

**Open**

# **Licensing Sub Committee**

## **Agenda**

**10.30am**  
**Wednesday, 18th August 2021**  
**Council Chamber**  
**Wyre Forest House**  
**Finepoint Way**  
**Kidderminster**



## Licensing Sub Committee

### Members of Committee:

Councillor P Dyke

Councillor F Oborski MBE

Councillor I Hardiman

### 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, 18th August 2021

Council Chamber, 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 Premises Licence</b>  To receive a report from the Head of Worcestershire Regulatory Services which asks the Committee to consider and determine a variation of a premises licence in respect of The Old Beams, Harold Davies Drive, Stourport-on-Severn, Worcestershire, DY13 0AA.	4

WYRE FOREST DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

18 AUGUST 2021

LICENSING ACT 2003

APPLICATION FOR VARIATION OF A PREMISES LICENCE

THE OLD BEAMS

<b>PUBLIC HEARING</b>	
<b>Director:</b>	Head of Worcestershire Regulatory Services
<b>Contact Officer:</b>	Emma Rhodes Technical Officer (Licensing) 01562 822799 enquiries@worcsregservices.gov.uk
<b>Ward(s) affected:</b>	AKRWWF
<b>Appendices:</b>	Appendix 1 – Application Form Appendix 2 – Existing Licence Appendix 3 – Agreed conditions with Police Appendix 4 – 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:

**The Old Beams  
Harold Davies Drive  
Stourport On Severn  
Worcestershire  
DY13 0AA**

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

- 1.2 A copy of the existing licence is attached at “**Appendix 2**”.

**2. BACKGROUND**

2.1 On 25 June 2021 an application was received from David LLOYD Barnett for variation of the premises licence in respect of:

The Old Beams  
Harold Davies Drive  
Stourport On Severn  
Worcestershire  
DY13 0AA

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

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

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

To licence a beer garden at the premises for the purpose of retail sales of alcohol to include a newly constructed bar servery (as described on deposited plans). Sales from this servery will be cease by 10pm daily.

2.5 Office records indicate that the premises licence was first issued on 24 November 2005. From reviewing the history of the premises licence, it can be noted that Worcestershire Regulatory Services have received two noise complaints.

2.6 The first complaint was received in August 2020 in relation to outdoor music event. The licence holders were notified of the complaint and were given a verbal warning.

2.7 The second noise complaint was received in May 2021 regarding loud music. The complainant was unable to confirm where the noise was emanating from. Due to limited evidence of establishing where the noise was coming from, the investigating Environmental Health Officer closed this complaint with no further action taken.

**3. REPRESENTATIONS**

Responsible Authorities

3.1 West Mercia Police responded to the consultation and raised no objections but requested for certain conditions to be added to the licence which were agreed by the applicant. A copy of the agreed conditions can be seen at “**Appendix 3**”.

- 3.2 Please note that the Police did not specifically raise any objection to the extension of the licence to include the garden for the sale of alcohol.
- 3.3 No adverse representations were received from any of the other Responsible Authorities.

Other Persons

- 3.4 Four representations have been received from other persons. The representations make mention of concerns linked to the licensing objective of prevention of public nuisance. Copies of the representations can be seen at “**Appendix 4**”.

**4. LOCAL POLICY CONSIDERATIONS**

- 4.1 The Sub-Committee should have regard to the Council’s Statement of Licensing Policy under the Licensing Act 2003.
- 4.2 The Council’s Statement of Licensing Policy is available to download from the Council’s website or to request a hard copy, contact Worcestershire Regulatory Services on 01905 822799 or email [enquiries@worcsregservices.gov.uk](mailto:enquiries@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 application for variation raise concerns about the prevention of “Public Nuisance” licensing objective.

### Public Nuisance

- 5.2 **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.”

- 5.3 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.

## 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 must also have regard to the representations made and the evidence it hears.

- 6.4 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.

- 6.5 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.
- 6.6 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.
- 6.7 Any party aggrieved by a decision taken by the Sub-Committee may appeal against the decision to a Magistrates' Court within 21 days of being notified of the decision in writing.
- 6.8 The hearing should be conducted in accordance with the agreed procedure.

