

Time 10.00 am **Public Meeting?** YES **Type of meeting** Regulatory
Venue Committee Room 5, Ground Floor, Civic Centre

Membership

Chair Cllr Alan Bolshaw (Lab)

Labour Cllr Greg Brackenridge **Conservative** Cllr Wendy Thompson

Quorum for this meeting is two Councillors.

Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

Contact Donna Cope, Democratic Services Officer
Tel/Email Tel: 01902 554452 Email: donna.cope@wolverhampton.gov.uk
Address Democratic Services, Civic Centre, 1st floor, St Peter's Square,
Wolverhampton WV1 1RL

Copies of other agendas and reports are available from:

Website www.wolverhampton.moderngov.co.uk1
Email democratic.services@wolverhampton.gov.uk
Tel 01902 550320

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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

Agenda

Part 1 – items open to the press and public

<i>Item No.</i>	<i>Title</i>
1	Apologies for absence
2	Declarations of interest
3	Licensing Act 2003 – Application for a Premises Licence in respect of The Harp Inn, Walsall Street, Eastfield, Wolverhampton, West Midlands, WV1 3LP (Pages 3 - 40)

CITY OF
WOLVERHAMPTON
COUNCIL

Licensing Sub-Committee

15 November 2018

Report title	Licensing Act 2003 – Application for a Premises Licence in respect of The Harp Inn, Walsall Street, Eastfield, Wolverhampton, West Midlands, WV1 3LP	
Wards affected	East Park	
Accountable director	Ross Cook, City Environment	
Originating service	Licensing Services	
Accountable employee(s)	Jonathan Lloyd	Senior Licensing Officer
	Tel	01902 551068
	Email	Jonathan.Lloyd@wolverhampton.gov.uk

Recommendation for decision:

To submit for consideration by the Sub-Committee an application for a new premises licence.

1.0 Purpose

1.1 To submit for consideration by the Sub-Committee an application for a new premises licence.

2.0 Background

2.1 The application was received on 22 August 2018 from Ms Angela Primrose Bent for a premises licence in respect of The Harp Inn, Walsall Street, Eastfield, Wolverhampton, West Midlands, WV1 3LP. A copy of the application is attached at Appendix 1.

2.2 The premises are in East Park ward and a location plan is attached at Appendix 2

2.3 The application is in respect of the sale of alcohol on and off the premises, the performance of dance, provision of late-night refreshment and playing of live and recorded music on the premises.

2.4 It is the understanding of the licensing authority that the application for this premises licence has been properly made. The statutory requirement to give notice of the application has also been complied with.

2.5 The following responsible authorities have been consulted on this application:

- Licensing Authority
- Environmental Health
- Planning
- Trading Standards
- Social Services
- Director of Public Health
- West Midlands Police
- West Midlands Fire Service
- Home Office

2.6 Relevant representations have been received from:

- Environmental Health
- Licensing Authority
- West Midlands Police

Copies of the representations can be found at Appendices 3, 4 and 5.

2.7 A signed petition objecting against the grant of a premises licence has been received from local residents, a copy of this petition can be found at Appendix 6.

2.8 The applicant and all those who have submitted representations have been invited to attend the hearing.

2.9 A Licensing Sub-Committee hearing was held on 17 October 2018 to determine the application. The solicitor for the applicant requested that the hearing be adjourned. All parties confirmed they had no objection to the request and the Sub-Committee agreed to adjourn the hearing until 15 November 2018. A copy of the Sub-Committee draft minutes can be found at Appendix 7.

3.0 Financial implications

3.1 There are no direct financial implications associated with the recommendations in this report. The fee for this application is £190.00 and is non-refundable. The fees and charges in relation to the Licensing Act 2003 are set by the Secretary of State. This was noted by the Licensing Committee on 24 January 2018. [MK/06112018/T]

4.0 Legal implications

4.1 Part 4(1) of the Licensing Act 2003 states that a Licensing Authority must carry out its function under the Act with a view to promoting the Licensing Objectives, namely:-

- (a) The prevention of crime and disorder;
- (b) Public safety;
- (c) The prevention of public nuisance;
- (d) The protection of children from harm.

Section 18 of the Licensing Act 2003 provides that where a relevant licensing authority receives an application for a premises licence properly made in accordance with section 17 of the Act it must grant the licence, subject to any relevant conditions.

However, where relevant representations are made the authority must hold a hearing (unless all parties agree this is unnecessary) and having regard to the representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives.

The steps are:

- 1. to grant the licence subject to conditions
- 2. to exclude from the scope of the licence any of the licensable activities to which the application relates
- 3. to refuse to specify a person as a premises supervisor
- 4. to reject the application

4.2 The general duties imposed on Licensing Authorities means proper consideration must be given to the Licensing Objectives when determining a premises licence application.

