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Your ref
Our ref
Ask for Christine Lewis
Email Christine.lewis@lichfielddc.gov.uk



District Council House, Frog Lane
Lichfield, Staffordshire WS136YU

Customer Services 01543 308000
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Monday, 6 August 2018

Dear Sir/Madam

LICENSING AND CONSENTS APPEALS COMMITTEE

A meeting of the Licensing and Consents Appeals Committee has been arranged to take place **TUESDAY, 21ST AUGUST, 2018 at 10.30 AM IN THE COMMITTEE ROOM** District Council House, Lichfield to consider the following business.

LICENSING ACT 2003 APPLICATION FOR A NEW PREMISES LICENCE FOR XO LOUNGE, 52 THORNHILL ROAD, STREETLY. B74 3EN

Notes to Councillors and Legal Adviser

Please arrive 15 minutes before the start time.

Notes to the applicant, objectors and other parties

Please ask for Christine Lewis on arrival at the main reception of the District Council Offices, Frog Lane, Lichfield.

Please can you advise Christine Lewis if you intend to attend the hearing or be represented at the hearing, or further more if you consider the hearing to be unnecessary. In accordance with Regulation 8 of the Licensing Act 2003 (Hearings) regulations 2005 you should inform us no later than 5 working days before the hearing.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Neil Turner', written in a cursive style.

Neil Turner BSc (Hons) MSc
Director of Transformation & Resources

To: Members of Licensing and Consents Appeals Committee

Councillors Mrs Bacon, Mrs Evans and B Yeates



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AGENDA

1. Apologies for Absence
2. Declarations of Interests
3. Licensing Act 2003 Application for a New Premises Licence for XO Lounge, 52 Thornhill Road, Streetly. B74 3EN 3 - 94



REPORT FOR DECISION

FOR: LICENSING AND CONSENTS APPEALS COMMITTEE

Date: 21 August 2018

Agenda Item: 3

**Contact Officer – Susan Bamford/ Sarah Bradley
Telephone Extension – 308- 170/138**

**SUBMISSION BY SUSAN BAMFORD, PARTNERSHIPS, COMMUNITY SAFETY
& LICENSING MANAGER**

**LICENSING ACT 2003
APPLICATION FOR A NEW PREMISES LICENCE FOR
Xo Lounge, 52 Thornhill Road, Streetly. B74 3EN**

1. PURPOSE OF REPORT

- 1.1 For members to consider an application for a new premises licence to be granted under the Licensing Act 2003.

2. SUMMARY OF BACKGROUND INFORMATION

- 2.1 A premises licence permits “licensable activities”, i.e. the **sale of alcohol** or the **provision of regulated entertainment** or **late night refreshment**, to take place on or from a defined area, a building, part of a building, any vehicle, vessel or moveable structure or even an outdoor space.
- 2.2 Subject to conditions, definitions and exemptions, descriptions of entertainment to be regulated by the 2003 Act include:
- a performance of a play;
 - an exhibition of a film;
 - an indoor sporting event;
 - a boxing or wrestling entertainment
 - a performance of live music;
 - any playing of recorded music;
 - a performance of dance.
- (This list is not exhaustive.)*
- 2.3 As a result of deregulatory changes that have amended the 2003 Act, no licence is required for the majority of the above entertainment activities

providing they take place between **08:00-23:00** on any day and the audience size does not exceed the maximum number permitted.

- 2.4 The provision of late night refreshment means the supply of hot food or hot drink to the public, for consumption on or off the premises, between 2300 hours and 0500 hours or the supply of hot food or hot drink to any persons between those hours on or from premises to which the public has access.
- 2.5 Advertising new application is the responsibility of the applicant and is done by way of a blue notice displayed on the premises for a period of 28 consecutive days and by placing a notice in a local newspaper circulating in the area within 10 working days of the application being made.
- 2.6 Representations can be made – in opposition or support of an application - by any responsible authority or other persons likely to be effected by the application regardless of their geographical proximity to the premise. In order to be “relevant” they must relate to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives:-
- ***The prevention of crime and disorder***
 - ***Public safety***
 - ***The prevention of public nuisance***
 - ***The protection of children from harm***
- 2.7 Where relevant representations are received a hearing must be arranged for Members to determine the application as it can not be granted under officers’ delegated powers. Relevant representations have been received from other persons in respect of this application.

3. CURRENT SITUATION

- 3.1 An application for a new premises licence has been received from the Xo Lounge Ltd. The application has been advertised as required.
- 3.2 The proposal is to licence these premises
- a. for the supply of alcohol, on and off the premises, Sunday to Thursday 1000 hours until 0200, Friday & Saturday 0900 hours until 0300 hours.
 - b. hours premises will be open to the public Sunday to Thursday 0900 hours until 0200, Friday & Saturday 0900 hours until 0300 hours. A copy of the application is attached at **Appendix A**.
- 3.3 Thirty-one representations have been received from local residents, objecting to the application on the grounds that one or more of the licensing objectives would be undermined. (see attached correspondence at **Appendix B**).
- 3.4 Section 18 (3) of the Licensing Act 2003 states that, where relevant representations are made, the authority must, having regard to the representations made, take such steps as it considers necessary for the promotion of the licensing objectives. The steps are:

(a) to grant the licence subject to (i) such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and (ii) any condition which must under section 19, 20 or 21 be included in the licence;

(b) to exclude from the scope of the licence any of the licensable activities to which the application relates;

(c) to refuse to specify a person in the licence as the premises supervisor;

(d) to reject the application.

3.5 The Statutory Guidance issued under section 182 of the Licensing Act 2003 gives guidance on determining applications and an extract from the relevant guidance is attached at **Appendix C**.

3.6 Should the application be granted Staffordshire Police, a responsible authority under the Act, have negotiated and agreed with the applicant alternative conditions and hours to those proffered in Section M in order to promote the licensing objectives. This will mean that all conditions currently proffered in Section M of the application will be replaced by those which are attached at **Appendix D**

4. CONCLUSION

4.1 Members are asked to determine whether the application for a new premises licence as outlined in paragraph 3.2 above in respect of The Xo Lounge be granted, with or without conditions, having due regard to the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.

4.2 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy published on 7 January 2016.

4.3 Members may not refuse applications in whole or in part or attach conditions to licences (other than those proffered by applicants in their operating schedules), unless it is appropriate to do so in order to promote one or more of the four licensing objectives.

4.4 Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

4.5 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as "must", "shall" and "will" is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met;
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

4.6 The licensing authority should give its decision within 5 working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it.

5. RECOMMENDATION

5.1 The Committee is asked to consider the application for a Premises Licence in respect of Xo Lounge.

6. FINANCIAL IMPLICATIONS

6.1 The fees for a premises licence are payable on application. They are not refundable should the application be refused.

6.2 Where an application is refused, or granted with conditions, the applicant has the right of appeal to Magistrates' Court against the decision and, if granted by the court, any costs awarded would need to be met by the Council.

6.3 Similarly a person who made relevant representations has a right of appeal against a decision to grant a licence, or the conditions imposed upon it.

8. EQUALITY, DIVERSITY & HUMAN RIGHTS IMPLICATIONS

8.1 Article 6 of the Human Rights Act 1998, states that in determination of a persons civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

8.2 Article 8 states that everyone has the right to respect for his private and family life, his home and his correspondence.

- 8.3 Part II, Article 1 states that every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to conditions provided for by law and by the general principles on international law.

9. CRIME AND SAFETY ISSUES

- 9.1 Under the Crime and Disorder Act 1998, particularly Section 17, local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent crime and disorder in their area. The Licensing Authority will have regard to the likely impact of licensing on related crime and disorder in the District, particularly when considering the location, impact, operation and management of licensable activities.

Background Documents:

Appendix A – Copy of application for a new premises licence

Appendix B – Copy of representations

Appendix C – Extract from Section 182 Guidance

Appendix D – Copy of conditions agreed with Staffordshire Police

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

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

Are you an agent acting on behalf of the applicant?

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

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Applicant Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business	OWNER/DIRECTOR	
Home country	United Kingdom	The country where the headquarters of your business is located.
Registered Address		Address registered with Companies House.
Building number or name	148	
Street	PURNELLS WAY	
District	KNOWLE	
City or town	BIRMINGHAM	
County or administrative area		
Postcode	B93 9ED	
Country	United Kingdom	

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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	52
Street	THORNHILL ROAD
District	STREETLY
City or town	SUTTON COLDFIELD
County or administrative area	
Postcode	B74 3EN
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	23,000

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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

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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...

PRIVATE LIMITED 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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

PRIVATE LIMITED COMPANY

Continued from previous page...

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

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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.

THE PROPERTY IS LOCATED ON THE CORNER OF THORNHILL ROAD AND BURNETT ROAD, IT CONSISTS OF 3 STORIES AND A BASEMENT. THE GROUND AND 1ST FLOOR WILL BE OPEN TO THE PUBLIC AND WHERE ALCOHOL WILL BE SERVED HOWEVER THE 1ST FLOOR WILL BE TABLE SERVICED AND WILL HAVE WINE DISPENSER FOR WINE TASTING. THE BASEMENT HAS SEPARATE MALE AND FEMALE TOILETS AND A KITCHEN. THE 2ND FLOOR IS JUST AN OFFICE AREA NOT OPEN TO THE PUBLIC. AT THE SIDE OF THE PROPERTY ON BURNETT ROAD THERE IS A LOW FENCED PLOT OF LAND WHERE SEATING AND COVER WILL BE PROVIDED FOR CUSTOMERS SIZE APPROXIMATELY 70 SQ THE FRONT OF THE SITE SITS ON THORNHILL

Continued from previous page...

ROAD AND OVERLOOKS SUTTON PARK WITH 5 ALLOCATED CAR PARK SPACES AND A ROW OF SHOPS ON THE RIGHT-HAND SIDE, THE SIDE OF THE PREMISES WHICH SITS ON BURNETT ROAD HAS A CO-OPERATIVE FOOD STORE ON THE OPPOSITE CORNER, THERE IS ALSO A ROW OF SHOPS ON LEFT HAND SIDE THE FIRST ONE BEING A CHIP SHOP AND THEN VARIOUS BOUTIQUE SHOPS, HAIR SALONS AND SPA'S. THERE ARE NO NEARBY SCHOOLS OR PUBLIC HOUSES. THERE DOES NOT APPEAR TO BE ANY RESIDENTIAL PROPERTIES WITHIN APPROXIMATELY 100 METERS RADIUS OF THE SITE. PREVIOUS 3 BUSINESS AT THE PROPERTY WERE LICENSED.

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

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

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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

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

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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

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 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.

INTERNAL AND EXTERNAL AMPLIFIED AMBIENT 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.

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.

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes No

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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

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start 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.

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.

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

Continued from previous page...

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'.

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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.

NO ADULT ENTERTAINMENT OR ACTIVITIES, SMALL POSSIBILITY OF EXPLICIT MUSIC LYRICS BEING PLAYED BEFORE 21.00 HOURS WHEN CHILDREN ARE PRESENT.

Continued from previous page...

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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

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

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

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

Continued from previous page...

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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.

INSTALL HIGH QUALITY CCTV EQUIPMENT THAT COVERS ALL INTERNAL AND EXTERNAL AREAS TO ENSURE FULL VISIBILITY AND ACT AS A DETERRENT TO ANY UNWANTED BEHAVIOUR.
INSTALL AND MAINTAIN BRIGHT LIGHTING INSIDE AND AT THE EXIT POINTS OF THE PROPERTY.
JOIN LOCAL PUB WATCH SCHEME AND WORK WITH THE LOCAL COMMUNITY.

b) The prevention of crime and disorder

ZERO TOLERANCE DRUG POLICY & SINGS,
ENSURE ALL AREAS ARE ADEQUATELY LIT TO DISCOURAGE CRIMINAL BEHAVIOUR,
REGULAR TOILET CHECKS,
REMAIN VIGILANT, STAFF TRAINING MATRIX,
ALCOHOL PRICE POLICY ENSURING HIGHER DRINKS PRICES NOT TO PROMOTE IRRESPONSIBLE BINGE DRINKING AND ATTRACT CRIMINAL ACTIVITY.
DRESS CODE AFTER 9PM NO SPORTSWEAR, HOODIES ETC.

c) Public safety

ENSURE ALL LIGHTS ARE TURNED ON AND ALL STEPS AND POTENTIAL TRIP HAZARDS ARE WELL LIT BEFORE CLOSING TIME,
JOIN THE STAFFORDSHIRE BUSINESS WATCH SCHEME,
SUPERVISE CUSTOMERS LEAVING AT CLOSING,
WORK CLOSELY WITH A LOCAL TAXI FIRM HOTLINE TO ENSURE AVAILABILITY AT CLOSURE TO DISCOURAGE DRINK DRIVING,
HAVE NON-ALCOHOLIC BEER AND WINE OPTIONS AVAILABLE
DISCOUNTED SOFT DRINKS FOR DESIGNATED DRIVERS.
FREE WATER DISPENSERS

d) The prevention of public nuisance

SIGNS IN CAR PARK AND EXITS ASKING CUSTOMERS TO RESPECT LOCAL RESIDENT'S MEMBERS OF THE PUBLIC WHEN LEAVING,
SUPERVISE CUSTOMERS LEAVING,
PLAYING A MESSAGE AT CLOSING REMINDING PEOPLE TO BE QUIET AND RESPECT ANY RESIDENTS WHEN LEAVING,
ENSURE NO ONE IS HANGING AROUND AFTER CLOSURE,
CLEAR AWAY ALL GLASSES FROM ALL EXTERNAL AREAS AFTER CLOSING,

e) The protection of children from harm

DISPLAY RELEVANT SIGNS AT POINT OF SALE,
REMAIN VIGILANCE BOTH INSIDE AND OUTSIDE THE PREMISES,
REGULAR STAFF TRAINING COVERING WHEN AND HOW TO REFUSE A SALE,
NO PROOF, NO SALE AGE VERIFICATION POLICY,
IMPLEMENT A CHALLENGE 21 AGE VERIFICATION POLICY,
CARRY OUT WEEKLY CHECKS ON PROCEDURES AND SIGNAGE,
CCTV CHECKS.

