

CITY OF  
WOLVERHAMPTON  
COUNCIL

# Statutory Licensing Sub-Committee

21 March 2019

**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 Zee Russell

Cllr Rita Potter

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** Kirsty Tuffin, Democratic Services Officer  
**Tel/Email** Tel: 01902 552873 Email: [kirsty.tuffin@wolverhampton.gov.uk](mailto:kirsty.tuffin@wolverhampton.gov.uk)  
**Address** Democratic Services, Civic Centre, 1st floor, St Peter's Square, Wolverhampton WV1 1RL

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**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	<b>Apologies for absence</b>
2	<b>Declarations of interest</b>
3	<b>Licensing Act 2003 –Application for a Premises Licence in respect of The Harp, Walsall Street, Wolverhampton, WV1 3LP (Pages 3 - 46)</b>

**NB. PLEASE NOTE THAT PRESS AND PUBLIC WILL BE EXCLUDED FOR THE DISCUSSION OF APPENDIX 4A - EXEMPT POLICE REPRESENTATION UNDER PARAGRAPH 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972, AS IT CONTAINS INFORMATION RELATING TO AN INDIVIDUAL.**

CITY OF  
WOLVERHAMPTON  
COUNCIL

# Statutory Licensing Sub - Committee

21 March 2019

<b>Report title</b>	<b>Licensing Act 2003 – Application for a Premises Licence in respect of The Harp, Walsall Street, Wolverhampton, WV1 3LP</b>	
<b>Wards affected</b>	East Park	
<b>Accountable director</b>	Ross Cook, City Environment	
<b>Originating service</b>	Licensing Services	
<b>Accountable employee(s)</b>	Michelle James	Licensing Policy Manager
	Tel	01902 556796
	Email	Michelle.James@wolverhampton.gov.uk

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**Recommendation for decision:**

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

## **1.0 Purpose**

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

## **2.0 Background**

- 2.1 The application was received on 25 January 2019 from O. Hines Limited for a premises licence in respect of The Harp, Walsall Street, 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 the premises, provision of late-night refreshment and playing of recorded music at 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 All responsible authorities have been consulted on this application.
- 2.6 Relevant representations have been received from the following Responsible Authorities:
- West Midlands Fire Service
  - West Midlands Police
  - Environmental Health
  - Licensing Authority
- 2.7 Copies of the representations can be found at Appendices 3, 4, 5 and 6.
- 2.8 Appendix 4a contains representations from West Midlands Police and is exempt under Paragraph 1 of Schedule 12A of the Local Government Act 1972, as it contains information relating to an individual.
- 2.9 The applicant has provided a voluntary undertaking as attached at appendix 7. As a result of the voluntary undertaking West Midlands Fire Service have withdrawn their representation, attached as appendix 8.
- 2.10 The applicant and all those who have submitted relevant representations have been invited to attend the hearing.

## **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/26022019/H]

## **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 condition
- 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/27022019/X]

## **5.0 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.

## **9.0 Schedule of background papers**

9.1 None

## **10.0 Appendices**

10.1 Appendix 1 – Application

Appendix 2 – Location Plan

Appendix 3 – Fire Representation

Appendix 4 – Police Representation

Appendix 4a – Exempt Police Representation

Appendix 5 – Environmental Health Representation

Appendix 6 – Licensing Authority Representation

Appendix 7 – Voluntary undertaking

Appendix 8 – Withdrawal of Fire Representation



**Wolverhampton**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[city.direct@wolverhampton.gov.uk](mailto:city.direct@wolverhampton.gov.uk)  
 Telephone: 01902 551155

\* required information

**Section 1 of 21**

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	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	The Harp	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
<p>Are you an agent acting on behalf of the applicant?</p> <p><input type="radio"/> Yes      <input checked="" type="radio"/> No</p>		<p>Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.</p>

**Applicant Details**

* First name	Orville	
* Family name	Hines	
* E-mail	[REDACTED]	
Main telephone number	[REDACTED]	Include country code.
Other telephone number		
<input type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone		

<p>Are you:</p> <p><input checked="" type="radio"/> Applying as a business or organisation, including as a sole trader</p> <p><input type="radio"/> Applying as an individual</p>	<p>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.</p>
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**Applicant Business**

<p>Is your business registered in the UK with Companies House?</p> <p><input checked="" type="radio"/> Yes      <input type="radio"/> No</p>	<p>Note: completing the Applicant Business section is optional in this form.</p>	
Registration number	07183023	
Business name	O Hines Ltd	If your business is registered, use its registered name.
VAT number	-      [REDACTED]	Put "none" if you are not registered for VAT.
Legal status	Private Limited Company	

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 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 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- 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

**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 21**

**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Ltd company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth     
dd mm yyyy

\* Nationality  [Documents that demonstrate entitlement to work in the UK](#)

Add another applicant

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of 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.