**7. FOR DECISION**

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



**Wyre Forest**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact  
[enquiries@worcsregservices.gov.uk](mailto:enquiries@worcsregservices.gov.uk)  
 Telephone: 01905 822799

\* required information

**Section 1 of 18**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is the applicant's business registered in the UK with Companies House?  Yes  No

Is the applicant's business registered outside the UK?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Business name

VAT number

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

*Continued from previous page...*

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Applicant Business Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

Is your business registered in the UK with Companies House?  Yes  No

Is your business registered outside the UK?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Business name

VAT number

Legal status

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 18**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

**Section 3 of 18**

**VARIATION**

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes  No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Describe Briefly The Nature Of The Proposed Variation**

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

To licence a beer garden at the premises for the purpose of retail sales of alcohol to include a newly constructed bar servery (as described on deposited plans). Sales from this servery will be cease by 10pm daily. To reflect the addition of a new shelter within the beer garden for guests.

**Section 4 of 18**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes  No

**Section 5 of 18**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes  No

**Section 6 of 18**

**PROVISION OF INDOOR SPORTING EVENTS**

<i>Continued from previous page...</i>	<a href="#">See guidance on regulated entertainment</a>
<p>Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?</p> <p><input type="radio"/> Yes                      <input checked="" type="radio"/> No</p>	
<b>Section 7 of 18</b>	
<b>PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS</b>	
<a href="#">See guidance on regulated entertainment</a>	
<p>Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?</p> <p><input type="radio"/> Yes                      <input checked="" type="radio"/> No</p>	
<b>Section 8 of 18</b>	
<b>PROVISION OF LIVE MUSIC</b>	
<a href="#">See guidance on regulated entertainment</a>	
<p>Will the schedule to provide live music be subject to change if this application to vary is successful?</p> <p><input type="radio"/> Yes                      <input checked="" type="radio"/> No</p>	
<b>Section 9 of 18</b>	
<b>PROVISION OF RECORDED MUSIC</b>	
<a href="#">See guidance on regulated entertainment</a>	
<p>Will the schedule to provide recorded music be subject to change if this application to vary is successful?</p> <p><input type="radio"/> Yes                      <input checked="" type="radio"/> No</p>	
<b>Section 10 of 18</b>	
<b>PROVISION OF PERFORMANCES OF DANCE</b>	
<a href="#">See guidance on regulated entertainment</a>	
<p>Will the schedule to provide performances of dance be subject to change if this application to vary is successful?</p> <p><input type="radio"/> Yes                      <input checked="" type="radio"/> No</p>	
<b>Section 11 of 18</b>	
<b>PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE</b>	
<a href="#">See guidance on regulated entertainment</a>	
<p>Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?</p> <p><input type="radio"/> Yes                      <input checked="" type="radio"/> No</p>	
<b>Section 12 of 18</b>	
<b>PROVISION OF LATE NIGHT REFRESHMENT</b>	

*Continued from previous page...*

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes                       No

**Section 13 of 18**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes                       No

**Section 14 of 18**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None.

**Section 15 of 18**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 00:00

End 23:59

Start

End

SUNDAY

Start 00:00

End 23:59

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

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

None.

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

**Section 16 of 18**

**LICENSING OBJECTIVES**

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

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

List here steps you will take to promote all four licensing objectives together.

**Continued from previous page...**

The external area has been in operation for a considerable period of time being used as a location for consumption of alcohol by virtue of off sales. The licensing of the area and provision of an external bar servery will enhance supervision over the area and materially improve social distancing along with reducing foot traffic thereby supporting the principals of a Covid secure environment. It is not anticipated that the licensing of the external area will cause crime and disorder of public nuisance to arise.

The above is provided by way of explanation and is not intended to be converted into conditions.

Proposed additional condition:

1. The retail sale of alcohol which takes place in the demise of the beer garden and/or garden servery, shall be restricted to between 11am and 10pm daily. The retail sale of alcohol from within the premises, for on or off consumption, is not intended to be restricted by means of this condition.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 18 of 18**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Variation Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

Continued from previous page...

