

Meeting of the Licensing Sub-Committee 1

Tuesday 28th June, 2022 at 10.00am

In the Council Chamber at the Council House, Priory Road, Dudley

Agenda - Public Session

(Meeting open to the public and press)

1. Apologies for absence.
2. To report the appointment of any substitute Members for this meeting of the Sub-Committee.
3. To receive any declarations of interest under the Members' Code of Conduct.
4. To confirm and sign the minutes of the meetings held on 25th January, 2022 as a correct record.

The following applications are to be considered under the provisions of the Licensing Act 2003:-

5. Application for Review of a Premises Licence – Meadowlark Express, 115-116 Dibdale Road, Milking Bank (Pages 1 - 8)
6. Application for Review of a Premises Licence – News Express (The Wine Cellar), 15-17 Abbey Road, Gornal, Dudley (Pages 9 - 13)
7. To consider any questions from Members to the Chair where two clear days notice has been given to the Monitoring Officer (Council Procedure Rule 11.8).



Chief Executive

Dated: 20th June, 2022

Distribution:

Members of the Licensing Sub-Committee 1



Councillor J Clinton (Chair)
Councillors J Cowell and P Miller

Please note the following concerning meetings at Dudley Council House:

In view of ongoing Health and Safety requirements in the work place, you are asked to note the following information when attending meetings:-

- Windows/doors will be opened to provide adequate ventilation.
- Please ensure you sanitise your hands when arriving and leaving the building. Hand washing facilities are also available on site.
- Hand sanitiser and antibacterial wipes are available at various locations.
- All persons entering or working in the Council House are encouraged to wear face masks in communal areas and when moving around the building.
- Face masks may be removed when you are participating in the meeting.
- All people attending are encouraged to undertake Lateral Flow Tests twice a week. Anyone testing positive should not attend and should seek further advice.
- Do not attend if you feel unwell; if you have tested positive for Covid-19; if you are self-isolating or if you suspect that you are symptomatic.
- All people are encouraged to be vaccinated to limit any potential ill-health effects.
- Please be respectful of everyone's personal space and preferences when you attend meetings.

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- Toilet facilities are available on site and are subject to safety measures that are in place. All the toilets have hand washing facilities.

No smoking

- There is no smoking on the Council House premises in line with national legislation. It is an offence to smoke in or on the premises. You cannot use e-cigarettes and/or similar vaping devices.

In Case of Emergency

- In the event of the alarms sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.



Submitting Apologies for Absence

- Elected Members can submit apologies by contacting Democratic Services (see our contact details below). Members wishing to appoint a substitute should notify Democratic Services as soon as possible in advance of the meeting. Any substitute Members must be eligible to serve on the meeting in question (for example, he/she must have received the training required by the Council).

Private and Confidential Information

- Any agendas containing reports with 'exempt' information should be treated as private and confidential. It is your responsibility to ensure that information containing private and personal data is kept safe and secure at all times. Confidential papers should be handed to Democratic Services for secure disposal. If you choose to retain the documents you should ensure that the information is securely stored and destroyed within six months.

General

- Public Wi-Fi is available in the Council House.
- The use of mobile devices or electronic facilities is permitted for the purposes of recording/reporting during the public session of the meeting. The use of any such devices must not disrupt the meeting – Please turn off any ringtones or set your devices to silent.
- Information about the Council and our meetings can be viewed on the website www.dudley.gov.uk

If you need advice or assistance

- If you (or anyone you know) requires assistance to access the venue, or if you have any other queries, please contact Democratic Services - Telephone 01384 815238 or E-mail Democratic.Services@dudley.gov.uk