4.3 Regard shall be had to guidance issued by the Secretary of State under Section 182 and City of Wolverhampton Council's Licensing Policy statement. [SH/07112018/P]

5.0 Human Rights and Equalities Implications

- 5.1 This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in Section 4 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.
- 5.2 Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the Council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

6.0 Environmental implications

- 6.1 This report has environmental implications in that there is a potential for disturbance caused by patrons using the premises and nuisance caused by litter and waste originating from the premises.

7.0 Human resources implications

- 7.1 There are no human resource implications in relation to this report.

8.0 Corporate landlord implications

- 8.1 There are no corporate landlord implications in relation to this report.



**Wolverhampton
Provisional statement
Licensing Act 2003**

For help contact
city.direct@wolverhampton.gov.uk
Telephone: 01902 551155

* required information

Section 1 of 19

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 Include country code.

Other telephone number

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

Are you:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

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

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

Is your business registered outside the UK? Yes No

Business name If your business is registered, use its registered name.

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

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 19

PREMISES DETAILS

I/we, as named in section 1, apply for a provisional statement under section 29 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following:

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

Building number or name	The Harp
Street	Walsall Street
District	
City or town	Wolverhampton
County or administrative area	West midlands
Postcode	Wv1 3lp
Country	United Kingdom

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

E-mail	[REDACTED]
Telephone number	[REDACTED]
Other telephone number	
<input type="button" value="Add another applicant"/>	

What is your nature of interest in the premises?

Section 5 of 19

SCHEDULE OF WORK

Is the premises:

- About to be constructed
 Being extended or altered

Give details of the work and attach plans of the work being done or about to be done at the premises

none

Continued from previous page...

Give particulars of the premises to which the application relates. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where you are completing section 16 and 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.

Public house

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give 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.

Continued from previous page...

WEDNESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Give further details here

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

amplified

State any seasonal variations for the performance of live music

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

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

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

Continued from previous page...

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

Give further details here

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

amplified

Continued from previous page...

State any seasonal variations for playing recorded music

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

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

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

bank holidays and Christmas eve Christmas day till 2.30

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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

Continued from previous page...

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the performance of dance take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Give further details here

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of dance

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

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

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

bank holidays Christmas eve Christmas day till 2.30

Section 13 of 19

PROVISION OF ANYTHING SIMILAR TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Continued from previous page...

PROVISION OF LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Give further details here

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

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

bank holiday Christmas eve and Christmas day till 2.30

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If you wish people to be able to consume alcohol on the premises, tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, tick 'off the premises'. If you wish people to be able to do both, tick 'both'

State any seasonal variations for the supply of alcohol

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

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

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

bank holidays Christmas eve Christmas day till 2.30

Section 16 of 19

ADULT ENTERTAINMENT

Please 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

Give 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, gambling machines etc.

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Give 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

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

bank holidays Christmas eve Christmas day till 3:00

Continued from previous page...

Section 18 of 19

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

staff will be trained to be vigilant of antisocial behavior , under aged drinking and illegal drugs. CCTV will be provided at all times

b) The prevention of crime and disorder

SIA door supervisors shall be used when there is entertainment. Notices about criminal activity and CCTV in operation shall be placed in prominent positions

c) Public safety

CCTV shall be operating and staff will be trained to adhere to environmental health requirements. Adequate lighting shall be maintained at all times.

d) The prevention of public nuisance

The public will be asked to leave the premises with respect for the neighbors . CCTV will be in operation and SIA door supervisors when needed

e) The protection of children from harm

The staff will be trained to use challenge 25 and make sure if ID is required its is an approved ID with a picture.

Section 19 of 19

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.

This formality requires a fixed fee of £195

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.

Continued from previous page...

THE INFORMATION GIVEN MAY BE HELD IN MANUAL OR COMPUTERISED FORM AND WILL BE SUBJECT TO THE PROVISIONS OF THE DATA PROTECTION ACT 1998

* This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

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

* Capacity

* Date / /
dd mm yyyy

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/wolverhampton/apply-2> to upload this file and continue with your application.

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

An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

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.

