

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee

14 December 2021

Time 10.00 am **Public Meeting?** YES **Type of meeting** Regulatory
Venue Virtual Meeting

Membership

Chair Cllr Phil Page (Lab)

Labour

Cllr Keith Inston
Cllr Anwen Muston

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

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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 Variation of a Premises Licence in respect of the Bluebrick, Broad Gauge Way, Wolverhampton, WV10 0BA (Pages 3 - 34)

CITY OF WOLVERHAMPTON COUNCIL	Statutory Licensing Sub- Committee 14 December 2021
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Report title	Licensing Act 2003 - Application for a variation of a Premises Licence in respect of The Bluebrick, Broad Gauge Way, Wolverhampton, WV10 0BA	
Wards affected	Heath Town	
Accountable director	Ross Cook, Director of City Housing and Environment	
Originating service	Licensing	
Accountable employee	Debra Craner Tel Email	Section Leader 01902 556055 Debra.craner@wolverhampton.gov.uk

Recommendation for decision:

1. To submit for consideration by the Statutory Licensing Sub-Committee an application for a variation of a premises licence.

1.0 Purpose

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

2.0 Background

- 2.1 An application was received on 19 October 2021 from Whitbread Group plc for a variation of a premises licence in respect of The Bluebrick, Broad Gauge Way, Wolverhampton, WV10 0BA. A copy of the application is attached at Appendix 1.
- 2.2 The application is to extend the licensable area and remove premises licence conditions.
- 2.3 The premises are situated in the Heath Town ward and a location plan is attached at Appendix 2.
- 2.4 A copy of the current premises licence is attached at Appendix 3.
- 2.5 It is the understanding of the licensing Authority that the application for the premises licence has been properly made. The statutory requirements to give notice of the application has also been complied with.
- 2.6 All Responsible Authorities have been consulted on this application.
- 2.7 Relevant representations have been received from the Licensing Authority. A copy of the representation can be found at Appendix 4.
- 2.8 The Licensing Authority has proposed mediation with the applicant's solicitor; however, mediation has been unsuccessful. The proposed mediation document can be found at Appendix 5.

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 £315 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 Statutory of Licensing Committee on 20 January 2021 [SB/05012021/W]

4.0 Legal implications

- 4.1 Part 4(1) of the Licensing Act 2003 states that a Licensing Authority must carry out its functions 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

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

Section 35 of the Licensing Act 2003 provides the Licensing Authority with the power to vary a licence, subject to conditions, where appropriate

- 4.3 In addition, regard shall be had to guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003 and Wolverhampton City Council's Licensing Policy Statement [SH/03122021/A].

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 on 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 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 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 All other Implications

- 6.1 There are no direct implications associated with this report.

7.0 Schedule of background papers

- 7.1 None

8.0 Appendices

- 8.1 Appendix 1 - Premises Licence Variation Application
- 8.2 Appendix 2 - Location Plan
- 8.3 Appendix 3 – Premises Licence
- 8.4 Appendix 4 – Licensing Authority Representation
- 8.5 Appendix 5 – Proposed mediation document

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Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

APPENDIX 1

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

We Whitbread Group PLC being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number

20/20528/PREDPS

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description	
The Bluebrick, Broad Gauge Way,	
Post town Wolverhampton	Post code WV10 0BA

Telephone number of premises (if any)

[Redacted]

Non-domestic rateable value of premises

Not rated

Part 2 – Applicant Details

Daytime contact telephone number

[Redacted]

Email address (optional)

[Redacted]

Current postal address if different from premises address

Whitbread Group PLC, Whitbread Court, Houghton Hall Business Park, Porz Avenue, Dunstable, Bedfordshire, LU5 5XE

Post Town

Dunstable

Postcode

LU5 5XE

Part 3 – Variation

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

Please tick yes

If not do you want the variation to take effect from

Day Month Year

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

N/A

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see Guidance Note 1)

yes no

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

The proposed variation falls into 2 parts as follows:

1. To increase the outdoor licensed area to include a block paving area on a section of the slip road controlled by the premises, as detailed on the plan attached to this application.