Licensing Sub-Committee Procedure

- Chair to welcome parties and introduce Members and Officers
- Establish who the parties are and any representatives
- Chair to confirm that all parties have had disclosure of all documents that the Committee has before them and been allowed sufficient opportunity to read them prior to the meeting.
- Presenting Officer of the Local Authority or Solicitor to present the report to the Sub-Committee
- Relevant Authority to present their evidence and the Chair will then ask if any of the following have questions for the Officer:-
 - Objectors/or their representative
 - Applicant or representative
 - Sub-Committee Members and Legal Advisor
- Objectors or their representative/nominated person to present his/her case (including Ward Members)
 - Any witnesses to be called
 - Each witness to be questioned through the Chair in the following order:-
 - Representative of objectors (if present), if no representative, the objectors
- The Chair will then ask the following if they have any questions for the representative or the objectors:-
 - Presenting Officer Local Authority (or Solicitor)
 - Applicant or Representative
 - Sub-Committee Members and Legal Advisor
- Applicant or representative to introduce his or her case
 - Any witnesses for the applicant to be called
 - Each witness to be questioned through the Chair in the following order:-
 - Representative of Applicant (if present)
 - Presenting Officer Local Authority/Solicitor
 - Relevant Authority
 - Objector or Representative
 - Sub-Committee Members and Legal Advisor
- Presenting Officer of the Local Authority/Solicitor to sum up.
- Objectors/Representative to sum up



- Applicant or representative to sum up (must make final comments)
- Legal Advisor indicates to parties details of legal advice to be given to Sub-Committee
- Parties asked if they have had a fair hearing
- All parties, together with any members of the public to withdraw
- Sub-Committee to make their decision
- All parties invited to return and the Chair reads out the decision and the reasons for the decision.

**Minutes of the Licensing Sub-Committee 1
Tuesday, 25th January, 2022 at 10.00 am
In the Council Chamber, Council House, Dudley**

Present:

Councillor E Taylor (Chair)
Councillors P Miller and K Razzaq

Officers: -

N Slym – Assistant Team Manager - Licensing and Waste Enforcement (Directorate of Public Realm), R Clark – Principal Solicitor and K Buckle - Democratic Services Officer (Directorate of Finance and Legal).

Observer: -

S Smith – Team Manager – Licensing and Waste Enforcement (Directorate of Public Realm).

18. **Declarations of Interest**

No Member made a declaration of interest in accordance with the Members Code of Conduct.

19. **Minutes**

Resolved

That the minutes of the meeting held on 16th December 2021, be approved as a correct record and signed.

20. **Application for a Licensed Premises Gaming Machine Permit – The Gigmill, South Road, Stourbridge**

A report of the Acting Director of Public Realm was submitted in respect of an application for the grant of a Licensed Premises Gaming Machine Permit for three

Category C machines and one Category D machine at the premises known as The Gigmill, South Road, Stourbridge.

The following were in attendance at the meeting in respect of the application: -

Mr L Davies – Designated Premises Supervisor

Mr L Schelvis – J Gaunt and Partners Solicitors – The Applicant's Legal Representative

Following introductions, the Assistant Team Manager - Licensing and Waste Enforcement presented the report on behalf of the Council, and Mr Schelvis responded to questions asked by the Sub-Committee. In responding to comments made by the Sub-Committee, Mr Schelvis clarified the positioning of the machines and confirmed that all machines would be visible by members of staff from the different areas within the licensed premises.

The Sub-Committee considered a map detailing the location of the gaming machines.

Mr Schelvis also confirmed that the machine that was to be situated in the Gaming Room would be supervised whilst the room was open, however whilst not in use the room would be un-accessible to the public.

It was confirmed that there were procedures and policies in place for dealing with those accessing the Gaming Machines.

Following summing up, all parties withdrew from the meeting to enable the Sub-Committee to determine the application.

The Sub-Committee having made their decision invited the parties to return and the Chair outlined the decision.

Resolved

That, following consideration of the information contained in the report submitted, the grant of a Licensed Premises Gaming Machine Permit for three Category C machines and one Category D machine in respect of the premises known as The Gigmill, South Road, Stourbridge, be approved.

The meeting ended at 10:30 am

CHAIR

**Minutes of the Licensing Sub-Committee 1
Tuesday, 25th January 2022 at 10.55 am
In the Council Chamber, Council House, Dudley**

Present:

Councillor E Taylor (Chair)
Councillors P Miller and K Razzaq

Officers: -

N Slym – Assistant Team Manager - Licensing and Waste Enforcement (Directorate of Public Realm), R Clark – Principal Solicitor and K Buckle - Democratic Services Officer (Directorate of Finance and Legal).