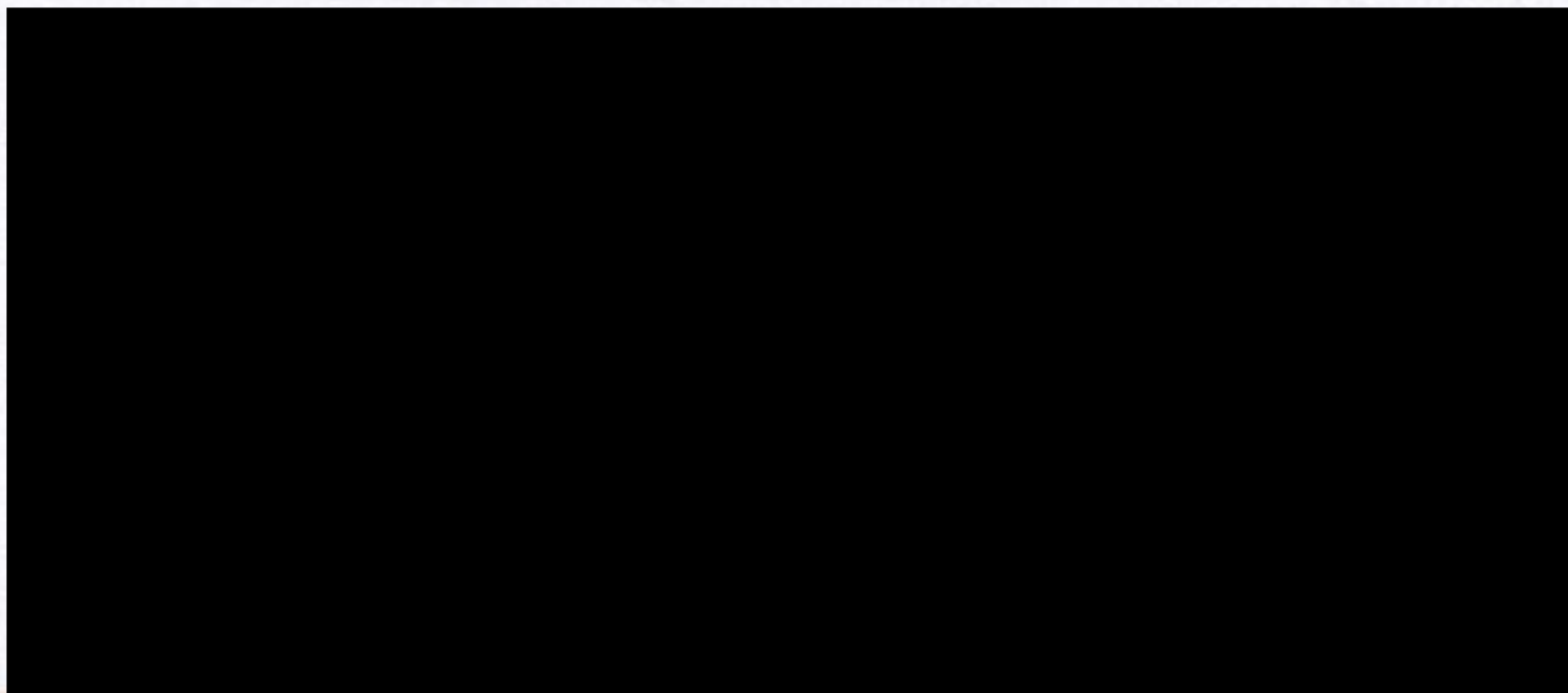
OFFICE USE ONLY

Applicant reference number	<input type="text" value="The Harp"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [Next >](#)

Consent of individual to being specified as premises supervisor

1 Angela Bent
[full name of prospective premises supervisor]



[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Premises Licence
[type of application]

by

Angela Bent.
[name of applicant]

relating to a premises licence ~~The Harp~~
[number of existing licence, if any]

for

3/20/21
1.2.21

The Harp
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

Angela Bent.

[name of applicant]

concerning the supply of alcohol at

The Harp.
Walsall Street
Wolverhampton
WV1 3LP

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

WN/06/007773.

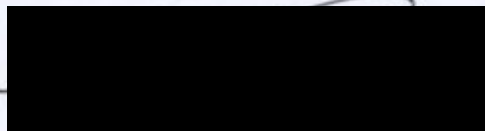
[insert personal licence number, if any]