For completeness, the plan attached to this application is to include the entrance way and terraced area, which is currently licensed dating back to 24th April 2007, as most recently confirmed by the Licensing Authority on the 3rd September 2021. The plan attached to this application is plan number 1513_16, which shows the proposed external area edged in red. For the avoidance of doubt, this application does not intend to alter the existing internal licensed area, which remain as currently licensed.

As the application is to increase the licensed area of the premises only, there is no increase in the operating hours of any licensable activity and therefore Part 4 has not been completed.

2. The Applicant also seeks to remove the following conditions from the Premises Licence as they are outdated and/or superseded by relevant legislation. The relevant conditions to be removed are as follows;

Public Safety

"All building works comply with current Building Regulations".

"Confirmation must be provided that both the fire alarm and emergency lighting systems comply with current British Standards"

"The Fire Authority must be advised of all charges (SIC) to the approved plan (plan at application) which may take place during construction"

"The premises will not open to public or guests until such time the Fire Authority are satisfied that all issues affecting Public Safety have been addressed"

Protection of Children from Harm

"The restrictions set out in the Licensing Act 2003 will apply."

In that there is no change to the hours proposed by the application or conditions, boxes A – H, late night refreshment and sale by retail of alcohol have not been completed.

It is not anticipated that the licensing objectives will be adversely affected, and the operating statement has been completed on that basis.

Part 4 Operating Schedule

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

Please tick ✓ yes

Provision of regulated entertainment (Please see guidance note 3)

- a) Plays (if ticking yes, fill in box A)
- b) Films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 4).	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
Tue					
Wed			Please give further details here (please read guidance note 5)		
Thur			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

C

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

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 4).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)	Both	
Tue					
Wed					
Thur			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Fri					
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 4).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)	Both	
Tue					
Wed					
Thur			State any seasonal variations for the performance of live music (please read guidance note 6)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 4).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)	Both	
Tue					
Wed					
Thur			State any seasonal variations for playing recorded music (please read guidance note 6)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 4).	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

H

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

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 4).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 9)	On the premises	
Day	Start	Finish		Off the premises	
				Both	
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Tue					
Wed					
Thur			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

K

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

L

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

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

Public Safety

"All building works comply with current Building Regulations".

"Confirmation must be provided that both the fire alarm and emergency lighting systems comply with current British Standards"

"The Fire Authority must be advised of all charges (SIC) to the approved plan (plan at application) which may take place during construction"

"The premises will not open to public or guests until such time the Fire Authority are satisfied that all issues affecting Public Safety have been addressed"

Protection of Children from Harm

"The restrictions set out in the Licensing Act 2003 will apply."

Please tick yes

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

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

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



M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

I have undertaken my own risk assessment to take the following proposed steps.

No new steps have been identified in relation to the four licensing objectives save as below.

b) The prevention of crime and disorder

An electronic or written incidents log will be maintained at the premises with a record of all incidents of crime and disorder reported to or by the premises; all ejections of patrons; any complaints received; seizures of drugs, offensive weapons, fraudulent ID or other items; any faults in the CCTV system; any visit by a relevant authority or emergency service. The incidents log will be produced to an officer of a responsible authority upon request. Where a crime is believed to have been committed, the incident will be reported to the West Midlands Police. The incidents log will be kept for at least 12 months and will be produced to an officer of a responsible authority upon request.

c) Public safety

The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.

