to any request that **all leave the premises quietly** (*also as required under the same section*). In any case, the licence application refers

**Agenda Item No. 4**  
**Appendix 3**

to *outdoor* music and dancing which renders ineffective the Licensing Objective constraints about closing doors and windows at 11pm.

Once granted, it's clear from all our past experiences of events at the rowing club (and some other local venues) that it is not efficient in policing the constraints of a late-night licence.

While I'm happy for my objections to be read into the record of the meeting by the Clerk, I would like to attend the meeting and look forward to being advised of the date.

Jock Gallagher [REDACTED] [REDACTED] Bewdley [REDACTED] Telephone [REDACTED]

**From:** [mailto:]  
**Sent:** 16 January 2019 17:13  
**To:** WRS Enquiries  
**Subject:** WK/020051144 1

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Hello

I wish to make representations in response to the application by Bewdley Rowing Club to vary its club premises licence.

I object strongly to aspects of this application, specifically:

Performance of dance Monday to Saturday indoors and outdoors from 10am to 1am

Performance of live music Monday to Saturday indoors from 10am to 1am

Playing of recorded music Monday to Saturday indoors from 10am to 1am

Supply of alcohol Friday to Saturday from 10am to 2am

Non-standard timings for New Year's Eve, Valentine's Day and Regatta days.

Noise of live and recorded music within the Rowing Club can be heard outside, and the volume of music is such that it can be heard some distance away. The rowing club is situated adjacent to residential areas, including those across the river, and noise from its activities travels down the river to further residential properties. It is unfair and inappropriate for so many people to be disadvantaged by late night noise.

In order that local residents' sleep is not disturbed, it is my view that the Rowing Club's activities should cease at 11.30 at the latest, in order that the noise of activities does not have an undue impact and that the noise of customers leaving the premises is over by midnight. While there may be occasions where later licences could be warranted, in my view these should be secured via temporary licences rather than blanket approval via its club premise licence.

Please keep me informed about the progress of this application, including dates of any licencing hearing at which it is considered.

Kind regards

Jacky Griffin

[Redacted]

Bewdley

[Redacted]  
05. 02. 2019

Ms Sarah Deeley  
Technical Officer (Licensing)  
Wyre Forest House  
Kidderminster  
DY11 7WF

Re. Licensing application WK/020051144

Dear Ms Deeley

I write with some concern regarding this application from Bewdley Rowing Club (BRC)

I live [Redacted] Rowing Club premises and when the windows of the club house are open – mainly during the Summer months – we do experience a considerable level of noise. I have never complained myself, but my neighbours have felt the need to ask that the music be “turned down” on several occasions.

The rowing club currently does not have many “noisy & long” nights, but I am concerned that this application is a precursor to many more; possibly as an income generation initiative. **I must most strongly object if this is the case.**

I am optimistic (possibly naively!) that this application is a “catch up” for the revised licensing laws, which will relieve the Rowing Club of the need to apply for extended licences for every/any late night event.

However – having said that - I would be most grateful if the reasons for this potentially very distressing license extension could be carefully explained to those of us neighbours who would be very directly effected.

It would also be a great comfort to be assured that BRC does not intend to increase their live music events into regular weekdays nor extend the hours for selling alcohol into the early hours.

Yours sincerely

[Redacted Signature]

Miss Pauline A Lowe MBE

**From:** [mailto:]  
**Sent:** 15 January 2019 22:17  
**To:** WRS Enquiries  
**Subject:** WK/020051144

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Hello

I am writing on behalf of Bewdley Conservation Area Residents Association (BCARA) to make representations in response to the application by Bewdley Rowing Club to vary its club premises licence.

BCARA objects to aspects of this application, specifically:

- Performance of dance Monday to Saturday indoors and outdoors from 10am to 1am
- Performance of live music Monday to Saturday indoors from 10am to 1am
- Playing of recorded music Monday to Saturday indoors from 10am to 1am
- Supply of alcohol Friday to Saturday from 10am to 2am
- Non-standard timings for New Year's Eve, Valentine's Day and Regatta days.

Noise of live and recorded music within the Rowing Club can be heard outside, and the volume of music is such that it can be heard some distance away. The Rowing Club is situated next to residential areas, including parts of the conservation area across the river, and noise from its activities travels down the river to further residential properties within the conservation area. It is unfair and inappropriate for so many people to be disadvantaged by late night noise.

In order that local residents' sleep is not disturbed, it is BCARA's view that the Rowing Club's activities should cease at midnight at the latest. BCARA would also expect the Rowing Club to ensure that customers leaving the premises do so quietly. If this cannot be ensured by the Rowing Club, BCARA would expect the club's activities to end by 11.30pm in order to ensure that the noise of departing customers is over by midnight.

BCARA appreciates that there may be occasions where later licences could be warranted but, in our view, permission for these should be secured via temporary licences rather than blanket approval via its club premise licence.

Please keep me informed about the progress of this application, including dates of any licencing hearing at which it is considered.

Kind regards

Jacky Griffin  
Chair  
Bewdley Conservation Area Residents Association  
[bewdleycara.org.uk](http://bewdleycara.org.uk)



**BEWDLEY ROWING CLUB**  
Application reference

**8<sup>th</sup> February 2019**

**WK/0200511**

**44**

**19/00161/VARYCL**

I write on behalf of Bewdley Civic Society established in 1944 and has a membership of over 500 adults most of which live in the town of Bewdley.

The Society appreciates that Bewdley Rowing Club has a good track record in regard to its licences, but the Society is concerned that the current application for the supply of alcohol pushes the boundaries too far in regard to the extension of hours that it is seeking. The Society is of the opinion that, if granted, the extension of the licence to supply alcohol on all Fridays and Saturdays until 2.00 am could lead to anti-social behaviour and noise which would impact adversely upon local residents. We consider that, for a club of this nature, a cut off time of midnight on Fridays and Saturdays is adequate.

The Society also believes that temporary licences should be applied for in respect of special days viz Valentine day and Regatta days

J R Perrin  
Chairman