Personal licence issuing authority

Wolverhampton

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



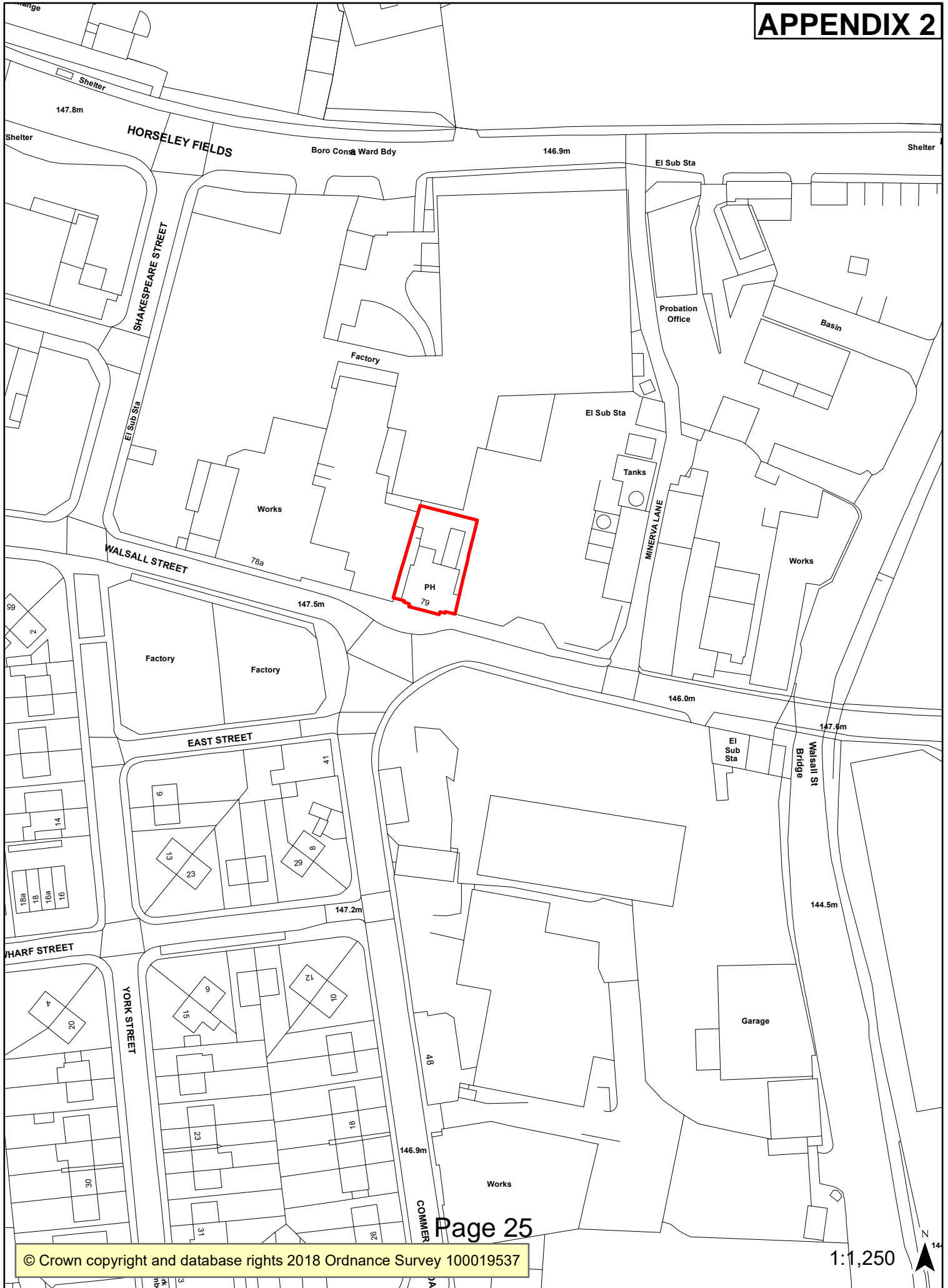
Name (please print)