Continued from previous page...

NO CHILDREN POLICY AFTER 9PM

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event 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

Continued from previous page...

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

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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/lichfield/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.

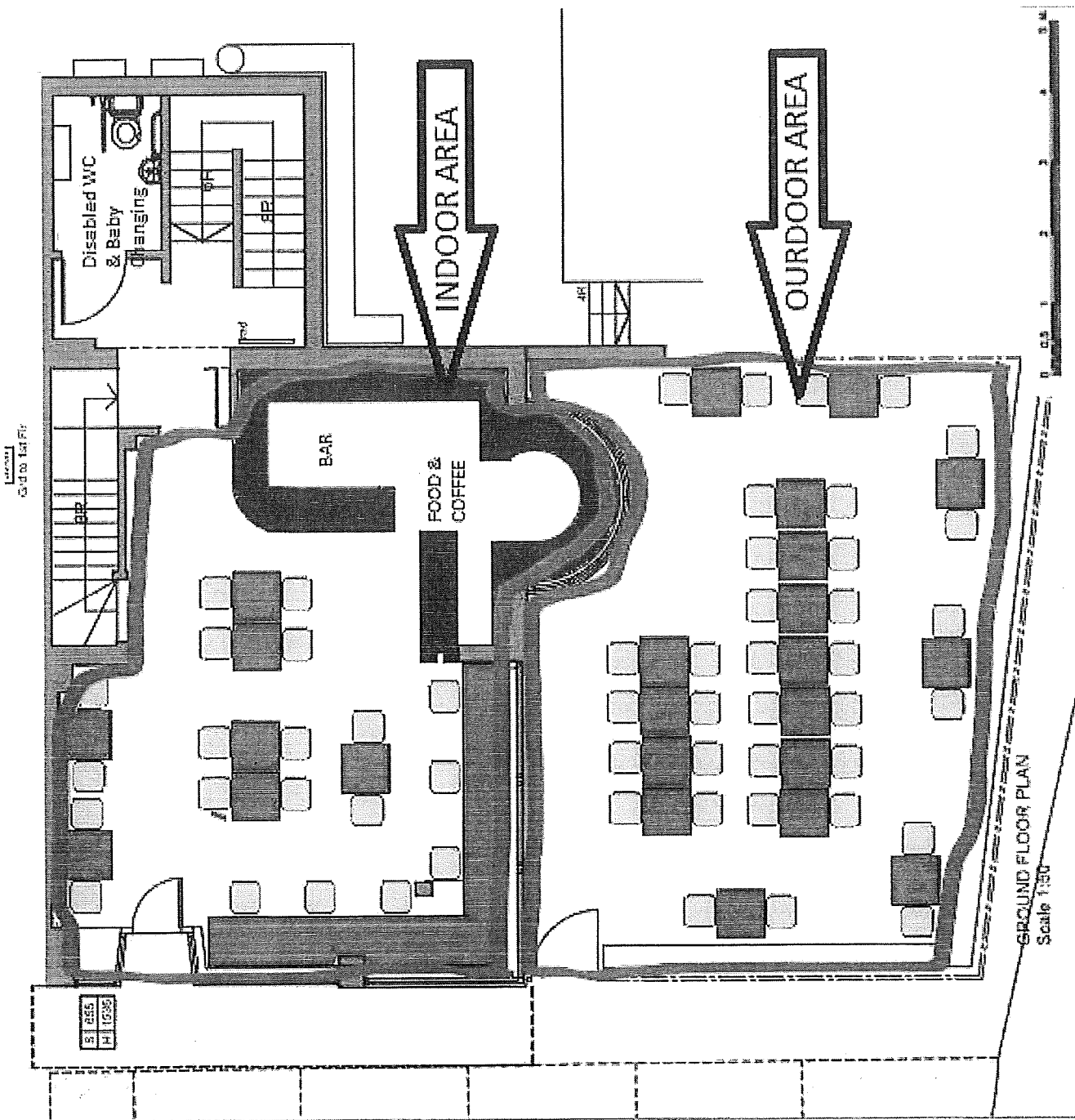
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

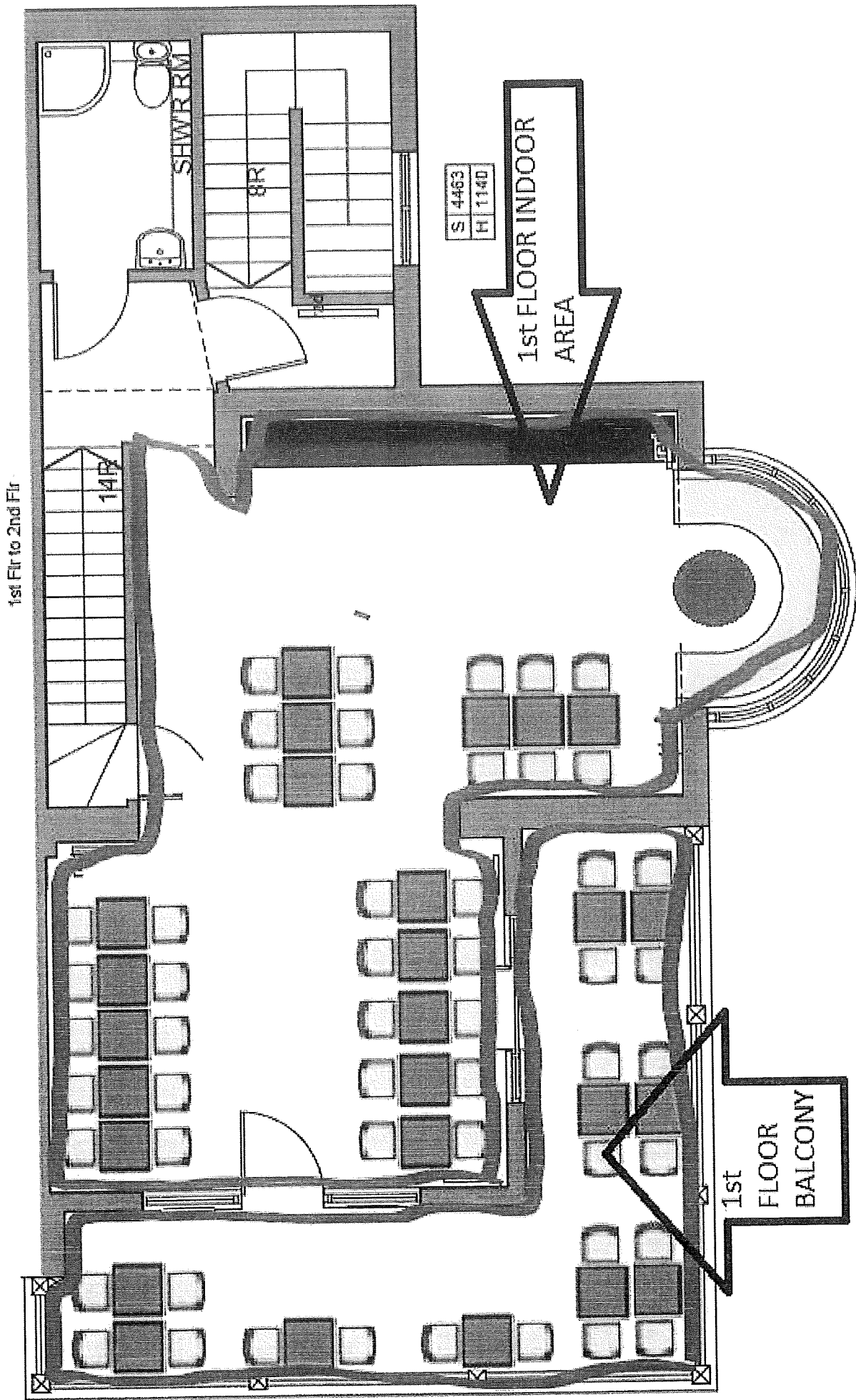
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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

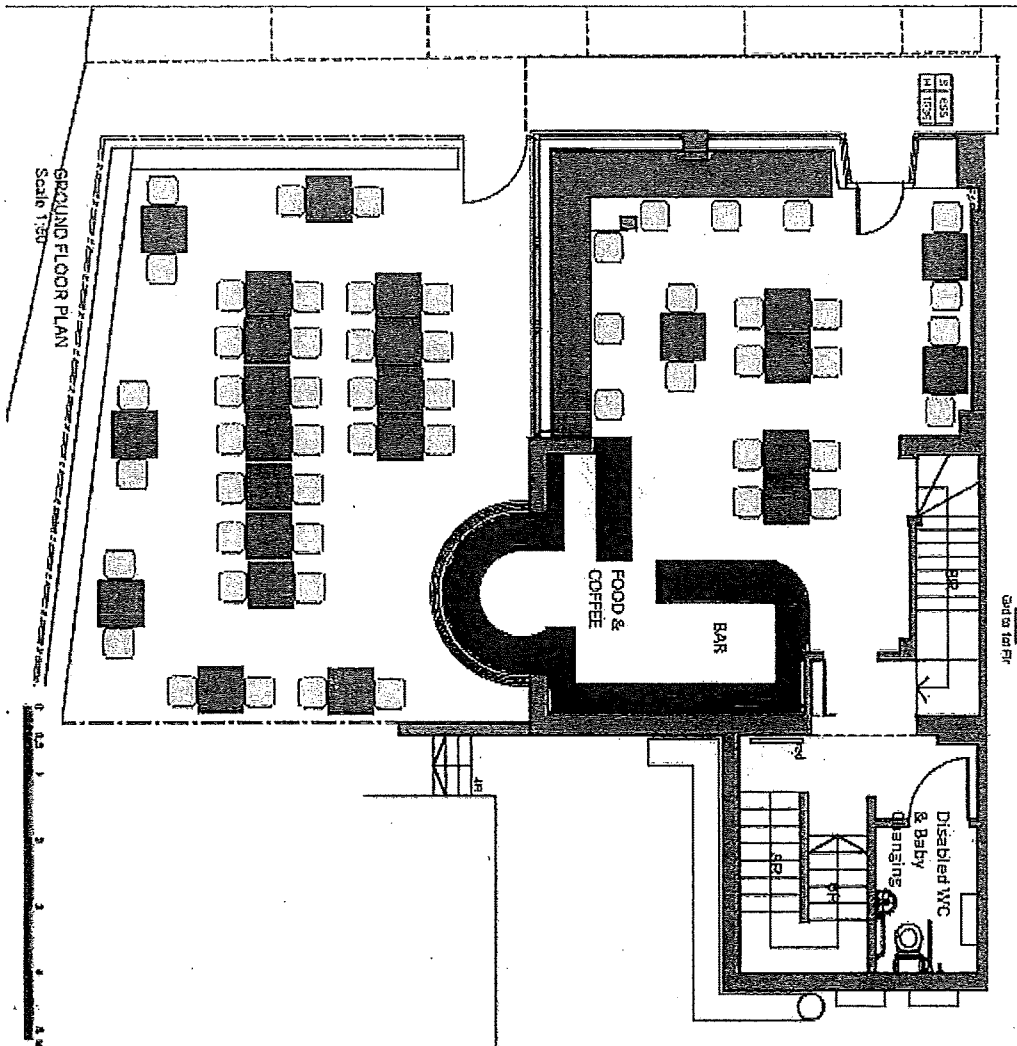
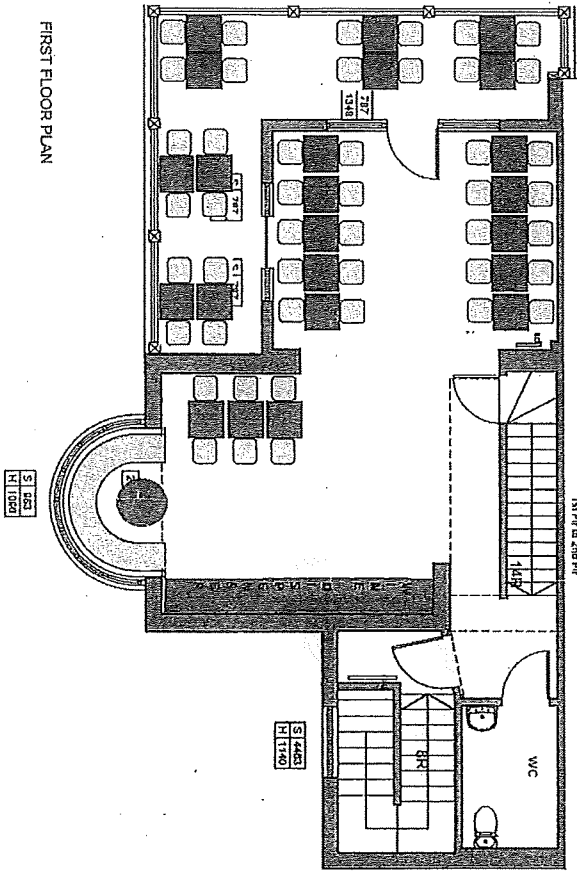
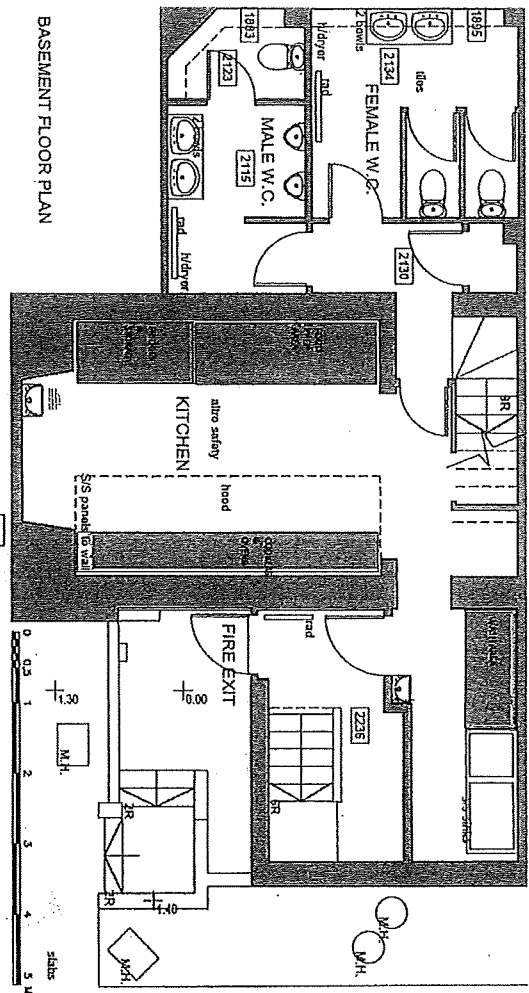
OFFICE USE ONLY