The premises licence holder shall ensure that at all times when the public are present there is at least one competent and fully trained person able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed

e) The protection of children from harm

The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 18 years. (The below conditions is an extension to this already existing condition regarding age verification)

Proof of age will only comprise a passport, photo card driving licence, an EU/EEA national ID card or a card bearing the PASS hologram. When age-restricted goods are delivered to a customer's hotel room, the person who takes receipt of the goods must be subject to age verification. Where age verification is required, an original valid photographic identity document must be provided. Delivery staff shall be over 18 years of age. Where a delivery person has concerns further to child protection at any room to which alcohol has been delivered, these concerns shall be made known to the premises licence holder and duty manager with a minimum of delay, whereupon the premises licence holder shall report the matter to Wolverhampton's Emergency Duty Team.

An electronic or written refusals log will be maintained at the premises with a record of all refusals of admission or service, including the sale of alcohol. The refusals log will include the basis of a refusal; the person making the decision to refuse; the date and time of refusal. The refusals log will be kept for at least 12 months and will be produced to an officer of a responsible authority upon request.



- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent. (Please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners [REDACTED]

Date: 14/10/2021

Capacity: Solicitors

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent. (Please read guidance note 14). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners

Date:

Capacity: Solicitors

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)	
John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT
Telephone number (if any) [REDACTED]	
If you would prefer us to correspond with you by email your email address (optional) [REDACTED]	

Notes for Guidance

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

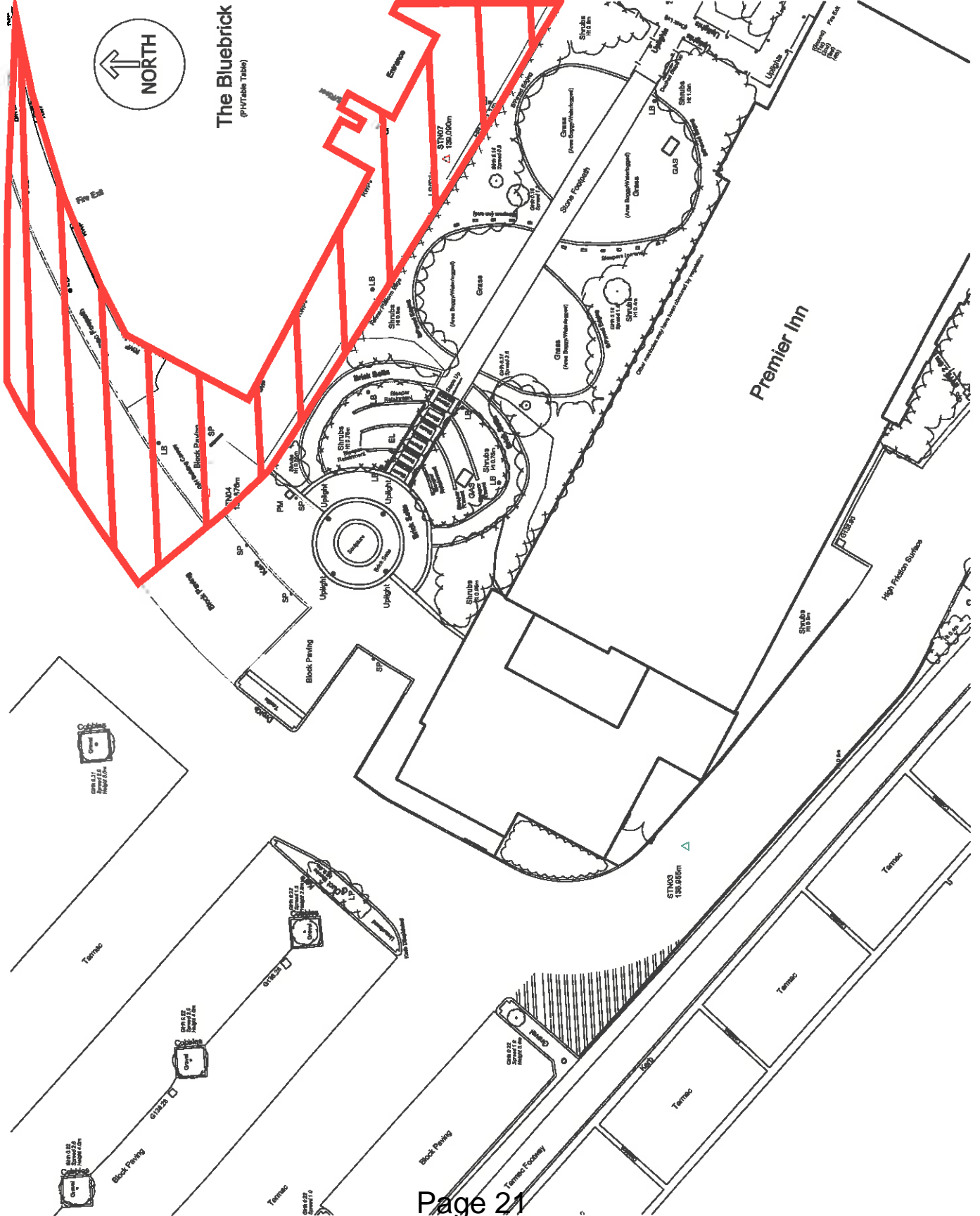
1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
 - 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.
 - 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please 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.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please 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 or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