Angela Bent

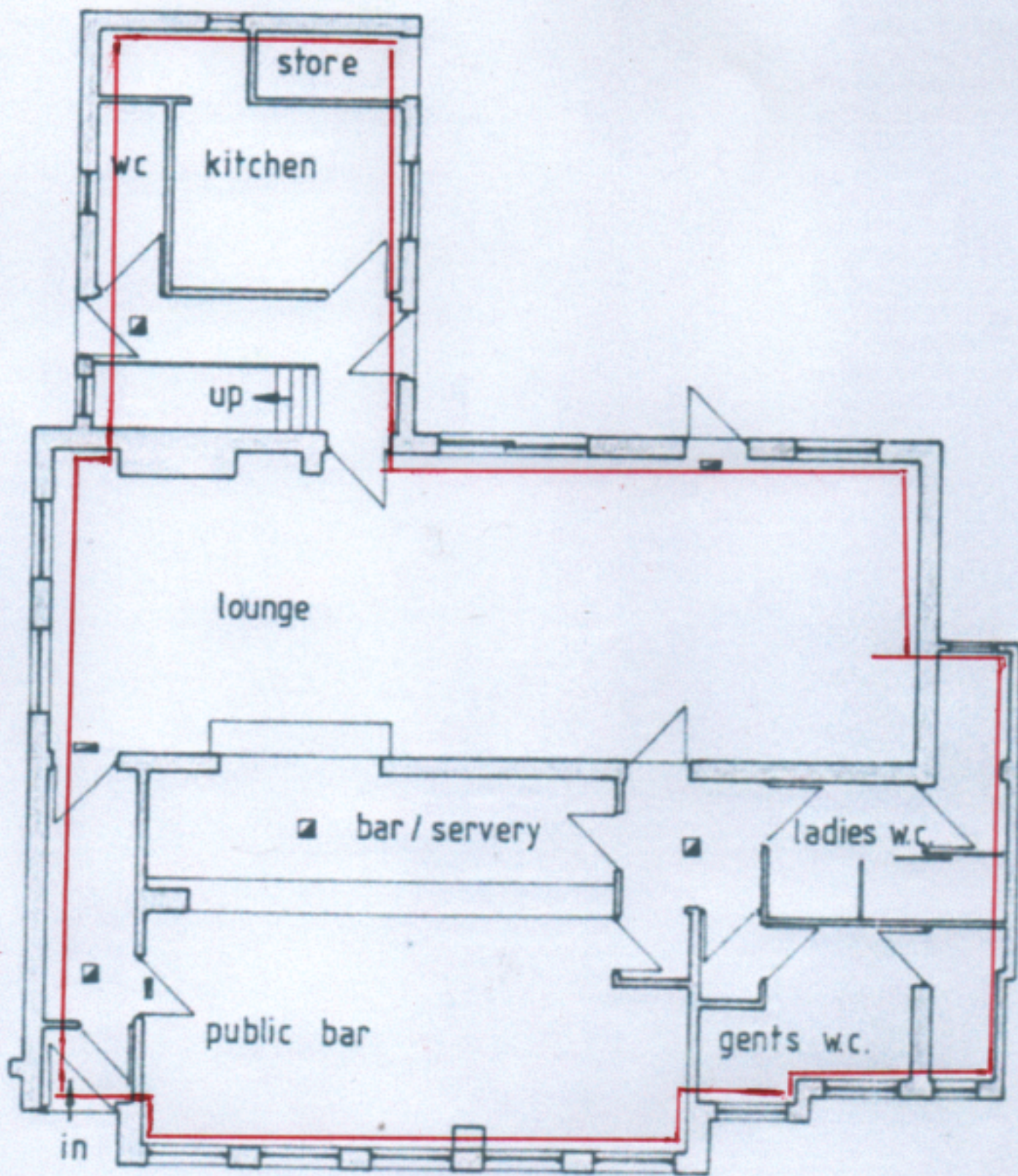
Date

21/8/18

APPENDIX 2



The Harp
Walsall Street
Wolverhampton
WV1 3LP



From:Environmental Health (Responsible Authority)
Sent:19 Sep 2018 15:28:49 +0100
To:Jonathan Lloyd
Subject:RE: PRE1367 - The Harp Inn, Walsall Street, Eastfield, Wolverhampton, West Midlands, WV1 3LP
- NEW PREMISES APPLICATION

Sensitivity: RESTRICTED

Hi Jon

I am objecting to this application as we have received a complaint from a Councillor representing the East Park PACT. A number of residents were unhappy with noise from customers on leaving the pub mainly at 5am.

Customers at times blocked the road with their vehicles on both sides which made access to their houses impossible. Residents were unhappy with the amount of litter that was left by customers, and also loud music being played from their vehicles from 4am onwards.

We have also obtained a statement from a resident living nearby confirming this.

Regards

Debra

Debra Craner

District Officer - City Centre

[REDACTED]

[REDACTED]

City of Wolverhampton Council

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From:Elaine Moreton
Sent:19 Sep 2018 17:08:58 +0100
To:Licensing
Cc:Jonathan Lloyd;Elizabeth Gregg
Subject:FW: PRE1367 - The Harp Inn, Walsall Street, Eastfield, Wolverhampton, West Midlands, WV1
3LP - NEW PREMISES APPLICATION

Sensitivity: RESTRICTED

Dear Sirs,

I write on behalf of the licensing authority as a responsible authority to submit formal representations under all 4 licensing objectives, as there is insufficient information within the operating schedule to promote these objectives.

Regards,

Elaine Moreton

Section Leader

[REDACTED]

[REDACTED]

City of Wolverhampton Council

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From:Michelle Churm
Sent:18 Sep 2018 15:00:58 +0100
To:Licensing
Cc:Elaine Moreton;Parpinder Singh;Stephanie Reynolds
Subject:REPRESENTATIONS - OLD HARP INN/MISSISSAUGA

Afternoon,

Please accept this email as West Midlands Police Representations for The Old Harp Inn.

Our representations are based around the following Licensing Objectives;

Crime and Disorder

As there have been a number of offences reported by attending officers, cannabis being smoked, surfaces tested positive for class a drugs, late night drinking and noise/ASB reported by nearby members of the public.

Public Safety,

The venue has been over capacity, the people prohibited from being on the premises in accordance with the licence have been continuing to be on premises and reporting issues to Police.