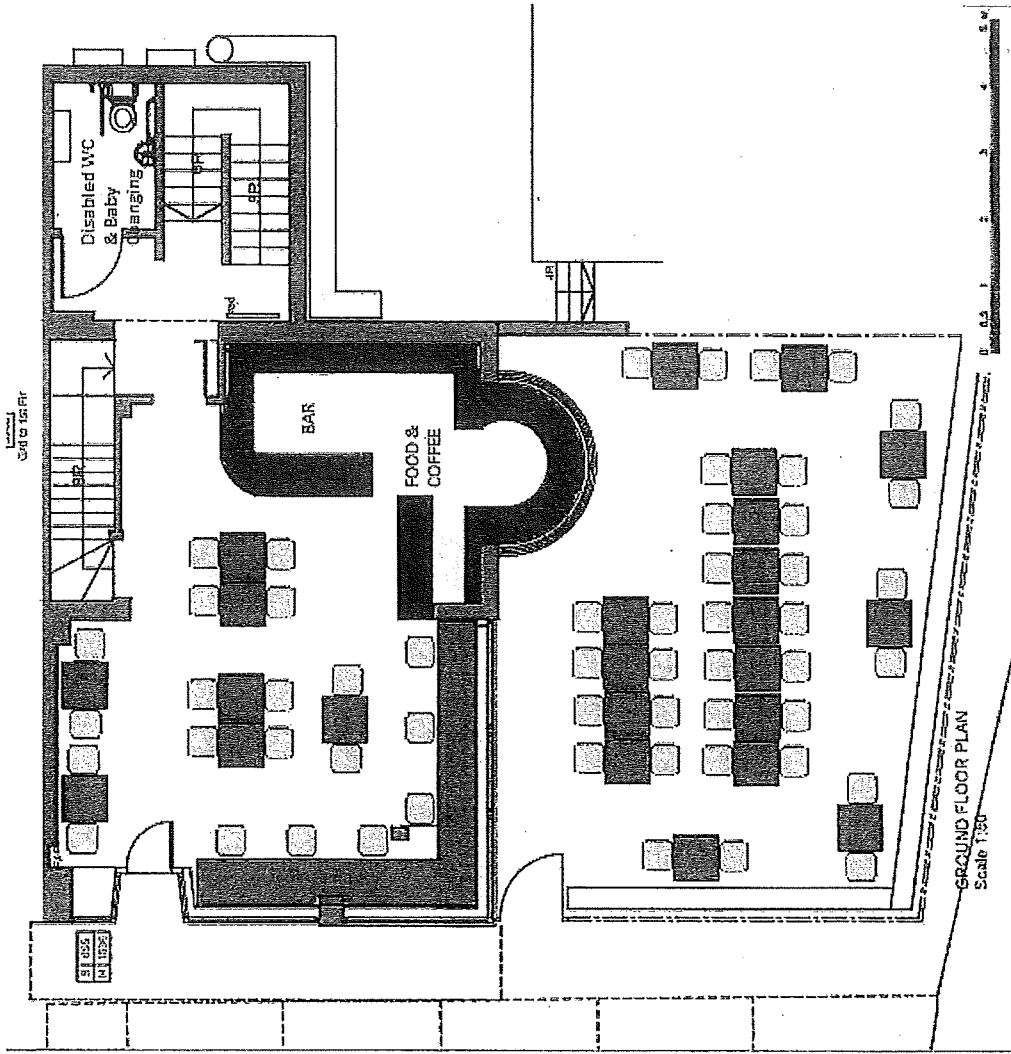
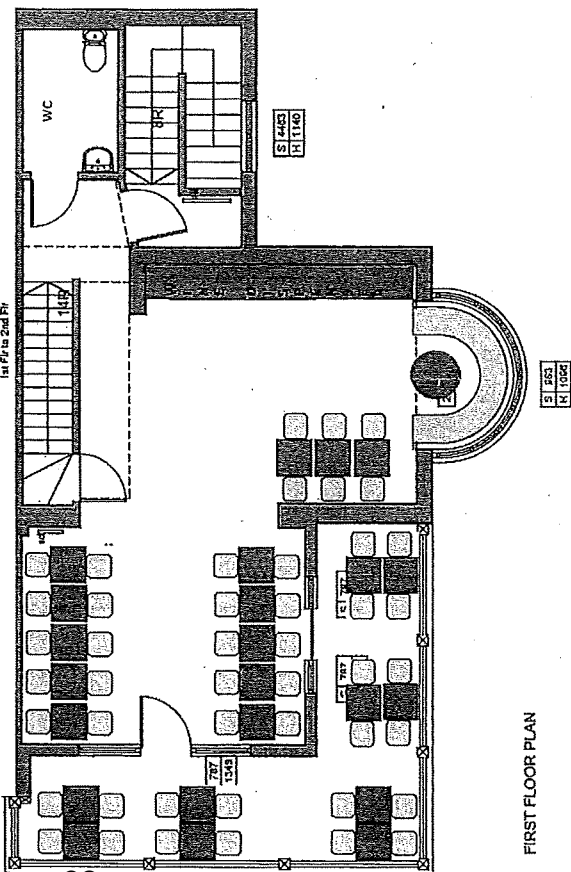
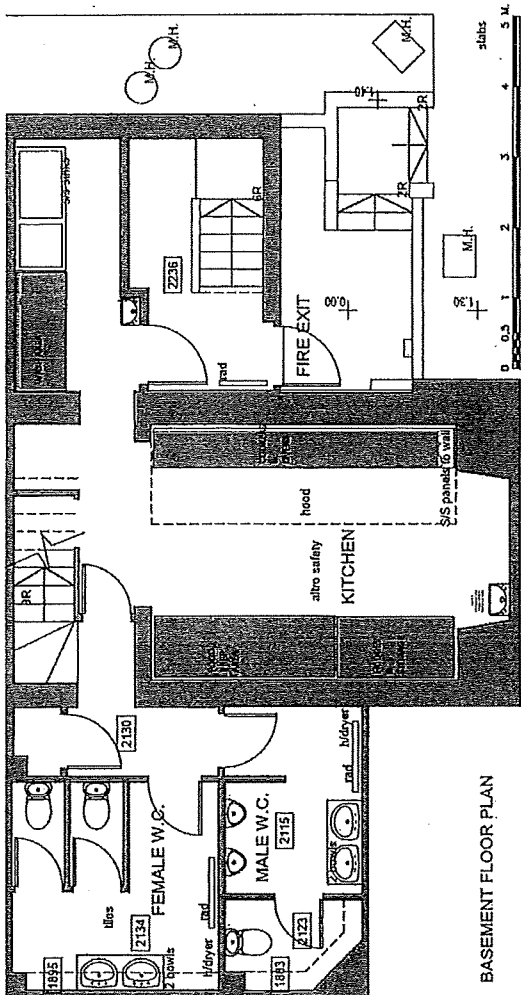
Applicant reference number	XO LOUNGE
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next >









F.A.O.F
 VICKY (LICENCE DEPT)

RECEPTION
 26 JUL 2018
 1600

Lichfield
 district council

www.lichfielddc.gov.uk

Licensing Act 2003

email

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	ANTHONY CASH
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	XO LOUNGE . STREETLY VILLAGE.
Address of the premises you are making a representation about	CORNER OF THORNHILL & BURNETT RDS.

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
1 OBJECT TO GRANTING OF A LICENCING OF THE XO LOUNGE	No	
The prevention of Crime and Disorder		LATE NIGHT DRINKING WOULD LEAD TO NOISE AND DISTURBANCES ON LEAVING.
Public Safety		THERE COULD BE PARKING PROBLEMS AT A THE BUSY JUNCTION.
The Prevention of Public Nuisance		PLAYING OF LOW MUSIC INSIDE & AL FRESCO, DISTURB SLEEP OF LOCALS.
The Protection of Children From Harm		MUSIC (LATE) COULD AFFECT CHILDREN LOCALLY FROM SOUND SLEEP.

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	REDUCTION OF HOURS WOULD BE GOOD START. WHAT APPEARS TO BE A LATE NIGHT BAR DOES NOT FIT INTO THIS LOCALITY.
--	--

Signed: 	Date: 26 JULY 2018
---	--------------------

Please see notes attached

RECEIVED

26 JUL 2018

Lichfield
district council

www.lichfielddc.gov.uk

Licensing Act 2003

LICENSING DEPARTMENT

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	ANTHEA MARRIS
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	XO LOUNGE LTD
Address of the premises you are making a representation about	52 THORNHILL RD (FORMERLY GARNISHA)

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	YES	This is a quiet residential street, selling alcohol until 2/3am could attract people
Public Safety	YES	who are drunk or disorderly in the early hours of the morning
The Prevention of Public Nuisance	YES	very concerned about noise from music and merry people into the early hours
The Protection of Children From Harm	NO	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	Reduce the hours for selling alcohol to 11pm OR Better still do not allow alcohol licence.
--	--

Signed: 	Date: 24 July 2018
---	--------------------

Please see notes attached

Representation form from other persons re XO Lounge

Name: Mark Hughes- Broadhurst

Postal address:

e-mail:

Tel :

Name of premises representation is about : XO Lounge

Address of premises making representation about: 52 Thornhill Road

Licensing Objection YES

The prevention of crime & disorder

- Drugs and alcohol have been identified as one of the six key drivers of crime in the Modern Crime prevention strategy (1)
- Alcohol related crime makes up 47 % violent offences in England & Wales (2014 / 2015)
- One of the features identifying to a possible factors contributing to alcohol related crime is extending drinking hours.