Observer: -

S Smith – Team Manager – Licensing and Waste Enforcement (Directorate of Public Realm).

21. **Declarations of Interest**

No Member made a declaration of interest in accordance with the Members Code of Conduct.

22. **Application to Vary a Premises Licence – The New Inn, 2 Cherry Street, Stourbridge**

A report of the Acting Director of Public Realm was submitted on an application to vary a premises licence in respect of premises known as the New Inn, 2 Cherry Street, Stourbridge.

The following were in attendance at the meeting in respect of the application: -

Mr C Derricote – The Tenant of The New Inn
Mr T Timmins – Area Manager for Punch Partnership Limited
Mr Domleo – Flint Bishop LLP – The Applicant's Legal Representative
Ms C Vaughan – Senior Environmental Health Officer

Following introductions, the Assistant Team Manager – Licensing and Waste Enforcement presented the report on behalf of the Council and made specific reference to the objections that had been raised by Environmental Health and Safety and local residents. It was reported that one of those local residents who had wished to attend the meeting could not due to illness.

It was also noted that the variation proposed to play recorded music 10:00 hours until 00:00 hours Monday to Friday had been withdrawn by the applicant.

Representations were received from Environmental Health and Safety, with Ms Vaughan stating that several complaints had been received by local residents relating to noise emanating from the beer garden at the licensed premises, including banging on the fence of the newly developed beer garden area. It was stated that there were six houses that bordered the licensed premises area and following discussions, the applicant had agreed to two conditions being placed on the licence.

Mr Domleo, on behalf of the applicant confirmed that the two conditions agreed to were to close the outdoor area of the licensed premises to the public at 23:00 hours Monday to Saturday and at 22:30 hours on Sundays and the three-metre wide area at the north end of the licensed premises outside boundary would be closed at 21:00 hours Monday to Sunday.

However, Ms Vaughan requested the Sub-Committee to impose a further condition that a one-metre strip on the northern boundary of the Licensed Premises should be a planted area, to prevent access to and banging on the fence, at any time.

Members were satisfied that the closure of the three-metre strip at 21:00 hours on the North side of the outside boundary was sufficient to protect neighbouring properties from the noise and nuisance. It was recommended the applicant seriously consider planting the border, to avoid the issue of noise nuisance arising in the future.

Mr Domleo confirmed that the variation sought was to allow the premises to supply alcohol until midnight on Friday and Saturday nights and to open the premises until 00:30 hours on those two days (drinking up time).

The applicant also sought to remove and replace the non-standard hours on Christmas Day. It was noted that no objections had been received in relation to the proposed extension of Christmas day opening hours.

Mr Domleo agreed on behalf of the applicant to accept a condition on the premises licence that no new customers would be admitted to the premises on Fridays and Saturdays after 23:00 hours. That condition would address local resident's concerns of customers coming from other local licensed premises for the last hour.

In responding to questions from the Sub-Committee, Mr Domleo stated that in relation to the proposed 08:00 hours daily opening time, that would be for breakfast and the sale of alcohol would not be permitted until 10:00 hours.



LSBC/19

The Sub-Committee asked questions in relation to parking at the licensed premises, as it was believed that the newly constructed beer garden had previously been available for customer parking. In responding Mr Domleo indicated that there had been very few car parking spaces with the ground being utilised as an overflow to the parking at the front of the licensed premises.

Following summing up, all parties withdrew from the meeting to enable the Sub-Committee to determine the application.

The Sub-Committee having made their decision invited the parties to return and the Chair outlined the decision.

Resolved

- (1) That following consideration of the information contained in the report submitted and presented at the meeting, the application for a variation of the premises licence as outlined in the Schedule Submitted in respect of premises known as The New Inn, Cherry Street, Stourbridge be granted subject to the following amendments to the operating schedule, conditions and opening times as follows: -

That no new customers shall be allowed on the premises after 23:00 hours Friday and Saturday.