I await your comments

Kind Regards

WPC 2467 Michelle Churm

Partnerships and Licensing Department

CITY OF
WOLVERHAMPTON
C O U N C I L

Licensing Sub-Committee
Wednesday, 17 October 2018

Dear Councillor

LICENSING SUB-COMMITTEE - WEDNESDAY, 17TH OCTOBER, 2018

I am now able to enclose, for consideration at next Wednesday, 17th October, 2018 meeting of the Licensing Sub-Committee, the following police documents that were unavailable when the agenda was printed.

Agenda No Item

- 3 **Licensing Act 2003 – Application for a Premises Licence in respect of The Harp Inn, Walsall Street, Eastfield, Wolverhampton, West Midlands, WV1 3LP (Pages 3 - 6)**

If you have any queries about this meeting, please contact the democratic support team:

Contact Donna Cope
Tel 01902 554452
Email donna.cope@wolverhampton.gov.uk
Address Democratic Support, Civic Centre, 2nd floor, St Peter's Square,
Wolverhampton WV1 1RL

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Disclosure Bundle for Old Harp Inn, Lower Walsall Street, Wolverhampton

The following information forms West Midlands Police representations regarding a new application for the above premises. Agenda Item No: 3

Details surrounding the owner Orville HINES

The Old Harp Inn is owned by Orville HINES and has been since at least 2004. During this time there have been a number of DPS's/PLH's that have been appointed by HINES to run the business. The latest ones were Anne Tansey and Theresa Ansell who then rescinded the premises licence and left the premises. The reason for this was due to the constant conflict with Mr Hines about the lawful running of the business.

Hines has been involved in other licensed premises, some have which have had their licence revoked due to serious crime and breaches of the licensing objectives. Hines as recent as 2016 had a licence revoked following a number of issues at his premises in Dudley.

It is apparent, from recent intelligence that Orville HINES appoints female DPS's that he can manipulate. The recent ones are females that he has had personal relationships with and sometimes children with. It appears that this is to ensure that he remains in control of the premises, not just as the owner/premise licence holder but very much involved in day to day running of the premises.

Anne Tansey was a previous partner of Mr Hines and has been involved with the premises, according to our records since 2005. On 16/1/14 the DPS was changed to Afiya Dalila from Miss TANSEY. Miss Dalila was DPS to Isaac Green who was the Premise Licence Holder. This shows that all the persons named as DPS/PLH are associated with Mr Hines in some manner, so he retains control.

This current application remains with Hines still owning and controlling the premises, appointing another female DPS.

The premise licence holder for the new application is an ex-partner of HINES. Our intelligence suggests that they have children together and again it is presumed that the female fronting the premises is easy to manipulate, as is the pattern of how the premises has been run historically.

Details surrounding the Old Harp Inn.

The Old Harp Inn is situated on Lower Walsall Street within a residential/industrial area of Wolverhampton. Historically the pub has attracted nefarious criminal activity, gang nominals have frequented the pub over a number of years and on 19/7/18 the licence was rescinded by the previous licence holder Theresa Ansell.

There have been a number of issues at the Old Harp Inn/Mississauga recently, in the months prior to the licence being rescinded. These include anti-social behaviour reported on numerous occasions by nearby residents, class A drugs being used at the premises (traces of which were found on numerous surfaces within the premises using specialist wipes by officers), the premises being over capacity, Isaac Green (prohibited from being on the premises) being on premises on numerous occasions and informing officers that he helped the ladies out doing heavier jobs and seen by officers to be left in

charge of the premises stating the DPS was out, cannabis being smoked at the premises on numerous occasions, last entry times being disregarded, the Manager Theresa Ansell being drunk and hostile to officers during a licensing check and no female door staff appointed as per variation implemented on 6/6/14.

In 2014 there was an attempt murder of a doorman

In 2015 Isaac Green who was a member of door staff was assaulted whilst working at the premises.

Another incident occurred in 2015 whereby Isaac Green was assaulted with a machete, after he had assaulted other persons with a baseball bat in a large violent disorder. Green was charged with these offences and served a prison sentence.

As a result of this incident, in 2016 the Police took the pub to review and the Licensing Authority ordered that they were no longer to be involved in the premises. This was placed as conditions on the licence. In July 2016 the licence and premises was then transferred to Anne Tansey. Throughout all this period Mr HINES has remained the owner of the pub and land the pub is on. Hines and Green are both members of the same gang.

Isaac Green is a known associate of Mr Hines, he has been linked to the premises for some time, reporting incidents to Police that have occurred at the premises, even though it is very clear that he is PROHIBITED from being on the premises since 2016. It appears that Mr Hines is obtaining information and retaining control potentially through Mr Green.

Anti-Social Behaviour is detailed in the form of a statement. Please see document obtained by Debra Craner, Environmental Health, which is attached to the representations email. This statement has been redacted to ensure that the person complaining to Environmental Health remains anonymous.

West Midlands Police also have complaints from another agency to say that illegal activity is currently taking place at the location.