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/wyre-forest/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**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.**



# Licensing Act 2003 Premises Licence

Premises Licence Number

WK/020085416

**Part 1 – Premises Details**

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

The Old Beams  
Harold Davies Drive  
Stourport On Severn  
Worcestershire  
DY13 0AA

**Telephone number**

**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	Days	From	To	Indoors/Outdoors
Performance of Dance	Everyday	11:00	- 00:00	Indoors
Facilities for Dance	Everyday	11:00	- 00:00	Indoors
Facilities for Making Music	Everyday	11:00	- 00:00	Indoors
Exhibition of Films	Everyday	11:00	- 00:00	Indoors
Indoor Sporting Events	Everyday	11:00	- 00:00	Indoors
Performance of Live Music	Everyday	11:00	- 00:00	Indoors
Late Night Refreshment	Everyday	23:00	- 00:00	Indoors
Playing of Recorded Music	Everyday	11:00	- 00:00	Indoors
Sale of Alcohol	Everyday	11:00	- 00:00	N/A

**Non-standard timings**

Hours to be extended until 00:00 on Friday, Saturday, Sunday and Monday of Bank Holiday weekends, Christmas Eve and Boxing Day

New Year's Eve: 11:00 until terminal hour New Year's Day

**The opening hours of the premises**

Days	From	To

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

Alcohol is supplied for consumption both on and off the premises

**Part 2**

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

David Lloyd Barnett  
The Old Beams  
Harold Davies Drive  
Stourport On Severn  
Worcestershire  
DY13 0AA  
Email Address  
Telephone No.

**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**

David Lloyd Barnett  
The Old Beams  
Harold Davies Drive  
Stourport On Severn  
Worcestershire  
DY13 0AA

**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: WF/200700128  
Licensing Authority: Wyre Forest District Council



**AUTHORISED OFFICER**

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

**Date of first issue: 24th November 2005**

**This version valid from: 21st March 2018**

**Issuing Authority: Wyre Forest District Council  
Finepoint Way  
Kidderminster  
Worcestershire  
DY11 7WF**

## 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.

### **Admission of children to the exhibition of any film**

The admission of children to the exhibition of any film is restricted by age classification awarded to the film by the British Board of Film Classification.

Where a film does not have an age classification specified by the British Board of Film Classification, admission of children must be restricted in accordance with the recommendation of the licensing authority.

“Children” means a person under the age of 18.

## 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:

Any person exercising a security activity shall be licensed by the Security Industry Authority

Such a person will be employed at the premises at the discretion of the Designated Premises Supervisor/holder of the Premises Licence

Such a person will clearly display his name badge at all times whilst on duty

No customers apparently carrying bottles upon entry shall be admitted to the premises at any times the premises are open to the public

Where CCTV is installed with recording facilities such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the Police

Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose

#### c) Public safety:

To comply with the reasonable requirements of the fire officer

To comply with the reasonable requirements of the building control officer

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

Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly

Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties

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

No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.

Children under the age of 16 years shall not be permitted to enter the premises after 23:00.

### 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 Premises Licence Summary

**Premises Licence Number**

WK/020085416

**Premises Details**

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

The Old Beams  
Harold Davies Drive  
Stourport On Severn  
Worcestershire  
DY13 0AA

**Telephone number**

**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	Days	From	To	Indoors/Outdoors
Performance of Dance	Everyday	11:00	00:00	Indoors
Facilities for Dance	Everyday	11:00	00:00	Indoors
Facilities for Making Music	Everyday	11:00	00:00	Indoors
Exhibition of Films	Everyday	11:00	00:00	Indoors
Indoor Sporting Events	Everyday	11:00	00:00	Indoors
Performance of Live Music	Everyday	11:00	00:00	Indoors
Late Night Refreshment	Everyday	23:00	00:00	Indoors
Playing of Recorded Music	Everyday	11:00	00:00	Indoors
Sale of Alcohol	Everyday	11:00	00:00	N/A