NOTE
 All dimensions to be checked on site
 and any discrepancies to be notified
 prior to the commencement of work.
 Do not scale from this drawing
 If in doubt ask
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 External Licensed Area

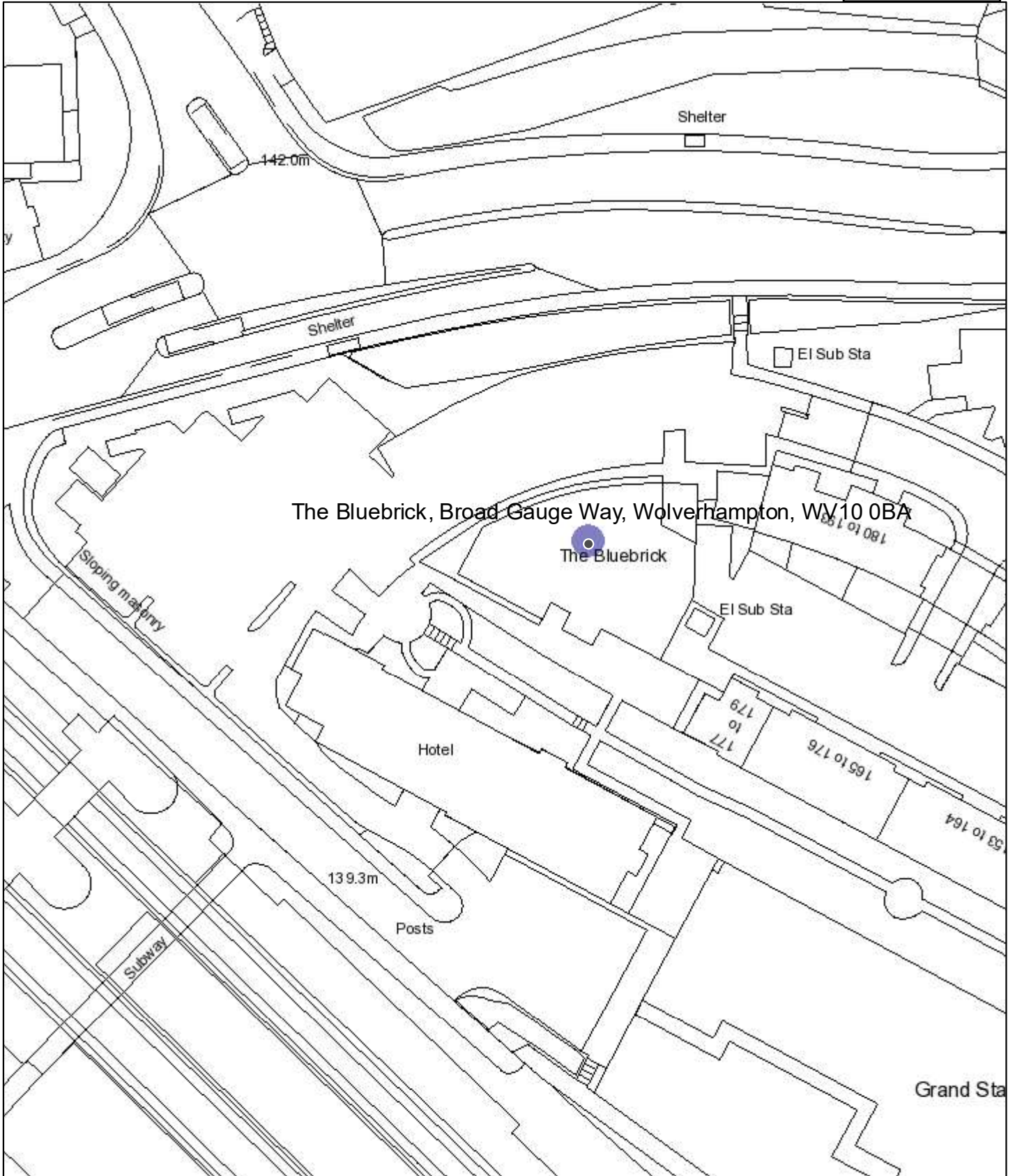
Job No	1513_16
Job Name	PREMIER INN BLUERICKS WOLVERHAMPTON PROPOSED EXTENSION
Client	WHITBREAD PLC
Drawn	arch-e-tech
Checked	JOS:JH
Scale	1:100
Date	OCTOBER 2021
Drawn By	arch-e-tech
Checked By	JOS:JH
Scale	1:100
Date	OCTOBER 2021
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Scale	1:100
Date	OCTOBER 2021