This application is for licencing from 9am – 2am (3am on Saturday) which , on the basis on evidence provided above, is highly likely to lead to an increase in alcohol related crime in this area.

Public safety

The entrance to the premises is very close to Thornhill Road which is a busy road with limited visibility up towards the brow of the hill. People who have been drinking significant amounts of alcohol are often not in full control of their actions & could easily wander onto the road causing injury / fatality to themselves or others.

Visibility on the junction of Thornhill Road & Burnett Road is already difficult when cars are parked outside the premises & with the increase in traffic that this premises would inevitably entail then that crossing would be even more difficult to negotiate & highly likely to increase accidents involving pedestrians & motor vehicles crossing Burnett Road & onto Thornhill Road.

There is inadequate parking provision associated with these premises for employees, clientele and taxis .

The flow of traffic along Burnett Road would increase & therefore increase the risk of accidents as cars already parked along the road limiting views & thoroughfare.

The West Midlands is the 3rd highest region in England with regards to age standardised alcohol related deaths for males. The rate was 20.7 / 100,000 population in 2014. With such extended licensing hours then for this establishment, this would promote further alcohol consumption in an area over-represented with deaths related to alcohol.

The prevention of public nuisance

The neighbourhood is quiet with a mixture of shops, sophisticated restaurants & residential property. This would be adversely affected by noise pollution with music playing outside & being generated from the premises.

Given the hours of licensing being applied for, the behaviour of inebriated clientele leaving the premises would inevitably be detrimental to shops in the area & affect the quiet that residents expect of such an area.

The protection of children from harm

- Alcohol plays a role in child abuse (2)

There is a nursery on Burnett Road and vulnerable children could potentially be exposed to inebriated patrons of the proposed XO lounge when leaving school.

There would also be increased risk of harm / accidents involving these children due to the increased thoroughfare of vehicles along the road & limited views caused by the number of parked cars.

References :

- 1 Modern Crime Prevention Strategy , HM Government.
- 2 Galvani S . Grasping the Nettle: alcohol & domestic abuse

From: GEORGINA BUTLER <[redacted]>
Sent: 25 July 2018 15:11
To: Generic - Licensing
Subject: Licence Application : 52 Thornhill Road :XO Lounge LTD

Dear Licencing Officers

With reference to the above application i wish to object to the granting of a Licence in its presented format.

I would also like to highlight that there is an error in the application as there are residential properties well within the 100 metre radius of the applicants premises. The application states that this is not the case. I have highlighted the main concerns under the 4 headings below.

PREVENTION OF CRIME AND DISORDER.

The Licencing hours requested will only encourage bad behavior due to excessive alcohol consumption over the requested opening hours, as the venue would soon become known as a late night drinking facility and attract and encourage drug dealing (which is already known to prevail in this area and has been reported to the police by neighbours on Burnett Rd) and other illegal activities. Alcohol fueled disputes will lead to disorder both within and outside the premises, and can lead to criminal actions both to individuals and adjacent properties.

PUBLIC SAFETY

With the number of external covers indicated in the application, together with internal covers this will create a significant "footfall" over the requested opening hours with cars and taxis arriving and departing at regular intervals creating a significant accident hazard to the public. Furthermore the public safety could be compromised by disorderly conduct from the premises, especially with the external seating area.

PREVENTION OF PUBLIC NUISANCE

The application is requesting the playing both INTERNALLY and EXTERNALLY of recorded music, some of which of explicit content, this will create a nuisance and disturbance to the both the residents who are very local to the premises and also to the other residents of Burnett road, Leslie road and Thornhill Road.

The premises lie in an area which is predominantly residential and therefore the requested opening hours are not in synch with its surroundings. As I pointed out at the beginning of my email, the statement by the applicant advises that there are no residential properties within 100m which is clearly incorrect.

PROTECTION OF CHILDREN FROM HARM.

School Buses drop off children daily very local to these premises and therefore they would be witnessing all day drinking especially in the proposed external drinking areas and would also be exposed to the proposed playing externally of explicit recorded music. The late night drinking would significantly disturb the sleeping patterns of the children of the local residents, some of which are at a critical stage of their education. There is also a Children Day Nursery within the vicinity of the premises requesting a licence.

The Licencing Authority should also consider the following additional reasons to refuse a Licence.

The location ion the premises and an late night drinking facility playing internal and external music would seriously impact on the environment.

The granting of the Licence as applied for would create a precedent for the existing food outlets to apply to extend their licencing hours , causing the residents further grief and disturbance.

This application is not supported by those households who live on Burnett Rd and Thornhill Rd and for the specific reasons outlined about should be refused. I would appreciate acknowledgement that this email has been received.

Regards

Georgina Butler



www.lichfielddc.gov.uk

Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):

Your name	Richard Dickson
Organisation name/name of body you represent (if appropriate)	N/A
Postal and email address	
Contact telephone number	


Name of the premises you are making a representation about	Xo Lounge
Address of the premises you are making a representation about	52 Thornhill Road, Streetly, Sutton Coldfield B74 3EH

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes	
		The application to extend the licensing hours until 2am on weekdays and 3am on weekend nights is strongly opposed.
The prevention of Crime and Disorder	Yes	Streetly village is set in a relatively quiet part of Lichfield District and is essentially a residential area with many elderly including my parents at the nearby 11, Leslie Road and their neighbours on both sides who are pensioners. My parents themselves are aged 93 (my Father was Chair of Lichfield District Council in 2002/03) and 88 respectively and have reduced mobility and sight. Extending the opening hours until 2am on weeknights and the middle of the night at weekends runs the severe risk that alcohol-fuelled local criminality will increase. This risk is compounded by the absence of nearby police services who would be unable to respond quickly and in a timely manner to address any criminality.
Public Safety	Yes	Thornhill Road is an important route on the northern edge of Sutton Park. It is used by commuters to/from Birmingham. The applicant's premises are located close to the railway line bridge which reduces the visibility of drivers heading northwards. The carparking space in front of the applicant's premises mean that many vehicles will be reversing on to Thornhill Road

		adding to the danger of this road.
The Prevention of Public Nuisance	Yes	This is inadequate carparking close to the applicant's premises which means that customers of the applicant would be parking outside residential homes and there is a major risk of noise and antisocial behaviour in the middle of the night as the applicant's customers return to their vehicles.
The Protection of Children From Harm		N/A

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	The application should be refused.
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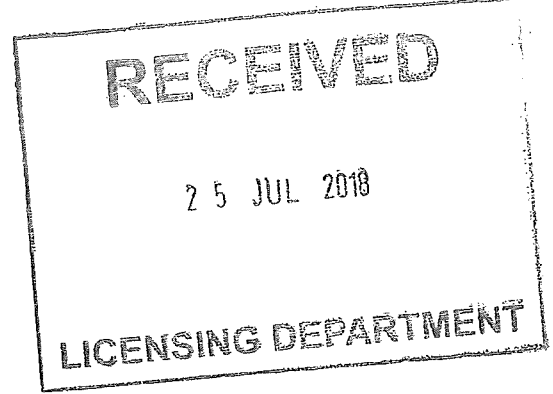
Signed: 	Date: 24 th July 2018
---	----------------------------------

Please see notes attached

NOTES

1. Representations can be made by any individual, body or business, regardless of their geographical proximity to the premises.
2. Your representation must relate to one or more of the four licensing objectives for it to be deemed relevant:-
 - The prevention of crime and disorder
 - Public Safety
 - The prevention of public nuisance
 - The protection of children from harm
3. If you make a representation you will be expected to attend a meeting of the Licensing and Consents Sub Committee. Details of your representation will be published in the report available to the Committee and the licence applicant. You will be given notice of the hearing before it takes place and will also be given a copy of the committee report.
4. The hearing shall take the form of a discussion led by the Licensing Authority. The applicant for the licence will also be at the meeting and it will usually be open to the public and the media.
5. This form must be returned within the statutory period of 28 days from the day after the date the application was given to the Licensing Authority – the deadline should be given in the notice displayed on the premises and in the public notice in a local newspaper or other local publication.
6. Please return this form when completed to:
The Licensing Team
Lichfield District Council, District Council House
Frog Lane, Lichfield Staffs WS13 6YU

Lichfield District Council
Frog Lane
Lichfield
Staffs
WS13 6YU



23rd July 2018

Dear Sirs

Re: Application By Christopher Koumides of XO Lounge Ltd. for extended Licencing Hours 9 a.m. till 2 a.m. following morning – Sunday through till Thursday and 9 a.m. till 3 a.m. following morning Friday and Saturday. Plus permission for "Late Night Ambient Music"

We are writing to raise strong objection to the above proposal. The reasons are as follows:-

Relevant noise level.

Dangerous corner (Thornhill/Burnett Rd.) Traffic and parking wise danger in what is already a potential traffic accident zone.

Parking problems.

This is a quiet residential area of Streetly Village and not a town centre.

Accompanying encouragement for rowdiness and unacceptable behaviour bringing residential safety issues for local residents.

Late night music with the potential to be heard till 2 a.m. every night for five days and then 3 a.m. for two days. (that is every night continually)

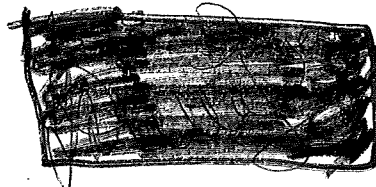
Wrong location. This proposal is just not in keeping with the surrounding residential area and is just not fair on local residents to have this invasion into their lives.

This application if allowed would show an example of degrading this quiet area of Little Aston . A case in point being a Fish and Chip shop with their fish and chip wrappers and drinks cans from shops being discarded in Burnett Road.

We sincerely ask that you will give strong consideration to this letter.

Yours faithfully

Mr. T. D. Davey
Mrs M. E. Davey



RECEIVED

27 JUL 2018

Lichfield
district council

www.lichfielddc.gov.uk

Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS


This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):

Your name	Mr. Gunther SELZER
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	52 Thornhill Road, Sutton Coldfield
Address of the premises you are making a representation about	Streetly

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	yes	We already had a crime wave in our street and this would make it worse
Public Safety	yes	Traffic is already speeding down our road. This would increase to traffic and noise. There are not enough car parking spaces. The extension would mean a lot more traffic up to 2am
The Prevention of Public Nuisance		
The Protection of Children From Harm		At the moment cars are taking our road as a short cut and race down it. This would make it worse and unsafe for children, also there would be more drunken behaviour and littering, possibly urinating of premises
Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.		

Signed: 	Date: 25.7.2018
---	-----------------

Please see notes attached

RECEIVED

27 JUL 2018

LICENSING DEPARTMENT

Lichfield district council

www.lichfielddc.gov.uk

Licensing Act 2003

RECEIVED

27 JUL 2018

LICENSING DEPARTMENT

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	WILLIAM DALY AND SWAN DALY
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	XO Lounge Ltd 52 Thornhill Road B74 3EN
Address of the premises you are making a representation about	

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder		see attached
Public Safety		see attached
The Prevention of Public Nuisance		see attached.
The Protection of Children From Harm		

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	licence for regulated entertainment and sale of alcohol should terminate at 11pm as close to residential accommodation, as per your policy.
--	---

Signed: 	Date: 17 July 2018
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Please see notes attached

17 July 2018

Licensing Department
Lichfield District Council
Frey Lane
Lichfield WS13 6YU

Dear Sir Ref: 18/00375/LAPREN

Xo Lounge, 52 Thornhill Road.

I, as well as all my neighbours in Burnett Road, Leslie Road and Thornhill Road are stunned to see an application for regulated entertainment and the sale of alcohol until 2am and 3am at 52 Thornhill Road.

This representation is related to:-

- a) The prevention of public nuisance
- b) The prevention of crime and disorder
- c) Public safety.

I refer to your "Statement of Licensing Policy" in which it is stated that stricter conditions

for licensed premises situated in or immediately adjacent to residential areas to ensure that disturbance to local residents is avoided i.e. people leaving during normal night time sleeping periods (i.e. 11.00pm to 7.00am)

We live within 50 yards of 52 Thornhill Road. Several hundred people live within 50 yards of the premises.

The notion of music played outside on the proposed external seating area to 3am; people sitting outside until 3am possibly drunk; and cars leaving the road, with the inevitable noise that that brings will be intolerable. This type of activity belongs in a city centre or industrial area where there are no residents.

This type of use is completely unsuitable for a residential area and will create public nuisance and likely to lead to crime and disorder as well as public safety.

I request that this application is declined.

Yours faithfully
William & Susan Daly.