Public House

*Continued from previous page...*

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

#### Section 6 of 21

##### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

#### Section 7 of 21

##### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

#### Section 8 of 21

##### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

#### Section 9 of 21

##### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

#### Section 10 of 21

##### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

#### Section 11 of 21

##### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

##### 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

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.

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 music

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.

Christmas Eve ,New years eve and bank holidays

Continued from previous page...

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.

Christmas Eve ,New years eve and bank holidays

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes  No

**Section 13 of 21**

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

[See guidance on regulated entertainment](#)

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

- Yes  No

**Section 14 of 21**

**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

Continued from previous page...

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

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

Christmas Eve ,New years eve and bank holidays

Non-standard timings. Where the premises will be used for the supply of late night refreshments 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.

Christmas Eve ,New years eve and bank holidays

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes       No

Continued from previous page...

### 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 sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on  
the premises select on, if the sale of alcohol  
is for consumption away from the premises  
select off. If the sale of alcohol is for  
consumption on the premises and away  
from the premises select both.

State any seasonal variations

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

Christmas Eve ,New years eve and bank holidays

*Continued from previous page...*

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.

Christmas Eve ,New years eve and bank holidays

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth  /  /   
dd mm yyyy

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.



Continued from previous page...

**Section 16 of 21**

**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

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 etc gambling machines etc.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**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

State any seasonal variations

*Continued from previous page...*

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

Christmas Eve ,New years eve and bank holidays

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.

Christmas Eve ,New years eve and bank holidays

## Section 18 of 21

### 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.

All staff to receive training and refresher training every six months under the Licensing Act 2003.

b) The prevention of crime and disorder

The premises shall maintain a comprehensive CCTV system as per the minimum requirements of the West Midlands Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of thirty one days. Viewing of the recordings shall be made available immediately upon the request of the Police or authorised officer throughout the entire thirty one day period.

A member of staff who is conversant with the operation of the CCTV system will be made available upon request

c) Public safety

There shall be a maximum of one hundred and ten patrons.

An incident log shall be kept on the premises and made available on request to an authorised officer of the City Council or Police. It must be completed within twenty four hours of the incident and will record the following:-

- A) All crimes reported to the venue
- B) All ejections of patrons
- C) Any complaints received concerning crime and disorder
- D) Any incidents of disorder
- E) All seizures of drugs or offensive weapons
- F) Any faults in the CCTV system
- G) Any refusal of the sale of alcohol
- H) Any visit by a relevant authority or emergency service

*Continued from previous page...*

On Friday, Saturday and Sunday when there is recorded music, SIA door supervisors will be on duty at a rate of 1:50 from 22:00 until close.

d) The prevention of public nuisance

During the playing of regulated music, all windows and doors should be closed. No noise from the premises, or vibrations through the structure of the premises should be generated thereby eliminating the cause of nuisance to the neighbours.

Notices shall prominently be displayed at the entrances to the premises reminding customers to park sensibly and respect the needs of local residents.

Notices shall prominently be displayed at the exits requesting patrons to leave the area quickly and quietly.

The management shall ensure that the patrons drinking and smoking outside of the premises, do so in a orderly manner and ensure that there is no public nuisance.