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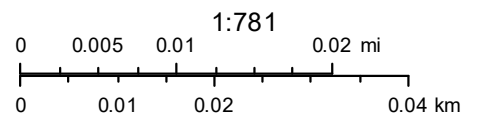
Location Plan

APPENDIX 2



12/3/2021 11:31:56 AM

 Cumulative Impact Zone



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Premises Licence

Issued in accordance with The Licensing Act 2003

Name of Premises: The Blue Brick
Address of Premises: Broad Gauge Way
Wolverhampton
WV10 0BA
Premises Licence Number: 20/20528/PREDPS– Vary DPS
Date Licence Granted: 17.09.2020

1. Opening hours of the premises

Normal Hours: Monday to Sunday 1000 - 0200 hours
Seasonal Variations: None
Non Standard Hours: The premises shall close for service to the public 30 minutes after the end of non-standard timings for the sale of alcohol but will remain open to residents and their bona fide guests 24 hours a day.

2. Licensable activities authorised by the licence and the times the licence authorises the carrying out of these activities

Activity: Films
Normal Hours: Monday to Sunday 1000 - 0030 hours
Seasonal Variations: None
Non Standard Hours: When hours for sale of alcohol are extended hereunder these hours are also extended.

Activity: Indoor Sporting Events
Normal Hours: None
Seasonal Variations: None
Non Standard Hours: When hours for sale of alcohol are extended hereunder these hours are also extended.

Activity: Live Music
Normal Hours: Monday to Sunday 1000 - 0030 hours
Seasonal Variations: None
Non Standard Hours: When hours for sale of alcohol are extended hereunder these hours are also extended.

Activity: Recorded Music
Normal Hours: Monday to Sunday 1000 - 0030 hours
Seasonal Variations: None
Non Standard Hours: When hours for sale of alcohol are extended hereunder these hours are also extended.

Activity: Performances of Dance
Normal Hours: None
Seasonal Variations: None
Non Standard Hours: When hours for sale of alcohol are extended hereunder these hours are also extended.