McKenzie, Victoria

From:
Sent: 24 July 2018 09:49
To: Generic - Licensing
Subject: Representation - Licence Application : 52 Thornhill Road :XO Lounge LTD

Dear Sirs

With reference to the above application we wish to object to a granting of a Licence. We summarize our concerns below.

PREVENTION OF CRIME AND DISORDER.

There is already a concern about drug dealing in the area and with the late night hours proposed we feel that this would only prompt this behavior further. With no other late night drinking establishment in the vicinity this would become hub attracting even more bad behavior

PREVENTION OF PUBLIC NUISANCE

The application makes request for playing music outside. For the hours proposed the local residents would be adversely disturbed late into hours on regular basis.
There is mention of some music been on an explicit nature which will be offensive to many of residents in the vicinity

PROTECTION OF CHILDREN FROM HARM.

It should be noted there is a Day Nursery close by along with the entrance to Sutton park. Children are regularly passing the premises. With the external covers requested , which would most likely be the smoking area , we are concerned this would cause harm to the children.

Regards

Lichfield
district council

www.lichfielddc.gov.uk

Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

RECEIVED
 23 JUL 2018
LICENSING DEPARTMENT
 + FORM

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	Victor Palmer
Organisation name/name of body you represent (if appropriate)	Resident of postal Address
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	Proposed XO Lounge Limited
Address of the premises you are making a representation about	52 Thornhill Road Streetly Sutton Coldfield

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	Yes	
Public Safety	Yes	
The Prevention of Public Nuisance	Yes	
The Protection of Children From Harm	Yes	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.

Signed:  Date: 20/7/2018

Please see notes attached

Mr V G Palmer
e.mail

Re: Licence Application : 52 Thornhill Road : XO Lounge Ltd

With reference to the above application I making the following representation for consideration by the licencing authorities.

The prevention of Crime and Disorder

The proposal suggests a radical change of use from the former operation of the premises as a restaurant with licencing for the sale of alcoholic drinks within normally acceptable hours, to an all day drinking premises open daily until the early hours of the following day feeding the excessive consumption alcohol and The Licencing hours requested will only encourage bad behaviour due to excessive alcohol consumption over the period, as the venue would soon become known as a late night drinking facility and attract and encourage drug dealing (which is already known to prevail in this area)and other illegal activities.

Alcohol fuelled disputes will lead to disorder both within and outside the premises, and can lead to criminal actions both to individuals and adjacent properties. This situation would only lead to an increasing demand on our already stretched Police resources.

Public Safety

With the number of external covers indicated in the application, together with internal covers this will create a significant "footfall" over the period with cars and taxis arriving and departing at regular intervals creating a significant accident hazard to the public. The increase in vehicular movements would significantly increase the problems which already exist at the junction of Thornhill road and Burnett Road Furthermore the public safety could be compromised by disorderly conduct from the premises.

Prevention of Public Nuisance

The application is requesting the playing both INTERNALLY and EXTERNALLY of recorded music, some of which of explicit content, this will create a nuisance and disturbance to the both the residents who are very local to the premises and also to the other residents of Burnett road, Leslie road and Thornhill Road. The application states that:

There does not appear to be any residential properties within approximately 100 Meters Radius of the site

A proper survey of the site would clearly reveal that this statement is not correct and is an indication that the proposal for this licence has not been properly researched for in fact a large number of residential properties are contained within the 100 meters Zone.

The playing of music externally would also impact on wide expanse of nearby residential properties particularly during late night and continued early morning times which are being proposed.

Protection of Children from Harm

School Buses drop off children daily very local to these premises and therefore they would be witnessing all day drinking especially in the proposed external drinking areas and would also be exposed to the proposed playing externally of explicit recorded music.

The late night drinking would significantly disturb the sleeping patterns of the children of the local residents, some of which are at a critical stage of their education.

There is also a Children Day Nursery within the vicinity of the premises requesting a licence.

Summary

Clearly the application is for the establishment of an all day drinking premises with extended opening hours to the early hours of the morning seven days per week providing both internal and external services facilities including the playing of music

It is my considered opinion that the site in question is totally inappropriate for this purpose and that clearly the applicant has not properly researched the area to determine the impact, and that as a result if a license were to be granted it would create a severely negative impact on the local residential area, therefore this application provides no positive improvement to the area but if approved could have serious implications for the residents of the area it should therefore be refused

Regards

A rectangular area of the document has been completely blacked out, obscuring the signature of the author.

V G Palmer

RECEIVED

13 JUL 2018

LICENSING DEPARTMENT

Lichfield district council

www.lichfielddc.gov.uk

Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

FORM

LICHFIELD
12 JUL 2018
COMM

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	PHILIP HARRIS
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	XO LOUNGE
Address of the premises you are making a representation about	52 THORNHILL RD B743EH

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	YES	DRINKING TO 3AM.
Public Safety	YES	UNRULY BEHAVIOUR SPEEDING/ VEHICLES NOISE
The Prevention of Public Nuisance	YES	AS ABOVE
The Protection of Children From Harm	?	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	THIS IS A QUIET RESIDENTIAL AREA.
--	-----------------------------------

Signed:  Date: 11.7.18

Please see notes attached

From: [redacted]
Sent: 20 July 2018 13:43
To: Generic - Licensing
Cc: .Powell, Joseph Councillor
Subject: Licence Application : 52 Thornhill Road :XO Lounge LTD

letter +
form

Dear Licencing Officers

With reference to the above application we wish to object to a granting of a Licence in its presented format.

PREVENTION OF CRIME AND DISORDER.

The Licencing hours requested will only encourage bad behavior due to excessive alcohol consumption over the period, as the venue would soon become known as a late night drinking facility and attract and encourage drug dealing (which is already known to prevail in this area)and other illegal activities. Alcohol fueled disputes will lead to disorder both within and outside the premises, and can lead to criminal actions both to individuals and adjacent properties.

PUBLIC SAFETY

With the number of external covers indicated in the application, together with internal covers this will create a significant "footfall" over the period with cars and taxis arriving and departing at regular intervals creating a significant accident hazard to the public. Furthermore the public safety could be compromised by disorderly conduct from the premises.

PREVENTION OF PUBLIC NUISANCE

The application is requesting the playing both INTERNALLY and EXTERNALLY of recorded music, some of which of explicit content, this will create a nuisance and disturbance to the both the residents who are very local to the premises and also to the other residents of Burnett road, Leslie road and Thornhill Road.

PROTECTION OF CHILDREN FROM HARM.

School Buses drop off children daily very local to these premises and therefore they would be witnessing all day drinking especially in the proposed external drinking areas and would also be exposed to the proposed playing externally of explicit recorded music. The late night drinking would significantly disturb the sleeping patterns of the children of the local residents, some of which are at a critical stage of their education. There is also a Children Day Nursery within the vicinity of the premises requesting a licence.

The Licencing Authority should also consider the following additional reasons to refuse a Licence.

The location is within Streetly Village and an late night drinking facility playing internal and external music would seriously impact on the environment.

The granting of the Licence as applied for would create a precedent for the existing food outlets to apply to extend their licencing hours , causing the residents further grief and disturbance.

The application is in error as there are residential properties well within the 100 metre radius of the applicants premises.

Finally we as residents have the right to a family life under the Human Rights Act , which this application would certainly impact upon, and therefore should be REFUSED.

Regards

Peter Palmer and Jayne Mackey

PLEASE ACKNOWLEDGE RECEIPT OF THIS E MAIL

+ form

Lichfield district council

www.lichfielddc.gov.uk

Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	ROBERT BRAID
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	XO LOUNGE
Address of the premises you are making a representation about	52 THORNHILL ROAD.

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	YES	THE LATE LICENSE ENCOURAGES EXCESSIVE DRINKING WHICH WILL INCREASE CRIME + DISORDER
Public Safety	YES	FOR ALL OF THESE REASONS.
The Prevention of Public Nuisance	YES	MUSIC BEING PLAYED LATE AT NIGHT IN RESIDENTIAL AREA WHERE YOUNG FAMILIES LIVE
The Protection of Children From Harm	YES	NOISE AND DISRUPTION OF PEOPLE WALKING TO AND FROM THE PLACE IN EARLY HOURS OF MORNING.

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	SHORTEN THE LICENSING HOURS TO 11PM. DO NOT ALLOW DRINKING WITHOUT MEAL.
--	--

Signed: 	Date: 19/7/18.
---	----------------

Please see notes attached

RECEIVED

20 JUL 2018

LICENSING DEPARTMENT

Lichfield district council

www.lichfielddc.gov.uk

Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	Joseph John Rayner Powell
Organisation name/name of body you represent (if appropriate)	lected member for F.D.C. (Little Aston)
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	XO Lounge
Address of the premises you are making a representation about	52 Thornhill Rd, Streetly

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	Yes	That such late night activity will attract and encourage a variety of crime and disorder issues:- eg. drugs, sex workers, drinkiness.
Public Safety	Yes	This is a residential area and the large increase in traffic would warrant it as a public safety matter.
The Prevention of Public Nuisance	Yes	The noise from the proposed outside music and the increased traffic late at night would be a major factor.
The Protection of Children From Harm	Yes	Many children in the area, this would encourage those who might do children harm, also noise late at night

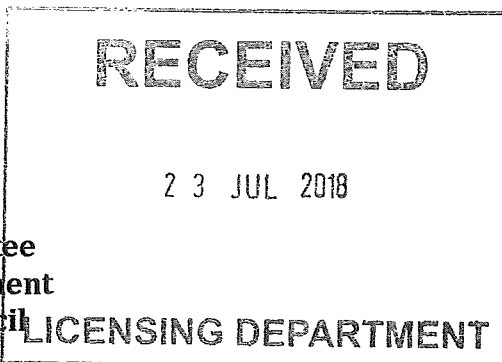
Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	That no outside music. That no service after 11.00 pm. That the number of outside places for service within take a planning restriction.
--	--

Signed:  Date: 17. 7. 2018

Please see notes attached

By Hand and also first by email to licensing@lichfielddc.gov.uk

Stephen Green



The Licensing Committee
The Licensing Department
Lichfield District Council
District Council House
Frog Lane
Lichfield
Staffs
WS13 6YU

+ form

22 July 2018

Dear License Committee members,

**Representation regarding application for license at 52 Thornhill Road,
Streetly.**

Applicant: Messrs Koumides and XO Lounge Limited

Representor: Stephen Green

Address: _____

Email: _____

Phone: _____

I live at the address above, with my wife and two daughters aged 15 and 12. Our house is within 30 metres of the premises for which the above license is sought.

For the reasons set out below I wish to make representations against the application.

I believe the application, if granted, would seriously undermine the Licensing Objectives. I invite the committee to refuse it in full.

I refer to each of the 4 Licencing Objectives and categorise my objections accordingly.

The prevention of Crime and Disorder

1. The proposed licensing hours until 2am and 3am would be likely to attract heavy/problem drinkers. There are plenty of nearby premises to drink and listen to music.
2. The proposed license would also act as magnet for criminal activity, such as drug dealing and sex workers, who target late night drinking establishments.
3. There is already drug dealing taking place in the vicinity, as witnessed by locals, and reported. I have spoken to a neighbour who witnessed this and it is of great concern to me in a family residential area.
4. Allowing drinking and music for the hours requested would result in drunken and disorderly behaviour, and breaches of the peace.
5. Police resources are stretched so response time from the nearest local police would be in excess of 15 minutes risking uncontrolled behaviour.
6. The proposed use of CCTV would not deter criminal activity. At best it would only assist police after the event.
7. I refer to guidance issued on HM Government website: **Revised Guidance issued under section 182 of the Licensing Act 2003**. At page 55 this states (para 8.42): - "Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:
 - the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
 - any risk posed to the local area by the applicants' proposed licensable activities;
8. The Applicant has not evidenced an understanding of the local and physical environment, or crime and disorder hotspots. There is no evidence that distinct local factors have been investigated or considered.

Public Safety

1. I consider the building is unsuitable for a drinking establishment as opposed to use as a restaurant. The license application shows proposals for 106 customers seated, with an unspecified number standing, inside and out. Customer numbers of, or exceeding, 200 are envisaged. This would represent serious risk to public safety in the event of fire.
2. The external fabric of the first floor, and the cladding to the ground floor, is wooden. There was a car fire just outside the premises in August 2016 during daytime. The exterior of the adjoining premises were fire damaged, despite prompt attendance by the fire services. Were such an event to occur late at night, and the fire service be delayed, the building could represent a serious fire hazard to customers and nearby premises, potentially resulting in inability to escape, and death or serious injury.
3. It is noted that the premises only have planning permission as an indoor restaurant, (no permission for outdoor use as proposed). This is relevant to the present application because the planning authorities have clearly

- considered the issue of capacity previously; and shows that limitations to indoor seated dining were considered appropriate.
4. Outdoor drinking risks broken glass, putting local passing children at risk.
 5. The park nearby is popular with locals for exercise and with dog walkers. These will also be put at risk from broken glass.
 6. Parking is very limited in the area. The likely number of vehicles from customers for a drinking establishment for circa 200 people would create a traffic hazard.
 7. There is a problem in the area with car 'cruising' and cars being driven at excessive speed in 30mph roads. The proposed application would act as a magnet for this type of activity and thus a risk to pedestrians and other road users.
 8. The Applicant has made no suggestion of a maximum number of customers for safety or prevention of crime, thus showing a lack of foresight and attention to detail.