During hours of operation of the premises, the license holder shall ensure

e) The protection of children from harm

The "Challenge 25 Proof Of Age" scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic cards, such as a driving licence, Passport or proof of age card with the PASS hologram.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

### **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

#### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

*Continued from previous page...*

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

## Section 20 of 21

### 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 21 of 21

### 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.

Premises Licence 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 £87000	£315.00
Band D - £87001 to £125000	£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 £125000	£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 (£)

190.00

### 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-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 LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**



**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](#) [20](#) [21](#) [Next >](#)

CITY of  
WOLVERHAMPTON  
COUNCIL

Licensing Services, 2<sup>nd</sup> Floor, Civic Centre, St. Peter's Square, Wolverhampton, WV1 1SH  
Consent of individual to being specified as premises supervisor

I Orville Hines  
[full name of prospective premises supervisor]

of



[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

O. Hines Ltd.  
[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

The Harts  
[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

O. Hines Ltd.  
[name of applicant]

concerning the supply of alcohol at

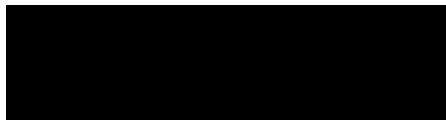
The Harp  
Walsall St  
Wolverhampton  
WV1 3LP.  
[name and address of premises to which application relates]

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  
DY/50/0463  
[insert personal licence number, if any]

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

Signed



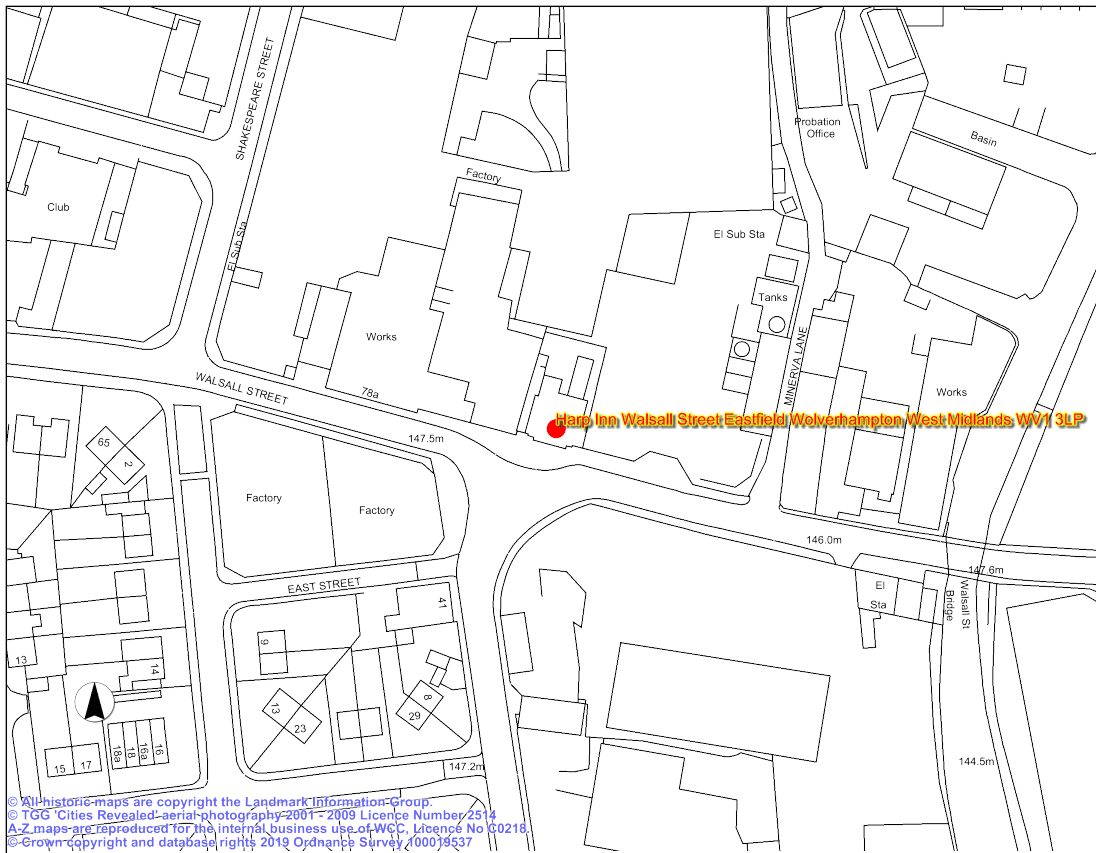
Name (please print)

O. Hines

Date

24/1/19

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CITY OF  
WOLVERHAMPTON  
COUNCIL

*The Harp, Walsall Street,  
Wolverhampton, WV1  
3LP*

Wolverhampton City Council  
Asset Management  
Civic Centre  
St Peters Square  
Wolverhampton  
WV1 1RL

Plan Produced  
6.3.2019  
Scale 1:1,250

IMAGING - Powered by

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**From:** Neil Aston-Baugh <Neil.Aston-Baugh@wmfs.net>  
**Sent:** 12 February 2019 15:04  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** Harp Inn Walsall street Wolverhampton WV1 3LP

I refer to the application for a premises licence made in respect of the above premises .