Activity: Late Night Refreshment
Normal Hours: Monday to Sunday 2300 - 0030 hours
Seasonal Variations: None
Non Standard Hours: When hours for sale of alcohol are extended hereunder these hours are also extended.

Activity: Sale/Supply of alcohol on the premises
Normal Hours: Monday to Sunday 1000 - 0130 hours
Seasonal Variations: None
Non Standard Hours: Residents of the Hotel entitled to the sale of alcohol 24 hours a day.
New Year's Eve 1000 - New Year's Day terminal hour.

Activity: Sale/Supply of alcohol off the premises
Normal Hours: As per 'On' sales
Seasonal Variations: As per 'On'sales
Non Standard Hours: As per 'On' sales

3. Name of the designated premises supervisor if the sale of alcohol is involved

Kimberly-Ann Murray
Personal Licence Number – 14/000354/LAPER
Issued by Sandwell Metropolitan Borough Council

4. Is access to the premises by children restricted or prohibited

Provision only as prohibited or restricted under the Licensing Act 2003

5. Name, (registered) address of the holder of the premises licence

Whitbread Group Plc
Whitbread Court
Houghton Hall Business Park
Porz Avenue
Dunstable
Bedfordshire
LU5 5XE

Mandatory Licensing Conditions (Licensing Act 2003)

Mandatory conditions as required by the Act will apply to the licence.

It is the responsibility of the Premises Licence Holder and the Designated Premises Supervisor to ensure that they are conversant and compliant with all current mandatory conditions in relation to the Licensing Act 2003.

Conditions consistent with the Operating Schedule

General

We have undertaken our own risk assessment to propose the following steps:-

The types of regulated entertainment proposed materially be no more than reinstate the normal pub entertainment than was previously unregulated under the Licensing Act 1964 and will be ancillary to the principal activities of the premises.

The steps which have been identified in relation to the four licensing objectives are listed below.

Variation 16/11/2010

I have undertaken my own risk assessment to take the following proposed steps.

The variation is not anticipated to adversely affect the four licensing objectives and the existing conditions on the licence are to remain unamended, except where identified, and are assessed to be sufficient.

No new steps have been identified in relation to the four licensing objectives save as below.

Prevention of Crime & Disorder

No further risks have been identified which need to be addressed, save as below.

The use of door staff will be risk assessed on an ongoing basis by the licence holder or premises supervisor. Where employed, door staff shall be licensed by the Security Industry Authority.

Any person as defined in condition (1) will clearly display his or her name badge at all times whilst on duty.

No customers apparently carrying open bottles upon entry shall be admitted to the premises at any time the premises are open to the public. Alcoholic and other drinks may not be removed from the premises in open containers save for the consumption in any external area provided for that purpose.

Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.

There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.

The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 18 years.

The management of the premises will liaise with police on issues of local concern or disorder.

The premises will support the local pub watch scheme where such scheme is in operation.

CCTV will be installed with recording facilities such recordings shall be retained for a period of 31 days and made available within a reasonable time upon request by the police, such as to cover the main entrance to the premises.

There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.

Public Safety

No further risks have been identified which need to be addressed, save as below:

To comply with the reasonable requirements of the fire officer from time to time.

The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.

Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.

Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.

Toughened glasses will be used in the premises where appropriate.

Fire exits and means of escape shall be kept clear and in good operational condition.

The premises will not open to public or guests until such time the Fire Authority are satisfied that all issues affecting public safety have been addressed

All certification relating to furniture and furnishings will be available to the Fire Authority prior to the final inspection.

All building works comply with current Building Regulations.

Confirmation must be provided that both the fire alarm and emergency lighting systems comply with current British Standards

The Fire Authority must be advised of all charges to the approved plan (plan at application) which may take place during construction.

An RCD (Residual Circuit Device) to be fitted to the main distribution board or the individual socket where regulated entertainment takes place.

Amended in variation 16/11/2010

A maximum capacity of 210 persons is permitted for the internal licensed area during times of regulated entertainment.