**Non-standard timings**

Hours to be extended until 00:00 on Friday, Saturday, Sunday and Monday of Bank Holiday weekends, Christmas Eve and Boxing Day

New Year's Eve: 11:00 until terminal hour New Year's Day

**The opening hours of the premises**

Days	From	To
		-

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

Alcohol is supplied for consumption both on and off the premises

**Name, (registered) address of holder of premises licence**

David Lloyd Barnett  
The Old Beams  
Harold Davies Drive  
Stourport On Severn  
Worcestershire  
DY13 0AA

**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**

David Lloyd Barnett

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

Children under the age of 16 years shall not be permitted to enter the premises after 23:00.



**AUTHORISED OFFICER**

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

**Date of first issue:** 24th November 2005

**This version valid from:** 21st March 2018

**Issuing Authority:** Wyre Forest District Council  
Finepoint Way  
Kidderminster  
Worcestershire  
DY11 7WF



**Sent:** 21 July 2021 09:51

**To:** WRS Enquiries <[enquiries@worcsregservices.gov.uk](mailto:enquiries@worcsregservices.gov.uk)>

**Cc:** Norris,Kirsty

**Subject:** External Email : FW: REPS BY 23/7 - THE OLD BEAMS, HAROLD DAVIES DRIVE, STOURPORT ON SEVERN

**Importance:** High

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Morning,

Please see below update from the Old Beams Public House, in Stourport please.

I have reviewed the conditions and both myself and Kirsty Norris are happy with the conditions listed below. We are happy to authorise the beer garden extension. Can these new conditions be added / changed on the new licence please.

Many Thanks

Catherine

**Problem Solving Hub | West Mercia Police**

North Worcestershire

**From:** Chris Grunert

**Sent:** 20 July 2021 15:07

**To:** Norris,Kirsty

**Cc:** Atkinson,Catherine

**Subject:** [EXTERNAL] RE: REPS BY 23/7 - THE OLD BEAMS, HAROLD DAVIES DRIVE, STOURPORT ON SEVERN

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Kirsty,

Thank you for your correspondence.

**Proposed Conditions**

Our client is content to agree the following proposed conditions:

**Agreed**

- I would like the following conditions added to the licence if possible please
- a challenge 25 scheme to be put in place, all staff to be trained in this scheme and the appropriate signage be displayed to inform customers this is in operation.
- Incident/refusal book - The premise must record all incidents that occur on the premise. Incidents that will be included in the incident book every time will be - first aid incidents, removal of persons by staff, anything that results in an injury and people that have been refused alcohol. If SIA staff are employed in the premise they will record their name and 16 digit SIA badge number and times they worked in the premise. This can be inspected and reviewed by a relevant authority seeking this request. Full training will be given to all staff on how to use the incident book.
- Each alcohol serving area will have a separate book
- Authorisation of Sale of Alcohol - Authorised for the sale of Alcohol will be defined in a written document. This will detail who is authorised the sale of alcohol and evidence that the staff member has been trained to spot underage drinkers. This document will be signed by both the staff member and the DPS. This document will be left on site and will be made available to the police, local authority or any other relevant authority seeking inspection or a copy.
- To be a member of a PUBWATCH scheme or similar scheme if one exists

In respect of the SIA condition, our client is reticent to agree a conditions which would allow any third party dictate the number of SIA required.

The present Operator has been in situ for 5 years and has not foreseen a need for SIA at any point in this time. Local events such as the Festival do not impact adversely on this family run venue. Although our client would be content to engage constructively with your service and others in the future on this issue they would not wish to submit to an compulsory condition of the terms outlined below. As you will appreciate, there is no evidence at this time suggesting the premises is poorly operated or justifying this condition in any other way. A written risk assessment for day to day operations would result in zero deployment and therefore creates additional paperwork without tangible benefit.

#### **Not Agreed**

- SIA Staff - SIA Staff will also be employed when it is deemed by a risk assessment that these will be required or when asked to do so by the police, local authority or any other relevant authority. This risk assessment will be kept on site and made available for viewing upon request of the police or other relevant local authority.