If this application was granted by the Committee, West Midlands Police would envisage that further issues of drugs being dealt and used at the location would continue, the location would continue to attract gang nominals and criminal activity. That further breaches of the licence would be committed and violence and noise would continue. This would seriously undermine all 4 of the licensing objectives. Mr HINES is not responsible enough to ensure that the licensing objectives are upheld, his appointing of an ex-partner Angela Bent, to run the premises and remaining in control of the premises.

STATEMENT OF WITNESS

(Criminal Procedure Rules, r 27.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

Statement of [redacted]
(Full Name)

Age of witness Over 18
(If over 18 enter over 18)

Occupation of witness [redacted]

This statement, (consisting of 2 page(s) signed by me), is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the day of

.....
Signed

I have lived with my [redacted] near the Mississauga (formerly the Harp Inn) public house, Walsall Street, Wolverhampton for about twenty years. For about four years I have seen a rise in trouble and noise disturbance coming from there. Since the name changed to Missaussuga about two years ago the problems have got considerably worse. Every weekend (Friday and Saturday) I am having to put up with loud music coming from the pub. I can easily make out the words being sung. And when the DJ is speaking I can also hear him loud and clear. The pub doesn't start to get busy until 01:00 hours and continues to stay open until about 05:00 hours when customers start to leave. We then have to put up with cars being started and loud music being played from those vehicles. There are regular fights outside which end up with bottles being broken and scattered around the street. The windows have all been open during

.....
Signed

NOTE : If statements are typed double spacing should be used.
One side only of the paper should be used.

STATEMENT OF WITNESS

(Criminal Procedure Rules, r 27.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

Continuation Sheet No. 1

the last two months and so the music has become louder. The parking is a real issue as cars are dumped anywhere and everywhere and on one occasion at 04:30 hours, my [REDACTED] was returning from [REDACTED] shift and couldn't get [REDACTED] car through to our street as it was blocked with patrons vehicles. I have never seen any security staff working on the door. A lot of the residents that live around here are elderly and are afraid to make a complaint. They have asked me to make a complaint on their behalf which is why I recently raised it at my local PACT meeting. I would welcome something being done about this as we are not sleeping at the weekend and I have concerns with the type of people that the pub is attracting. I don't understand why this pub is allowed to stay open until 05:00 hours in the middle of a residential area.

.....
Signed

NOTE : If statements are typed double spacing should be used.
One side only of the paper should be used.

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This is our petition against the renewal of the late license for the former harp Inn Walsall Street Wolverhampton.

We as residents that live around this public house, have had quite enough of the anti-social behaviour that comes out of this pub. With people shouting, screaming, fighting and cars racing down the road playing loud music.

As for the last licensee that had taken over, I believe they only had the license to open until 2.30am but they were still open to at least 5.00am every weekend! We have quite a small community so you could hear the music all night, through to the early hours of the morning.

We understand that people have to make a living but why should it have to be at our expense? A lot of residents work shifts and have to get up early during the weekend. It gets to a point when you dread the weekend coming.

The public house is not ever used by locals because it's being run basically as a night club, We are also quite frightened of the people the pub is attracting to the area, because only a few years ago a doorman was stabbed in the early hours of the morning.

The police can't watch over this pub being out of town and that seems to be their main priority over the weekend. The police have told us residents of the concerns they have about this pub and the people that use it.

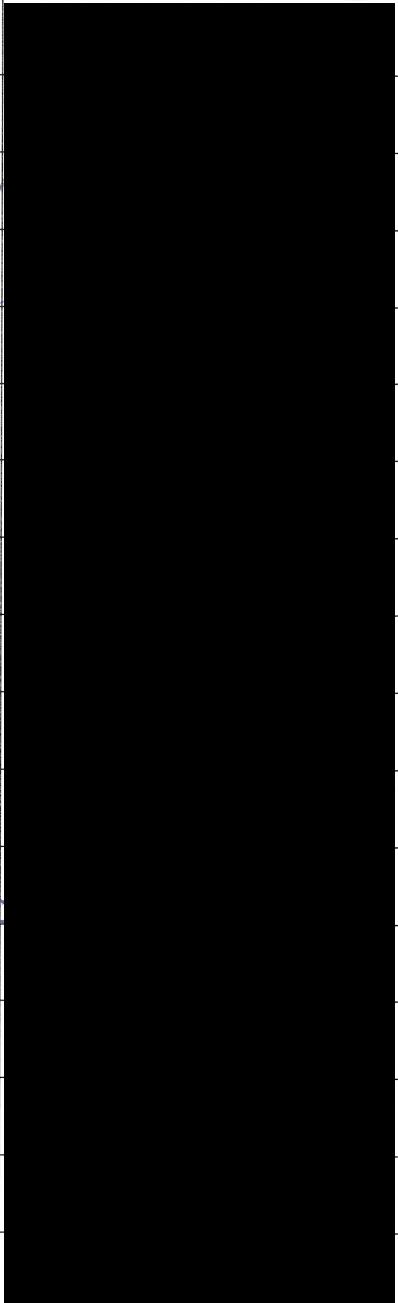
Residents that live nearby this public house have had damage done to their cars and we've had to clean glass bottles, beer cans and broken glass off of our garden/paths ways on a regular basis. It is only a small pub and with the amount of people that go they quickly fill up and end up on the street. That's when they start to play the music out of their cars, which are parked all down the road on either side, blocking off any use of the road.