A fire safety visit has been undertaken and there are some fire safety issues that negatively affect the Licensing Objective of Public Safety.

The current fire alarm system is not suitable and an additional fire door is required on the kitchen.

Consequently, the Fire Authority hereby makes representation to the application.

Should you require clarification, please do not hesitate to contact me.

*Regards*

*Neil Aston-Baugh*

Fire Safety Officer -LEEPS Team  
Tipton Fire Station  
Alexandra Road  
Tipton  
West Midlands  
DY4 7NZ

Tel: 07973 810 042 or,  
0121 380 7500

Email : [neil.aston-baugh@wmfs.net](mailto:neil.aston-baugh@wmfs.net)

Team Email: [LEEPSTeams.Enquiries@wmfs.net](mailto:LEEPSTeams.Enquiries@wmfs.net)

Fire Safety Admin Email [firesafety.admin@wmfs.net](mailto:firesafety.admin@wmfs.net)

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West Midlands Fire Service

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Any opinions expressed in this e-mail (including attachments) are those of the author and do not necessarily reflect the opinions of West Midlands Fire Service. Nothing in this e-mail message amounts to a contractual or other legal commitment on the part of West Midlands Fire Service unless confirmed by a communication signed on behalf of the Chief Fire Officer.

West Midlands Fire Service information is available from <http://www.wmfs.net>

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**From:** Stephanie Reynolds <s.a.reynolds@west-midlands.pnn.police.uk>  
**Sent:** 13 February 2019 13:02  
**To:** Licensing  
**Subject:** RE: New Premises Licence Application - The Harp, Walsall Street, Wolverhampton, WV1 3LP - PRE1376

Please take this as notification that West Midlands Police object to this new premises licence application.

The grounds for objection are based on the licensing objectives of prevention of crime and disorder, public safety and the prevention of public nuisance.

There is a history of this venue undermining all of the above, and there is nothing in this application that would suggest that these objectives will be upheld sufficiently.

The applicant has a history of running venues that attract gangs, create noise issues and has had licences revoked.

Regards,

Steph Reynolds  
PS 6222  
Licensing  
Partnerships Team  
WV NPU  
External Tel 01902 649 085  
Internal Tel 871 3196

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[REDACTED]

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[REDACTED]

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**From:** Environmental Health (Responsible Authority)  
**Sent:** 21 February 2019 17:32  
**To:** Licensing  
**Subject:** RE: New Premises Licence Application - The Harp, Walsall Street, Wolverhampton, WV1 3LP - PRE1376

[REDACTED]

Dear Lizzie

I am objecting to this application for The Harp on the grounds of public nuisance.

Historically we received a number of complaints from residents living nearby whilst it was open and operating.

Complaints from a large number of residents in relation to noise from The Harp/Mississauga were raised at the local PACT group. As a result of this I met with a couple of residents and took a statement from one of them who stated that it was a regular occurrence for customers to stand outside the frontage of the pub drinking and smoking until 5 am. This resulted not only in noise disturbance but created a large amount of litter and broken glass in the street directly in front of the premise.

This resident also mentioned in their statement that customers double parked their cars in nearby streets and up until 5am would stand and chat outside their vehicles whilst playing loud music. On one occasion the road was totally blocked because three vehicles were parked up. It appeared that residents were too afraid to approach these customers to ask them to move their vehicles as quite a few of them are elderly.

Since, the premise has been closed I have met with a couple of nearby residents who told me that they have been able to sleep and enjoy once again living in their houses like they used to. They told me of their fears of this premise being opened up again, particularly because of the clientele it has historically attracted.

Orville Hines was previously connected to this premise and I therefore cannot support this application.

Regards

Debra

Debra Craner  
District Officer - City Centre  
Tel. Office: 01902 556055

[E-mail: Debra.Craner@wolverhampton.gov.uk](mailto:Debra.Craner@wolverhampton.gov.uk)  
City of Wolverhampton Council

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[REDACTED]

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**From:** Elaine Moreton  
**Sent:** 22 February 2019 17:04  
**To:** Licensing  
**Cc:** Elizabeth Gregg; Chris Howell  
**Subject:** RE: New Premises Licence Application - The Harp, Walsall Street, Wolverhampton, WV1 3LP - PRE1376

[REDACTED]

Dear Sirs,

I write on behalf of the licensing authority as a responsible authority to submit formal representations to the above application. Representations are made in relation to the prevention of crime and disorder; public safety; prevention of public nuisance and protection of children from harm licensing objectives.

The premises has held a premises licence for a number of years and during this time there have been a number of changes to the management along with 2 premises licence review's and a series of non-compliance.

There is insufficient information within the current operating schedule to show how the applicant/DPS will promote all 4 licensing objectives considering the previous history of the premises and its location.

Regards,

Elaine Moreton  
Section Leader  
Tel. Office: 01902 552772

[E-mail: Elaine.Moreton@wolverhampton.gov.uk](mailto:Elaine.Moreton@wolverhampton.gov.uk)  
City of Wolverhampton Council

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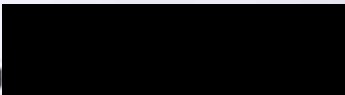
**NAME OF PREMISES:** Harp Inn

**ADDRESS:** Walsall street  
Wolverhampton WV1 3LP

**Voluntary undertaking- Supplement to Application**

*Before signing this document, you should be aware that failure to comply with this undertaking may result in a review of the premises licence and/or enforcement action under the Regulatory Reform (Fire Safety) Order 2005*

PUBLIC SAFETY
<p>1) A fire alarm system will be provided to cover the whole of the building and will comply with BS5839, Part 1 2017</p> <ul style="list-style-type: none"> <li>• It will incorporate a cut out device which silences any amplified music upon actuation</li> <li>• Break glass call point are not required on final exits from public areas but will be provided in other appropriate areas.</li> <li>• Suitable automatic detection will be provided including a heat detector in the kitchen</li> </ul> <p>The premises will not open to members of the public until the system is fitted and the Fire Officer has approved the certificate for the system1</p>
<p>2) The fire door at the base of the staircase will be provided with an intumescent strip, smoke seal and self-closing device, prior to the premises opening to members of the public</p>
<p>3) The kitchen will be provided with a suitable fire door prior to the premise opening to members of the public</p>

APPLICANT'S SIGNATURE  .....  
(Authorised on behalf of the Premises Licence Holder/applicant)

DATE 19/2/19 .....

AUTHORISED OFFICER...Neil Aston-Baugh  
(POSITION)...Fire Safety Inspecting Officer  
(Authorised on behalf of West Midlands Fire Authority)

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**From:** Neil Aston-Baugh <Neil.Aston-Baugh@wmfs.net>  
**Sent:** 20 February 2019 14:14  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** Licensing Representation removal Harp Inn  
**Attachments:** Vol undertaking harp.png

LICENSING ACT 2003  
NAME OF PREMISES: Harp Inn  
ADDRESS: Walsall St Wolverhampton

I refer to the representation made by the Fire Authority in respect of the application for a premises licence for the above .

The applicant has provided a voluntary undertaking to complete works to the appropriate standards. (As attached).

The Fire Authority considers this undertaking is sufficient to demonstrate that the Public Safety objective (as it relates to fire safety), will be suitably promoted and herewith **removes its representation to the application.**

Any voluntary undertaking that the applicant gives to the Fire Authority does not constitute Licence Conditions but may be legally enforceable under the Regulatory Reform (Fire Safety) Order 2005.

Failure to comply with the undertaking may also result in a review of the premises licence.

Should you require any further information or clarification, please do not hesitate to contact me.

*Regards*

*Neil Aston-Baugh*

Fire Safety Officer -LEEPS Team  
Tipton Fire Station  
Alexandra Road  
Tipton  
West Midlands  
DY4 7NZ

Tel: 07973 810 042 or,  
0121 380 7500

Email : [neil.aston-baugh@wmfs.net](mailto:neil.aston-baugh@wmfs.net)

**Team Email:** [LEEPsTeams.Enquiries@wmfs.net](mailto:LEEPsTeams.Enquiries@wmfs.net)

Fire Safety Admin Email [firesafety.admin@wmfs.net](mailto:firesafety.admin@wmfs.net)

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