#### **Opening Hours**

As explained, the opening hours of the premises is not the subject of this application. The opening hours are not presently limited.

Although this is not part of the application, our client would be agreeable to agree the following hours for inclusion upon the licence in future:

- Monday | 07:00hrs to 00:30hrs
- Tuesday | 07:00hrs to 00:30hrs
- Wednesday | 07:00hrs to 00:30hrs
- Thursday | 07:00hrs to 00:30hrs
- Friday | 07:00hrs to 00:30hrs

- Saturday | 07:00hrs to 00:30hrs
- Sunday | 07:00hrs to 00:30hrs
- 08:00hrs on 31<sup>st</sup> December until 00:30hrs 2<sup>nd</sup> January.

I would be happy to discuss this further when you're next on duty. The consultation window closed on Friday evening.

**Regards**

**Chris Grunert**  
Partner

**From:** Philip Greenway  
**Sent:** 19 July 2021 11:15  
**To:** WRS Enquiries <[enquiries@worcsregservices.gov.uk](mailto:enquiries@worcsregservices.gov.uk)>  
**Subject:** External Email : Reference 21/02363/VARYPL

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Subject: Reference 21/02363/VARYPL

██████████ Areley Kings,  
Stourport-on-Severn DY13 ██████████

Dear Sir/Madam,

Reference **21/02363/VARYPL**

We object most strongly to the application by The Old Beams for a license extension to serve alcohol out-of-doors. The grounds for our objection are public nuisance.

The Old Beams now has an outdoor stage, and on past occasions has created a substantial noise nuisance by highly amplified performances from this stage. The Old Beams is located in a residential area, and is a highly unsuitable location for creation of loud outdoor noise, especially as the current license allows music until midnight. ██████████ we bear the brunt of the noise coming from Stourport venues, including The Old Beams. The noise created by live music at The Old Beams severely detracts from the intent of the Council's own Conservation Area statement regarding the peace and tranquility of a countryside location.

It is clear that Worcestershire Regulatory Services does not have the resources to monitor this situation closely, and this planning application simply encourages yet further deterioration of noise and disturbance in the local area leading to the noise becoming a statutory nuisance. The noise generally occurs out-of-hours and weekends so calling the Council or WRS is a waste of time - last time I called a few months ago at the weekend about The Old Beams noise during an event they were running, no one at WRS returned my call at all ! Further, the Council continues to NOT take an holistic view of the many sources of noise on or near the River Severn which has caused nuisance historically and clearly will continue to do so more loudly and frequently should this application be granted.

We understand the The Old Beams has a license to play music indoors and not outdoors, but due to an anomaly is permitted to make such noise out-of-doors within the licensed area. It is unfortunate that this anomaly exists, as we would have no objection to music within the building, as it would not disturb us. However, it is clear from this application that The Old Beams intends to increase the frequency of music played outdoors, which will cause us much distress, as we spend a great deal of our time in our garden and are much disturbed by external noise. There are of the order of twenty dwellings likely to be similarly affected.

There has been a growing tendency in recent years for some enterprises and individuals to behave as if they have *carte blanche* to make whatever noise they wish on Stourport riverside. We believe that it is time for that attitude to change, and a refusal of this application could be a turning point.

Yours sincerely,

██████████ Philip Greenway, ██████████

**From:** Roy Harrison  
**Sent:** 18 July 2021 20:28  
**To:** WRS Enquiries <[enquiries@worcsregservices.gov.uk](mailto:enquiries@worcsregservices.gov.uk)>  
**Subject:** External Email : Reference 21/02363/VARYPL

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[REDACTED]  
Stourport-on-Severn DY13 [REDACTED]

Dear Sir/Madam,

Reference **21/02363/VARYPL**

We object most strongly to the application by The Old Beams for a license extension to serve alcohol out-of-doors. The grounds for our objection are public nuisance.

The Old Beams has an outdoor stage, and on past occasions has created a substantial noise nuisance by highly amplified performances from this stage. The Old Beams is located in a residential area, and is a highly unsuitable location for creation of loud outdoor noise, especially as the current license allows music until midnight. [REDACTED]. The noise created by live music at The Old Beams severely detracts from our ability to benefit from our property. It is clear that Worcestershire Regulatory Services does not have the resources to monitor this situation closely, and this application gives an opportunity to prevent matters deteriorating to the point where the noise becomes a statutory nuisance.

We understand the The Old Beams has a license to play music indoors and not outdoors, but due to an anomaly is permitted to make such noise out-of-doors within the licensed area. It is unfortunate that this anomaly exists, as we would have no objection to music within the building, as it would not disturb us. However, it is clear from this application that The Old Beams intends to increase the frequency of music played outdoors, which will cause us much distress, as we spend a great deal of our time in our garden and are much disturbed by external noise. There are of the order of twenty dwellings likely to be similarly affected.

There has been a growing tendency in recent years for some enterprises and individuals to behave as if they have *carte blanche* to make whatever noise they wish on Stourport riverside. We believe that it is time for that attitude to change, and a refusal of this application could be a turning point.

Yours sincerely,

Roy M Harrison [REDACTED], [REDACTED]

Susan Harrison-Sturt (Mrs)

**From:** Mark Young  
**Sent:** 19 July 2021 16:24  
**To:** WRS Enquiries <[enquiries@worcsregservices.gov.uk](mailto:enquiries@worcsregservices.gov.uk)>  
**Subject:** External Email : Re: Ref 21/02363/VARYPL

We object most strongly to the application by The Old Beams for a license extension to serve alcohol out-of-doors.

The grounds for our objection are public nuisance.

The Old Beams has an outdoor stage, and on past occasions has created a substantial noise nuisance by highly amplified performances from this stage.

The Old Beams is located in a residential area, and is a highly unsuitable location for creation of loud outdoor noise, especially as the current license allows music until midnight.

[REDACTED]

The noise created by live music at The Old Beams severely detracts from our ability to benefit from our property.

It is clear that Worcestershire Regulatory Services does not have the resources to monitor this situation closely, and this application gives an opportunity to prevent matters deteriorating to the point where the noise becomes a statutory nuisance.

We understand that The Old Beams has a license to play music indoors and not outdoors, but due to an anomaly is permitted to make such noise out-of-doors within the licensed area.

It is unfortunate that this anomaly exists, as we would have no objection to music within the building, as it would not disturb us. However, it is clear from this application that The Old Beams intends to increase the frequency of music played outdoors, which will cause us much distress, as we spend a great deal of our time in our garden and are much disturbed by external noise. There are of the order of twenty dwellings likely to be similarly affected.

There has been a growing tendency in recent years for some enterprises and individuals to behave as if they have *carte blanche* to make whatever noise they wish on Stourport riverside. We believe that it is time for that attitude to change, and a refusal of this application could be a turning point.

Mark Young

Beverley Young [REDACTED] [REDACTED] Stourport, DY13 [REDACTED]

**From:** Stephen Thorneycroft  
**Sent:** 20 July 2021 10:55  
**To:** WRS Enquiries <[enquiries@worcsregservices.gov.uk](mailto:enquiries@worcsregservices.gov.uk)>  
**Subject:** External Email : REF: 21/02363/VARYPL

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I would like to make a formal complaint about the application made by The Old Beams to construct a stage and hold live music events outside the pub.

They have experimented with this idea in the past and the noise made is very clearly audible in local houses and gardens. I complained directly at the time, but it obviously has had no effect.

Even closer to the site than my address is an old people's home, Areley House, and the old people's bungalows on Cedar Close. We have had battles in the past to curb the noise of the fairground and the annual country and western event and this is worse.

I really don't understand why anybody should have the right to set up speakers in a garden and make an unholy racket and disturb neighbours on a routine basis. I'm quite certain that if I did the same thing week after week, I'd have the police round – and quite right too.

Please put a stop to this.

Many thanks

Stephen Thorneycroft

██████████  
██████████  
DY13 █