Prevention of Public Nuisance

No further risks have been identified which need to be addressed, save as below.

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

Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises.

Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.

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

Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.

All windows and doors are kept closed during times of regulated entertainment except for reasonable access and egress

Protection of Children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

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

Children under the age of 16 shall not be permitted to enter the premises after 21:00 unless dining with an adult or attending a pre-booked function.

There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to patrons under 18 years.

The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at the time and the licensable activities that are being carried out.

Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.

Variation 16/11/2010

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

Plans

As submitted with application dated 25/02/2016 and retained by City of Wolverhampton Council.

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From: Greg Bickerdike
Sent: 11 November 2021 15:49
To: Licensing; [REDACTED]
Subject: RE: Variation Application - The Bluebrick, Broad Gauge Way, Wolverhampton, WV10 0BA - PRE862

Sensitivity: PROTECT

Lizzie,

I write on behalf of the Licensing Authority as a Responsible Authority to submit formal representations to the above application under the licensing objective of the Protection of Children from Harm.

There is insufficient information within the operating schedule to show how the applicant will address this licensing objective, namely that only those appearing under 18 will be asked for proof of age, rather than challenge 25.

The plan also doesn't suitably explain the layout of the premises and licensable activities.

I will be looking to mediate with the applicant in order to address these concerns by way of amendments to the operating schedule prior to a Statutory Licensing Sub-Committee hearing.

Kind regards,

Greg Bickerdike
Licensing Manager
Tel. Office: [REDACTED]

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

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CITY OF
WOLVERHAMPTON
C O U N C I L

Leigh Schelvis
Omega Court
372-374 Cemetery Road
Sheffield
S11 8FT

3 December 2021

Dear Leigh,

**Licensing Act (2003) - Variation Application - The Bluebrick, Broad Gauge Way,
Wolverhampton, WV10 0BA - PRE862**

Following a conversation with yourself on behalf of the applicant, Whitbread Group Plc, to discuss the Licensing Authority representations in its capacity as a Responsible Authority, the amendments detailed below have been agreed by yourself on behalf of Whitbread Group Plc, who has stated that they are willing to modify the operating schedule within the application dated 19 October 2021, accordingly:

Premises Layout Plan

A plan is to be provided which includes the internal layout of all buildings as well as all perimeter walls within the premises The Bluebrick, as well as a red line to show the area for licensable activity.

Modifications to the operating schedule

The prevention of public nuisance

To add:

Between 23:00 until 07:00, the outdoor seated areas must be closed to customers, with neither drinks nor food permitted to be consumed in those areas.

The protection of children from harm

To add:

The Challenge 25 scheme will be operated to ensure that any person who appears to be under the age of 25 will provide documented proof that they are over 18 years of age. Proof of age will only comprise a passport, photo card driving licence, an EU/EEA national ID card or a card bearing the PASS hologram. When age-restricted goods are delivered to a customer's hotel room, the person who takes receipt of the goods must be subject to

City of Wolverhampton Council
St. Peter's Square
Wolverhampton
WV1 1SH

Challenge 25 verification. Where age verification is required, an original valid photographic identity document must be provided. Delivery staff shall be over 18 years of age. Where a delivery person has concerns further to child protection at any room to which alcohol has been delivered, these concerns shall be made known to the premises licence holder and duty manager with a minimum of delay, whereupon the premises licence holder shall report the matter to Wolverhampton’s Emergency Duty Team.

I, Leigh Schelvis, the agent acting on behalf of the applicant, Whitbread Group Plc, agree to modify the premises licence application dated 19 October 2021 to include the above amendments to the operating schedule.

Agent signature:

Date:

Subject to the above amendments to the operating schedule, I, Greg Bickerdike, acting in my capacity as the Licensing Authority Responsible Authority agree this should negate the need for a hearing subject to no further representations from any other person or Responsible Authority.

Licensing Authority – Responsible Authority signature:

Date:
