



Walsall Council

Item No.

LICENSING AND SAFETY COMMITTEE

3rd August 2007

REPORT OF HEAD OF PUBLIC PROTECTION

Application for a premises licence to be granted under the Licensing Act 2003

**Royal Oak
Daw End
Rushall
Walsall
WS4 1LH**

1.0 THE APPLICATION

1.1 Mr Shaun Nicholas Greenwood has made application, under the Licensing Act, 2003 for the grant of a premises licence in respect of the above premise. A copy of the application with plan of premises is attached as Appendix 1.

1.2 A summary of the application is as follows:

Proposed hours:

Licensable Activities	Days	Start	Finish
Live music and Recorded music	All Days	10:00	00:00
Anything of a similar description (eg quiz or similar event using voice amplification)	All Days	11:00	23:00
Provision of facilities for making music	All Days	11:00	00:00
Provision of facilities for dancing	All Days	10:00	00:00
Supply of Alcohol	All Days	10:00	01:00
Premises open	All Days	10:00	01:30

2.0 Background

- 2.1 The application is in respect of premises described by the applicant as a detached public house with two rooms outside drinking area with car parking in a residential area.
- 2.2 Mr Shaun Nicholas Greenwood has completed the form giving his consent to being nominated as the designated premises supervisor. A copy of this document is attached as Appendix 2.
- 2.2 There is already a premises licence currently in force. However, if there are substantial changes to the premises, there is a requirement for an application to be made for a new premises licence to be granted. A copy of the existing licence and plan is attached at Appendix 3.

3.0 Promotion of Licensing Objectives

- 3.1 The steps the applicant intends to take to in order to promote the four licensing objectives are detailed in Section P on pages 19/20 of the application (Appendix 1).

4.0 Relevant representations

- 4.1 Relevant representations may only be made by a “responsible authority” or by or on behalf of an “interested party” defined as a person living or having a business in the vicinity of the premises to which the application relates.
- 4.2 A representation has been received from a “responsible authority”, West Midlands Police. A copy is attached as Appendix 4.
- 4.3 Three individual representations have been received. Copies of these are attached as Appendices 5, 6 and 7.
- 4.4 It was claimed that the notice advertising the application was not displayed in a prominent position as required by the regulations. This was brought to the attention of the solicitors acting on behalf of the applicant. It was agreed to extend the period of time for representations to be made by interested parties. Copies of the letters regarding these matters are attached as Appendices 8 and 9.
- 4.5 A street map of the locality is attached as Appendix 10.

5.0 Policy considerations

- 5.1 Walsall council has stated that ‘at all times the licensing authority will try to strike a fair balance between the benefits to the community of a licensed venue and the risk of disturbance to local residents’.
- 5.2 In considering each application on its own merits, the licensing authority will consider whether or not the proposed licensing hours in the operating schedule

will have an adverse effect on the licensing objectives promoted by the authority.

5.3 The Licensing Officer has not been able to mediate in this case.

6.0 Associated papers

- 6 .1 Appendix 1 – the application with premises plan
- Appendix 2 – consent to be nominated as DPS
- Appendix 3 – copy of existing licence with plan
- Appendix 4 – representation from West Midlands Police
- Appendices 5, 6, 7 – representations from interested parties
- Appendix 8 – letter from applicant's solicitor confirming that new notices have been sent out
- Appendix 9 – letter from Walsall Council Licensing Unit confirming notices have been correctly placed
- Appendix 10 – street map of the locality