As town is so near we don't see the reasoning behind this public house needing such a late license.

We do hope that you look into all our concerns!

Yours faithfully
The residents of local community

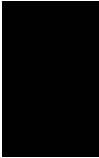
**Petition against the renewal of the late
license for the former harp Inn Walsall Street
Wolverhampton.**

Name (printed)	Address (printed)	Signature
M Dytor	Commercial Rd	
E Dytor	Commercial Rd	
B Dytor	Commercial Rd	
L Rowlands	Commercial Rd	
A. Rowlands	Commercial Rd	
L. ROWLANDS	COMMERCIAL RD	
M. ROWLANDS	COMMERCIAL RD	
R. PARSONS	WALSALL ST,	
E EILES	YORK ST	
A Young	YORK ST	
D Bailey	YORK ST	
O CLAYTON	Wharf Street	
W CLAYTON.	WHARF ST	
L Rowlands	Wharf street	
D Taylor	Wharf street	
J. HARPER	SHARROCKS ST	
HARPER. J	SHARROCKS ST	

M. Benton Shamrocks St.
Bayns York St
" York St

Mr & Mrs Shaw Shamrocks

MRS P. BEARDS
M A THOMPSON



WHEAT.
WAREHOUSE

N. GRIFFITHS COMMERCIAL ROAD

J JEFFS
E. GRIFFITHS



Commercial Rd
Commercial



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Attendance**Members of the Licensing Sub-Committee**

Cllr Alan Bolshaw (Chair)

Cllr Rita Potter

Cllr Greg Brackenridge

Employees

Jonathan Lloyd

Senior Licensing Officer

Sarah Hardwick

Senior Solicitor

Donna Cope

Democratic Services Officer

Responsible Authorities

Sgt Steph Reynolds

West Midlands Police

Elaine Moreton

Section Leader Licensing

Debra Craner

Environmental Health District Officer

Premises Licence Applicant

Heath Thomas

Harrison Clark Rickerbys Limited - Solicitor

Item No. *Title*

1 Apologies for absence

There were no apologies for absence.

2 Declarations of interest

The Chair declared that Councillor Anwen Muston, representative for the residents of East Park, was a Member of the Licensing Committee.

3 Licensing Act 2003 –Application for a Premises Licence in respect of The Harp Inn, Walsall Street, Eastfield, Wolverhampton, West Midlands, WV1 3LP

An application for a Premises Licence in respect of The Harp Inn, Walsall Street, Eastfield, Wolverhampton, West Midlands, WV1 3LP was considered following representations received from West Midlands Police, Environmental Health, The Licensing Authority and Other Persons.

The Chair led round-table introductions and outlined the procedure to be followed.

Prior to the Hearing, Mr Heath Thomas, Solicitor representing the Applicant, Angela Bent, had notified Democratic Services and all relevant parties that his client requested that the Hearing be adjourned.

The Chair asked Mr Thomas to explain his reasons for this request.

Mr Thomas stated the following reasons:

1. The applicant required further time to prepare her application for the Licensing Sub-Committee. This included collation of evidence and documentation in support of the application following meetings which had been held with representatives of Responsible Authorities who had lodged representations to the application. The documents to be lodged would result in significant amendments to the original application;
2. The Notice of Hearing received by the applicant was not in accordance with the time limits set out in the Licensing Act 2003 (Hearings) Regulations 2005 as amended. The notice was received on the 5th October 2018, providing fewer than 10 working days' notice of hearing.

He explained further that the regulations permitted the council to extend the time for determination of an application where it considered it necessary in the public interest. Furthermore, the s182 Guidance at paragraph 9.32 for example, supported an adjournment in circumstances where “the application is amended at the last moment, the Licensing Committee should consider giving other persons time to address the revised application before the hearing commences”.

Paragraph 9.33 of the Guidance also supported an adjournment where “discussions between an applicant and those making representations are taking place and it is

likely that all parties are on the point of reaching agreement, the licensing authority may wish to use the power given within the hearings regulations to extend time limits, if it considers this to be in the public interest”.

Resolved:

All parties confirmed they had no objections to the request and the Sub-Committee agreed to adjourn the hearing until Thursday 15 November 2018.

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