The Prevention of Public Nuisance

1. Streetly Village is a quiet residential area, particularly after 10pm. The effect of granting a license as requested would result in noise nuisance, and light pollution.
2. Music played externally late at night/early morning would disturb my family's, and other residents', evening relaxation, children's homework, and sleep.
3. I have already had problems with music being played after 10pm by the previous tenants of these premises keeping our children awake. These concerns were reported to Lichfield Environmental Health Department. The situation has been much improved since the premises closed.
4. After 10pm noise is exacerbated as road traffic and ambient noise is much reduced. A late license would result in increased noise due to (a) raised voices whilst drinking and leaving, (b) groups congregating and waiting for taxis, (c) the risk of gang activity, (d) the arrival and departure of private cars and taxis, and (e) the slamming of car doors.
5. No other nearby premises have licenses to serve alcohol and play music externally past 10.30pm. I suggest this is for good reason and shows evidence that the proposed hours are unsuitable for this area.
6. The Applicant proposes that customers will be supervised closely when leaving at 2am and 3am respectively. No explanation is given of how this would work in practice. In reality such a proposal is unrealistic when dealing with a large numbers of customers leaving together after late night drinking.
7. Furthermore the suggestion of signs asking customers to leave quietly is naïve, and would not prevent noise nuisance.
8. Those customers not leaving by car or taxi, would walk past numerous residences, including my own, and undoubtedly disturb sleep by late night conversation. This is already experienced at Christmas and New Year, but the license proposed would make the level of disruption intolerable.

9. Lighting from signage, the premises, and cars arriving and departing would cause light pollution, disrupting sleep.
10. The Applicant has not demonstrated an understanding of the local area and physical environment, and proximity to residential premises as required by the above quoted guidance. This is evidenced by the Applicant stating, *"There does not appear to be any residential properties within approximately 100 meters radius of the site"* (sic).
11. Even a cursory inspection of the locality or any online map would show there are numerous residences within 100metres including Horsley Road, Burnett Road, Old Station Mews, and Thornhill Road. This is estimated conservatively to include at 20 households, including with young children.
12. The Applicant has, at best, not undertaken even the most basic research before submitting the application; and at worst sought to mislead. This shows a lack of consideration of the risk of public nuisance, and the unsuitability of the Applicant to hold a license.

The Protection of Children From Harm

1. The Applicant has failed to consider the proximity to where children may congregate, as also required by the statutory guidance above. Local children, including my own, are present from 7.00am awaiting collection by school buses for various schools. They return between 3.30pm and 4.30pm.
2. Pre-school children are dropped and collected from early morning to early evening in the near vicinity. The Coogee nursery is within 150metres of the premises. The applicant has demonstrated no consideration of this risk to children.
3. The proposed license would harm local children by disrupting rest, quiet time for homework and relaxation, and sleep- through late hours drinking and music. Numerous families live nearby with pre-school and school age children.
4. The Applicant envisages explicit music being played where children are present before 9pm. This is unacceptable and again shows the unsuitability of the Applicant to hold a license.
5. The Applicant's failure to properly assess the risk of crime as above means the risks to children have not been fully assessed. The risk of congregation of gangs, speeding motor vehicles, drunken customers and loud music, all pose an unacceptable risk to children.
6. My children have already experienced risk through items being discarded over our fence from the area near to the premises, including glass bottles. There would be increased risk of bottles and glasses being thrown into our garden, and also the risk of drug paraphernalia such as needles etc.
7. Children have the right to family life and to privacy. The granting of the license sought would directly impact on my children's family life and privacy.

In light of the above, I respectfully ask the Licensing Committee to fully refuse the application. Whilst the imposition of conditions might be considered a means of promoting the licensing objectives, I submit the application shows a lack of detail and forethought that should result in a full refusal.

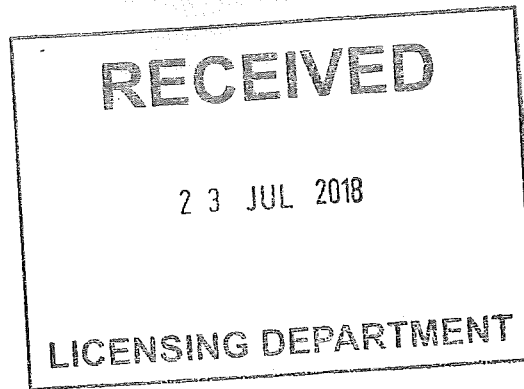
Yours faithfully,

A black rectangular redaction box covering the signature of Stephen Green.

Stephen Green

Cc Councillors Joseph Powell, Elizabeth Hassall and Christopher Pincher MP.

22 July 2018



Lichfield Council Licensing Committee
Frog Lane
Lichfield
WS13 6YY

Dear Sir or Madam

Application by XO Lounge Ltd to extend the Alcohol Licence at the former restaurant premises located on the corner of Thornhill Road and Burnett Road

I object to extending hours for selling alcohol to 2 am on Sunday and 3 am on Saturday.

This will cause noise and busyness in a peaceful residential area until unacceptably late hours.

It will bring an influx of people at hours when children, and adults, are settling down for sleep, and trying to get to sleep.

Previously, in this vicinity, music has been late and loud and it has disturbed the peace, disturbed children sleeping and has been unwanted.

The selling of alcohol that late might encourage drunken behaviour and that late hour in a residential area will be experienced as threatening, unsafe, and greatly disturbing.

If this was a town centre it might be considered appropriate, but not in a peaceful residential area – a major reason we moved to this village.

I object to this one hundred per cent and urge you to consider whether you would like this in your street – and respond against. Can I trust in your efforts to promote harmonious society in our area?

Thank you

A large, dark, rectangular area that has been completely blacked out, obscuring the signature and any text underneath.

Clare Green

Lichfield district council

www.lichfielddc.gov.uk

Licensing Act 2003

RECEIVED

12 JUL 2018

LICENSING DEPARTMENT

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	WARREN WRISH
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	52 MORN HILL ROAD.
Address of the premises you are making a representation about	52 MORN HILL ROAD, SMOOTHY

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	Yes	CRIME IN STREET CURRENTLY IS A REAL ISSUE, NOT ENOUGH POLICE TO PATROL. LATE NIGHT CRIME, IS AT AN ALL TIME HIGH
Public Safety		THE ADDITION OF A LATE NIGHT ESTABLISHMENT WILL NOT HELP THE MAJOR ISSUE, SMOOTHY RESIDENTS ARE FACING.
The Prevention of Public Nuisance	Yes	SITUATED IN A MAINLY RESIDENTIAL AREA, A LATE NIGHT LICENCE WILL CAUSE PUBLIC NUISANCE FOR ACCIDENTS, NOISE
The Protection of Children From Harm		

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	MAX 11PM.
--	-----------

Signed: 	Date: 11-07-18
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Please see notes attached

RECEIVED

12 JUL 2018

LICENSING DEPARTMENT

Lichfield district council

www.lichfielddc.gov.uk

Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):

Your name	DEBORAH PLEMMING
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	
Address of the premises you are making a representation about	52 HORNHILL RD - SUTTON COLDFIELD B74 3EM.

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	YES	RISE IN DRUNKEN CRIME, NOISE ETC - LOUD MUSIC!!
Public Safety	YES	SO CLOSE TO ROAD TAXIS PULLING UP - CAN BE A VERY BUSY ROAD - BAD ALREADY - GRASSES LEFT AND WIDE
The Prevention of Public Nuisance	YES	DISRUPTION OF PEACE AND QUIET LIVING SO CLOSE WOULD BE TERRIBLE IN A RESIDENTIAL AREA.
The Protection of Children From Harm		

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	
--	--

Signed: 	Date: 9/7/2018
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Please see notes attached

RECEIVED

- 9 JUL 2018

LICENSING DEPARTMENT

Lichfield
district council

www.lichfielddc.gov.uk

Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	GRAHAM CHURCHER
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	
Address of the premises you are making a representation about	52 THORNHILL ROAD SUTTON COLDFIELD B74 3EH

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	YES	SEE ATTACHED
Public Safety		
The Prevention of Public Nuisance	YES	SEE ATTACHED
The Protection of Children From Harm		

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	
--	--

Signed: 	Date: 29 June 2018
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Please see notes attached

I am concerned that the extended hours for the drinking of alcohol is more than likely to attract people who will probably have been turned out of public houses by this time with a consequential increase in unacceptable noise levels.

The likelihood of crime and anti social behavior is also of grave concern. We have in the past had a number of car thefts and break-ins at some of the premises in Burnett road and this proposal runs the risk of compounding the problem.

May I suggest that the licensing hours be aligned with those of the two nearby restaurants, which work reasonably well and have not been found to be detrimental to the neighbourhood.

To be blunt, the residents do not want a "night club" in this predominately residential area.

A black rectangular redaction mark covering the signature of G. Churcher.

G. Churcher

6th July 2018

Lichfield district council

www.lichfielddc.gov.uk

Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):

Your name	YU CUI
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	XO lounge
Address of the premises you are making a representation about	52 thornhill road

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	Yes	
Public Safety	Yes	Taxi will be an and out in the late night it is hard to monitor so many cars in the night.
The Prevention of Public Nuisance	Yes	The community has a lot of elderly and young children will suffer from the impact of noise and disruption from the restaurant with later time
The Protection of Children From Harm	Yes	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	
--	--

Signed:	Date: 06/07/18.
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Please see notes attached

Duplicate

Lichfield district council

www.lichfielddc.gov.uk

Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

RECEIVED

11 JUL 2018

LICENSING DEPARTMENT

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):

Your name	ANNE JENKINS
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	


COM.

Name of the premises you are making a representation about	XO LOUNGE LTD
Address of the premises you are making a representation about	52 THORNHILL RD, STREETLY

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder		Please see representation attached.
Public Safety		
The Prevention of Public Nuisance		
The Protection of Children From Harm		

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	
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Signed: 	Date: 8/7/2018.
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Please see notes attached

Licensing Act 2003 Representation Form from Other Persons

Attachment to Representation Form from Anne Jenkins,

The prevention of crime and disorder

- The proposed XO Lounge has a high risk of increasing the level of drunken crime and associated antisocial behaviour in the area given that its commercial success depends on a high volume of clientele and associated alcohol sales.
- Customers wandering the streets late at night following an evening's drinking would be a threat to both local residential and commercial properties.
- A drinking establishment operating late at night is likely to draw in a range of undesirables including drug dealers and prostitutes.

Public Safety

- There is woefully insufficient parking for this venture. Burnett Road already suffers from dangerous parking at all times of the day including on double yellow lines and on pavements. This would be exacerbated by a venue which relies on a regular turnover of clientele inevitably travelling by car.
- Levels of traffic are not the only problem. Many drivers use Burnett Road as a rat run at high speed. There is a risk that this would be made worse by the XO Lounge opening up.

The prevention of public nuisance

- This is a predominantly residential area. The development is bound to generate high levels of noise and it will be operating to very late hours. The restaurants already open on Burnett Road generate some noise in the form of people shouting, taxi engines left running and car doors slamming. This is tolerable because those establishments have reasonable closing times. The XO Lounge would generate a far higher level of similar noise nuisance very late into the night and would be completely unacceptable and unreasonable in a residential area.
- Equally, one of the main features of the licensing application is to allow "late night ambient music". It is not clear what this means but any form of evening or late night music would be a significant public nuisance in a quiet residential area.

The protection of children from harm

- There are families with young children in Roman Place and other residential properties on Burnett Road together with a nursery. The above factors set out under the other headings represent a higher risk to their safety and well-being.

Licensing Act 2003 Representation Form from Other Persons

Attachment to Representation Form from Anne Jenkins, [REDACTED]

The prevention of crime and disorder

- The proposed XO Lounge has a high risk of increasing the level of drunken crime and associated antisocial behaviour in the area given that its commercial success depends on a high volume of clientele and associated alcohol sales.
- Customers wandering the streets late at night following an evening's drinking would be a threat to both local residential and commercial properties.
- A drinking establishment operating late at night is likely to draw in a range of undesirables including drug dealers and prostitutes.

Public Safety

- There is woefully insufficient parking for this venture. Burnett Road already suffers from dangerous parking at all times of the day including on double yellow lines and on pavements. This would be exacerbated by a venue which relies on a regular turnover of clientele inevitably travelling by car.
- Levels of traffic are not the only problem. Many drivers use Burnett Road as a rat run at high speed. There is a risk that this would be made worse by the XO Lounge opening up.

The prevention of public nuisance

- This is a predominantly residential area. The development is bound to generate high levels of noise and it will be operating to very late hours. The restaurants already open on Burnett Road generate some noise in the form of people shouting, taxi engines left running and car doors slamming. This is tolerable because those establishments have reasonable closing times. The XO Lounge would generate a far higher level of similar noise nuisance very late into the night and would be completely unacceptable and unreasonable in a residential area.
- Equally, one of the main features of the licensing application is to allow "late night ambient music". It is not clear what this means but any form of evening or late night music would be a significant public nuisance in a quiet residential area.

The protection of children from harm

- There are families with young children in Roman Place and other residential properties on Burnett Road together with a nursery. The above factors set out under the other headings represent a higher risk to their safety and well-being.

RECEIVED

- 6 JUL 2018

Lichfield
district council

www.lichfielddc.gov.uk

Licensing Act 2003

LICENSING DEPARTMENT

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	EMMA TIBBINS
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	52 THORNHILL RD. SUTTON COLDFIELD RD B743EH.
Address of the premises you are making a representation about	↓

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder		
Public Safety		
The Prevention of Public Nuisance		
The Protection of Children From Harm	YES.	THERE WILL inevitably be late night no & early morning noise. I am very concerned my children aged 9+6 will have their entitlement to a good nights sleep disrupted.

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	
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Signed: 	Date: 5/7/18
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Please see notes attached

McKenzie, Victoria

From:
Sent: 03 July 2018 16:31
To: Generic - Licensing
Subject: Licence application 52 thornhill road streetly.

Hi there as a resident on Burnett road which is on the corner of the proposed application I would like to address my concerns to the recent application by XO Lounge Ltd to extend the alcohol licence on Fridays and Saturdays from 9am to 3am and Sundays 9am to 2am. I live in a rented flat above Francesco hairdressers on Burnett road which is no more than a 30 second walk to the proposed site. Now I get up early for work on Saturdays and Monday's at 530am to leave work for 6am and it's just not good enough to have people drunk and shouting and chatting away at these ridiculous hours, it's bad enough when people are leaving the 2 restaurants on Burnett road but that's not to bad as it's normally 1030pm 11pm at the latest but there is no music playing there either. It was a nightmare when the last owners were there and you could hear there music and people screaming and shouting on the balcony of the premises late at night and I for one will be confronting the owners if this goes ahead. Parking is poor at the best of times on Burnett road too and as there is limited parking for only about 6/7 cars outside the proposed site then cars are going to be parking everywhere and at the back of the shops where I live which raises concerns again as there have been a number of break ins of late on Burnett road with the hairdressers being burgled numerous times along with the co op on thornhill road and the chip shop next door to 52 thornhill road so we could do without more drunken people eyeing up the area and creating a mess. There are certain places and areas for this kind of establishment and I'm sorry but this isn't the place especially being so residential and would offer nothing in my opinion to the area. Regards John Parker.

JP

Sent from Samsung Mobile on O2

McKenzie, Victoria

From: Simon Kirman <[redacted]> *farm*
Sent: 01 July 2018 10:29
To: Generic - Licensing
Cc: .Little, Elizabeth Councillor
Subject: Licence application 52 Thornhill Road / Burnett Rd Streetly - Opposition to application by XO Lounge ltd

Dear Madame / Sir ,

This email is to highlight my opposition to the application to extend the licensing hours to 52 Thornhill Rd, Streetly.

I am a resident of 10 years plus of No.1 Burnett Rd , Streetly and I am very concerned about the intention to be open to 2 and 3am with music and alcohol being sold. This will have a detrimental effect on my families physical and mental well being.

It is well known that the current parking situation in Burnett Rd is beyond belief - cars and lorries park on the corner of the junction with Thornhill rd making it dangerous to pull out. They park on the pavement , on double yellow lines and across my driveway restricting access. They have driven along the pavement causing danger to pedestrians and damage to property (vehicle / infrastructure) This is well reported over the last few years - and resulted in BOLLARDS being installed outside my house - only for vehicles to collide with them ?!?!... saving life / damage . But to date 2 years plus have not been reinstalled .

There have been numerous other local restaurant ventures (The Mint) and most recently a curry house - ALL have failed as ventures . Yet during their time have caused NOISE POLLUTION with customers leaving in the early hours laughing , shouting , arguing , slamming doors , smashed glasses , litter and ridiculous parking issues.

Don't get me wrong - I have nothing against the couple applying for licensing . In fact I try and support local business BUT , the location does not lend itself to such use. Even other local businesses are opposed never mind us RESIDENTS that have to live here !

The last restaurant put SPEAKERS outside playing Indian music until 3am ?!?! Which could be heard with our windows shut never mind hot summer nights with the windows open. HOW on earth was that allowed ? There is a seating area - of course people sit , eat and stand around smoking - even walking down to stand outside our house before walking back to the restaurant ?!?!?...

I have been very close to confronting individuals and have had to enter the restaurant to complain with Little or NO EFFECT.

As a planning department you couldn't even get the fish and chip shop to replace their front door with an automatic door as per planning - informing me a hinged door would suffice (ABSOLUTE JOKE) so pray tell who will be on hand to enforce BREACHES at 2 and 3am in the morning ? When drunk people with no comprehension of people sleeping less then 50 metres away who need to get up for work?....

I would support a compromise of open till 11.30 /12 serving alcohol and NO EXTERNAL MUSIC ... but the parking would have to be reviewed and the BOLLARDS Replaced outside my house to ensure safety of the public and my family when we walk off the drive.

I urge yourselves to think carefully before authorising any licence . There are good reasons it has not been allowed by the Police before. ASB is a blot on other people's lives - and simply having the offer of a late night licence will only encourage people into the area from PUBS who wish to engage in further drinking ... surely by midnight they will have had enough. Please don't ensure Profit over public happiness and safety.

Thank you for taking my views into account.

Failing that let me have the owners Home address and I will picnic with friends and play loud music until 3am and see how they like the experience ! 😊

Mr Kirman

Sent from my iPhone

McKenzie, Victoria

From: James Challoner <j;
Sent: 01 July 2018 20:42
To: Generic - Licensing; .Little, Elizabeth Councillor; .Powell, Joseph Councillor
Subject: Licence Application - 52 Thornhill Road, Streetly

FUM

FAO Licensing, E. Hassall and J. Powell

I am emailing in regard to a recent application by XO Lounge to extend the Alcohol Licence at 52 Thornhill Road, Streetly.

As a resident of Burnett Road I am concerned about the potential late night/early morning disruption that this would cause and the negative impact that this could have on the local residents, including families with young children.

When we moved into the street we were aware of the existing restaurants and their reasonable closing times. Currently, through no fault of the owners of these establishments, we are frequently woken up by cars leaving these restaurants at closing time. To have this happen potentially up until 3am would be extremely concerning, especially as we have two school age children that could also have their sleep disrupted by people leaving the establishment in high spirits and also the cars/taxis dropping off and picking up.

I welcome anything that will add to the local area but I genuinely feel that this would not be a positive addition and that there are reasonable alternative late night drinking establishments located 2 miles away in Mere Green.

Thank you for taking the time to read my comments.

Yours sincerely,

James Challoner

RECEIVED

- 2 JUL 2018

Lichfield
district council

www.lichfielddc.gov.uk

LICENSING DEPARTMENT

Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

FUM

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	MARGARET WORTH (MRS.)
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	
Address of the premises you are making a representation about	52 THORNHILL ROAD SUTTON COLDFIELD B14 3EH

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	YES	SEE ATTACHED
Public Safety	/	
The Prevention of Public Nuisance	YES	SEE ATTACHED
The Protection of Children From Harm	/	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	
--	--

Signed: 	Date: 29th June 2018
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Please see notes attached

I live on my own at 11 Roman Place Burnett Road
reilly. I am well into my eighties.

When hearing of this licence Application am very
concerned and worried at the prospect.

In the event of the Application being granted
by your Council, the prospect of anti social behavior
in my area as a result of these opening hours is
very worrying and the prospect of being kept
awake in the early hours by noise of cars, taxis
coming and going and people shouting especially
bit worse by drink and doors of cars slamming

I am hoping your Council will not grant
this Application in a lovely pleasant residential
area such as Streetly.

Lichfield district council

www.lichfielddc.gov.uk

Licensing Act 2003

RECEIVED

- 2 JUL 2018

LICENSING DEPARTMENT

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	MALCOLM CROSSMAN
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	
Address of the premises you are making a representation about	52 THORNHILL ROAD, SUTTON COLDFIELD B74 3ET

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	YES	SEE ATTACHED
Public Safety		
The Prevention of Public Nuisance	YES	SEE ATTACHED
The Protection of Children From Harm		

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	
--	--

Signed: 	Date: 29th JUNE 2018
---	----------------------

Please see notes attached

form

The Prevention of Crime and Disorder

As I understand it, these late night/early morning venues are designed to attract persons who wish to continue drinking after regular clubs and pubs have closed.

The clientele are generally pretty well high on alcohol on arrival at such establishments and the potential for drunken crime and antisocial behaviour is extremely high in this predominately residential area.

The prevention of Public Nuisance

As stated above this area is a predominately residential and to anticipate that the opening of such a late night establishment would not have a consequential impact on local residents is naïve in the extreme.

As a local resident, I am surely entitled to peace and quiet late at night and into the early hours and not be disturbed by general noise, drunken shouting, taxis parked up with engines running in close proximity to our homes and the inevitable slamming of car doors.

Further, I admit to not being fully aware as to what the phrase "Late Night Ambient Music" is supposed to mean or what, in practice, the volume levels are likely to be.

Nevertheless, I cannot imagine that in the early hours, sounds of whatever level would not carry to the opened bedroom windows of my home and compound the general noise levels as described above.



29th June 2018.

RECEIVED

- 3 JUL 2018

Lichfield
district council

www.lichfielddc.gov.uk

Licensing Act 2003

LICENSING DEPARTMENT

REPRESENTATION FORM FROM OTHER PERSONS

FORM

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	MRS. PAMELA J. HEELIS
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	XO LOUNGE LTD.
Address of the premises you are making a representation about	52. THORNHILL ROAD.

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf).

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	<input checked="" type="checkbox"/>	ALREADY BURGLARIES HAVE TAKEN PLACE. GEEVES. CLEANERS & SEVERAL TIMES AT THE COOP.
Public Safety	<input type="checkbox"/>	WOULD BE UNABLE TO SLEEP AT NIGHT. DUE TO NOISE AT UNREASONABLE HOURS.
The Prevention of Public Nuisance	<input type="checkbox"/>	CARS PARKING IN BURNETT ROAD. THE COMING & GOING. SMOGGING & LAUGHTER OF INDIVIDUALS WORSE FOR DRINK.
The Protection of Children From Harm	<input type="checkbox"/>	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	PLEASE SEE - ATTACHED LIST. WITH COMMENTS.
--	--

Signed: 	Date: 1st July 2018
---	---------------------

Please see notes attached

1. Roman Place, Burnett Road,
Streetly, Sutton Coldfield. B74 3FJ.
15th July 2018

Re licence Application - 52 Thornhill Road

As a resident of Roman Place, Burnett Road, living on my own and well into my 90's, I am appalled to know an application has been made to extend the hours of 52 Thornhill Road to 2.00 am on Sunday mornings and 3.00 am Friday and Saturdays.

Since learning of this application I am unable to sleep through worry.

Crime and Disorder

Already Burglaries have taken place at Geeses the Dry Cleaners almost next door, and several burglaries have also taken place at the Coop - On the opposite side of the road, taking amongst other things especially drink.

If the criminals discovered there would be money and drink at the above premises, it is highly likely they would be targeted.

Prevention of Public Nuisance

As parking is limited at the above residence, I am convinced Burnett Road would be used.

I object to cars coming and going, the slamming of doors, laughter & shouting of individuals being a little the worse for drink, as a result of these opening hours.

How can this be allowed in a very pleasant residential area.

It would lower the tone, and certainly would affect the price of property.

I am strongly opposed to this request. P.D. Heelis

McKenzie, Victoria

From: Tony Southgate ✓
Sent: 30 June 2018 15:04
To: Generic - Licensing
Cc: .Little, Elizabeth Councillor
Subject: Licence application -52 Thornhill Rd.

As a resident of Burnett Rd Streetly I am writing with regard to the licence application by XO Lounge Ltd. at the above property in Thornhill Rd.

As far as I am aware they have applied to be able to sell alcohol on Sundays until 2 am and Fridays and Saturdays till 3am.together with Late Night Recorded Music.

This is obviously going to be a night club if approved which is totally alien to this neighbourhood.

I am sure you will know that around this property are a number of " up market" shops,two fine restaurants and a number of small businesses.

In addition to the commercial premises there are a number of private residences and apartments in close proximity.

The premises 52 Thornhill Rd has no car park so PARKING would be an issue with cars having to use Burnett Rd.

Noise in the early hours of the morning travels a long way so in addition to the possible nuisance of late night music the residents are going to be disturbed by noisy customers exiting the premises with car doors slamming etc.

This type of business is not in any way appropriate in this area and the application should be turned down out of hand.

Surely a night club should be accommodated in a more appropriate area and not in a residential neighbourhood.

Please do not let this application succeed.

Thank you

Tony and Christine Southgate.

Sent from my iPad

FOIM

Address ✓

RECEIVED

- 4 JUL 2018

LICENSING DEPARTMENT

Lichfield district council

www.lichfielddc.gov.uk

Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

FORM

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	GORDON ORME
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	
Address of the premises you are making a representation about	52 Thornhill Road, Sutton Coldfield, B74 3EH

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	YES	There is a high risk of crime and antisocial behavior, if approved.
Public Safety		
The Prevention of Public Nuisance	YES	This application, if approved, will generate a lot of early morning street noise which will affect my peaceful existence
The Protection of Children From Harm		

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	
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Signed: 	Date: 3rd July 2018
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Please see notes attached

McKenzie, Victoria

From: Kalvinder Kindee Kumar <kalkumar@hotmail.co.uk>
Sent: 03 July 2018 17:22
To: Generic - Licensing; .Little, Elizabeth Councillor; .Powell, Joseph Councillor
Subject: 52 Thornhill Road

Dear all

I have been notified that number 52 which will be called XO Lounge will be opening extended hours until 3am.

I write to object to this restaurant come disco bar ! I have lived on Thornhill Road since 1995. I like the quite life. I hate the smell of the fish & chip shop but I certainly am totally against this XO Lounge or whatever it maybe called ! Here's our reasons

- 1 we do not want riff raff coming to Little Aston to behaviour like ill mannered citizens.
2. We do not want to attract youth who are disrespectful & non law abiding citizens.
3. There will be more opportunities for recreation drugs to be taken place.
- 4 increase of burglaries !
5. That parking will be an issue and increase accidents.
- 6 noise levels will rise so this will have an impact on residents who work night shifts. I know couple of people are doctors & nurses & they won't be best pleased with noise levels.
- 7 it will have an impact on people trying to sell their property.

I propose you do not approve this nonsense of wine bar late night music - it's not right for the area. The NHS is already cutting back services so we certainly do not want to encourage more alcohol consumption & poor diet as this will only mean increase of a burden on the NHS & early death stroke & diabetes !

You may well find my email amusing but I don't ! I am fed up of people who think they can destroy our area & do as they please !

Mrs K Kumar
A law abiding citizen.

FOIM

ADDRESS ✓

Sent from my iPhone

McKenzie, Victoria

From: Russell Mallen <mallen.russell@gmail.com>
Sent: 03 July 2018 08:02
To: Generic - Licensing
Subject: 52 Thornhill Road. Streetly, Sutton Coldfield, B74 3EH

Re: Notice of Application for a Premises Licence under the Licensing Act 2003
Applicant: Christopher Koumides of XO Lounge Ltd
Premises: 52 Thornhill Road. Streetly, Sutton Coldfield, B74 3EH

Dear Sirs,

As a local resident to the above site I was dismayed to hear through a third party of a proposal to open up a late night bar/club at the above mentioned premises. I live about 100 yards away from the venue and I have not been sent anything from the council regarding the proposal.

From the sole notice stuck to the door of the premises, it says that the full application can only be viewed by appointment only at the offices of Lichfield District Council. I work full time so making an appointment before the 12th July is not going to be feasible. Are you able to let me have a copy of the proposal via email?

I must say that without the full details of the proposal and from what I am hearing, *I must object to the proposal for a bar/club to be sited at those premises. The site is situated in a residential area and we do not want the noise, litter, disruption by drunks, drugs etc to blight the area. If there is a more formal way of objecting to the proposal then could you kindly let me know.*

I have looked up XO Lounge Ltd at Companies House to find that this business was only incorporated in January 2018. Do the applicants have the necessary knowledge and experience in running such an establishment, I fear not.

I await your reply.

Address ✓
form

SUTTON COLDFIELD

Kind regards

SUTTON COLDFIELD

Russell Mallen

Duplicate

Lichfield district council

www.lichfielddc.gov.uk

Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

RECEIVED

10 JUL 2018

LICENSING DEPARTMENT

This representation is made by an 'Other Person' in respect of the premises to be licensed as detailed below (see note 1 attached):


Your name	RUSSELL MALLEN
Organisation name/name of body you represent (if appropriate)	
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	
Address of the premises you are making a representation about	52 THORNHILL RD, SUTTON COLDFIELD B74 3EN

Your representation must relate to one of the four Licensing Objectives (see note 2 overleaf)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
The prevention of Crime and Disorder	YES	LATE NIGHT VENUES ATTRACT DRUNKEN DISORDER BY NATURE. THIS WILL INCREASE PETTY CRIME IN A PREDOMINANTLY RESIDENTIAL AREA.
Public Safety		
The Prevention of Public Nuisance	YES	LIVING SO CLOSE TO THE VENUE I WILL BE ABLE TO HEAR LATE NIGHT MUSIC AND DISORDER, AS WELL AS INCREASED TRAFFIC.
The Protection of Children From Harm		

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Committee to take into account.	
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Signed: 	Date: 8/7/18
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Please see notes attached

Extract from Section 182 Guidance

Hearings

1.1 The Licensing Act 2003 (Hearings) Regulations 2005 governing hearings may be found on the www.legislation.gov.uk website. If the licensing authority decides that representations are relevant, it must hold a hearing to consider them. The need for a hearing can only be avoided with the agreement of the licensing authority, where the applicant and all of the persons who made relevant representations have given notice to the authority that they consider a hearing to be unnecessary. Where this is the case and the authority agrees that a hearing is unnecessary, it must forthwith give notice to the parties that the hearing has been dispensed with. Notwithstanding those regulatory provisions, in cases where the licensing authority believes that a hearing is still necessary, it is recommended that the authority should, as soon as possible, provide the parties with reasons in writing for the need to hold the hearing. In cases where only 'positive' representations are received, without qualifications, the licensing authority should consider whether a hearing is required. To this end, it may wish to notify the persons who made representations and give them the opportunity to withdraw those representations. This would need to be done in sufficient time before the hearing to ensure that parties were not put to unnecessary inconvenience.

1.2 Responsible authorities should try to conclude any discussions with the applicant in good time before the hearing. The 2005 Hearings Regulations permit licensing authorities to extend a time limit provided for by those Regulations for a specified period where it considers this to be necessary in the public interest. For example, if the application is amended at the last moment, the licensing committee should consider giving other persons time to address the revised application before the hearing commences. Where the authority has extended a time limit it must forthwith give a notice to the parties involved stating the period of the extension and the reasons for it.

1.3 The 2005 Hearings Regulations require that representations must be withdrawn 24 hours before the first day of any hearing. If they are withdrawn after this time, the hearing must proceed and the representations may be withdrawn orally at that hearing. However, where discussions between an applicant and those making representations are taking place and it is likely that all parties are on the point of reaching agreement, the licensing authority may wish to use the power given within the hearings regulations to extend time limits, if it considers this to be in the public interest.

1.4 Applicants should be encouraged to contact responsible authorities and others, such as local residents, who may be affected by the application before formulating their applications so that the mediation process may begin before the statutory time limits come into effect after submission of an application. The hearing process must meet the requirements of regulations made under the 2003 Act. Where matters arise which are not covered by the regulations, licensing authorities may make arrangements as they see fit as long as they are lawful.

1.5 There is no requirement in the 2003 Act for responsible authorities that have made representations to attend, but it is generally good practice and assists committees in reaching more informed decisions. Where several responsible authorities within a local authority have made representations on an application, a single local authority officer may represent them at the hearing if the responsible authorities and the licensing authority agree. This local authority officer

representing other responsible authorities may be a licensing officer, but only if this licensing officer is acting as a responsible authority on behalf of the licensing authority and has had no role in the licensing determination process. This is to ensure that the responsible authorities are represented by an independent officer separate from the licensing determination process.

1.6 As noted in paragraphs 9.13 to 9.19 above, where the licensing officer is acting as a responsible authority the relevant steps should be followed to ensure that this individual has no role in the decision making process regarding the licensing determination.

1.7 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.

1.8 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of licensing policy.

1.9 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.

1.10 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

1.11 In the context of variations or minor variations, which may involve structural alteration to or change of use of a building, the decision of the licensing authority will not exempt an applicant from the need to apply for building control approval, planning permission or both of these where appropriate.

Determining actions that are appropriate for the promotion of the licensing objectives

1.12 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

1.13 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

1.14 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is

imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

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Public Nuisance

A notice advising customers to leave the premises quietly and respect the needs of residents must be displayed at each of the exits of the premises.

Public safety

No persons will be permitted to take any opened vessels containing any alcoholic/non alcoholic drinks from the boundaries of the premises.

Protection of Children from Harm

The premises must operate a Challenge 25 policy and all staff must receive training in relation to the scheme. The only acceptable forms of identification being a passport or photo card driving licence bearing a holographic mark or other form of identification bearing the customers photograph, date of birth and the proof of age standard scheme (or similarly accredited scheme) hologram.

Challenge 25 signage must be displayed at the entrance to the premises and at the cash till payment areas.

A refusals register with details of all refusals must be maintained at the premises. The register must contain details of the staff member refusing the sale and must be checked on a monthly basis by the Designated Premises Supervisor and signed and dated by the Designated Premises Supervisor.

The refusals register whether paper or electronic must be produced and made available for inspection at the time of the visit by any Responsible Authority.

I agree to all the above conditions forming part of the premises licence in respect of XO Lounge, 52 Thornhill Road, Streetly, Sutton Coldfield, Staffordshire, B74 3EN

Signed: 

Position: Director/owner/DPS
Date: 09/07/2018

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LICENSING AND CONSENTS APPEALS COMMITTEE

Further Information

- Copies of the representations received are enclosed with the Licensing Authority's report and made available to the Licensing and Consents Appeals Committee
- You are entitled to attend the meeting if you wish. You may also be assisted or accompanied by another person. You are also entitled to be represented by any person whether or not they are legally qualified.
- You will have the opportunity to address the Licensing and Consents Appeals Committee and will be able to question any other party.
- The Legal Adviser present to aid the Committee may question any party or approved representative to ensure that the hearing is conducted fairly and to clarify any matter arising.
- Please note that if you do not attend, the Licensing and Consents Appeals Committee may still consider the matter in your absence. However the Licensing and Consents Appeals Committee will still consider any application or representations that you have made at the meeting.
- The Licensing and Consents Appeals Committee has the right to exclude any person who is being disruptive although they may be permitted to return on specified conditions. However, if they had been entitled to provide information verbally to the hearing, they will still retain the right to provide that information in writing.
- The enclosed Procedure will be the one followed at the Committee hearing.

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**PROCEDURE TO BE FOLLOWED FOR CONSIDERATION OF
APPLICATIONS FOR PREMISES OR PERSONAL LICENSES
HAVING REGARD TO THE LICENSING ACT 2003**

(The Licensing Act 2003 (Hearings) Regulations 2005 require that a hearing shall take the form of a discussion led by the Authority and generally cross examination shall not be permitted. The procedure set out below is designed to give some structure to the Hearing and all parties should be aware that the hearing could continue in the absence of the applicant if they fail to attend or fulfil their obligations to the Licensing authority.)

1. The Chairman will introduce the Members of the Committee and invite those present at each hearing to introduce themselves.
2. The Chairman will ask those present if they are aware of and understand the Procedure to be followed. No additional representations to that already submitted can be considered.
3. The Licensing Officer will present the application and report.
4. The Applicant will present his/her application and may comment on any representations made.

The Panel, responsible authorities and interested parties may ask questions of the Applicant through the Chair.

5. Responsible authorities will then be allowed to make their representations in respect of the application.

The Panel and Applicant may ask questions of the responsible authorities through the Chair

6. Interested Parties who have made written representations will then be allowed to make their representations in respect of the application.

The Panel and Applicant may ask questions of the interested parties through the Chair.

7. Finally, the Applicant or his representative can make a short closing speech.
8. All parties will then withdraw to allow the Committee to consider the case. When a decision is made all parties will return and be told the decision and reasons for that decision by the Chairman of the Committee. Written notice of the decision will follow.

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