That the opening hours be extended to 08:00 hours Monday to Sunday for non-licensable activities between 08:00 hours and 10:00 hours.

That the Christmas day non-standard timing restriction for all licensable activities and opening hours be removed.

Conditions

- (1) The outdoor area shall be closed to the public at 23:00 hours Monday to Saturday and 22:30 hours on Sundays.
- (2) That the three metre wide area at the north end of the premises outside boundary shall be closed at 21:00 hours Monday to Sunday.
- (2) That the Applicant be requested to submit plans detailing the North Garden outdoor area of The New Inn, 2 Cherry Street, Stourbridge.

The meeting ended at 12:35 pm

CHAIR

Meeting of the Licensing Sub-Committee 1 – 28th June 2022

Report of the Interim Director of Public Realm

Application for Review of a Premises Licence - Meadowlark Express, 115-116 Dibdale Road, Milking Bank, Dudley, DY1 2RR

Purpose

1. To consider the application for the review of the premises licence in respect of Meadowlark Express (formerly Bargain Booze/Costcutter) 115-116 Dibdale Road, Milking Bank, Dudley.

Recommendation

2. That the Sub-Committee determine the application for the review of the premises licence received from Environmental Health and Trading Standards, in respect of the premises known as the Meadowlark Express, 115-116 Dibdale Road, Milking Bank, Dudley.

Background

3. The Meadowlark Express (formerly Bargain Booze/Costcutter) was first issued with a premises licence on the 3rd August 2005, that licence was transferred into the name of Mr K Balendran on the 5th April 2022 but took effect from the 16th March 2022. The premises licence was issued for the following days and times:

Supply of Alcohol/Premises open to the public

Monday to Saturday	08.00 until 23.00
Sunday	10.00 until 22.30
Good Friday	08.00 until 22.30
Christmas Day	12.00 until 15.00
Christmas Day	19.00 until 22.30

4. On the 10th May 2022, an application for the review of the premises licence was received from the Public Protection Manager, Environmental Health and Trading Standards, the grounds for the review relate to the prevention of crime and disorder and protection of children from harm. A copy of that application has been forwarded to the Premises Licence Holder, Committee Members, Relevant Authorities and Interested Parties in accordance with the Licensing Act 2003.
5. The Council advertised the application for review of the premises licence in accordance with Licensing Regulation SI, 2005, No. 42, Section 38.

6. Representations in support of the application for review have been received from the West Midlands Police, the Licensing Authority, Safeguarding, and Public Health.
7. Copies of all representations have also been forwarded to the Premises Licence Holder, Committee Members and Interested Parties.
8. These premises have been the subject of a previous review which was considered by the Licensing Sub-Committee 2 on the 12th July 2016. A copy of the minutes from that hearing are attached to this report as Appendix 1.

Finance

9. There are no financial implications.

Law

10. The law relating to the review of licences is governed by the Licensing Act, 2003 Section 52(1).

52(1) This section applies where:-

- a) The relevant licensing authority receives an application made in accordance with Section 51.
 - b) the applicant has complied with any requirement imposed on him under subsection (3)(a) or (d) of that section, and
 - c) the authority has complied with any requirement imposed on it under subsection (3)(b) or (d) of that section
11. Before determining the application, the authority must hold a hearing to consider it and any relevant representations.
 12. The authority must, having regard to the application and any relevant representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.
 13. The steps are -
 - a) to modify the conditions of the licence;
 - b) to exclude a licensable activity from the scope of the licence;
 - c) to remove the designated premises supervisor;
 - d) to suspend the licence for a period not exceeding three months;

- e) to revoke the licence;
- and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.
14. Subsection (3) is subject to sections 19,20 and 21 (requirement to include certain conditions in premises licences).
15. Where the authority takes a step mentioned in subsection (4) (a) or (b) it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.
16. In this section “relevant representations” means representations which -
- a) are relevant to one or more of the licensing objectives, and
 - b) meet the requirements of subsection (8).
17. The requirements are -
- a) that the representations are made –
 - i) by the holder of the premises licence, a responsible authority or an interested party, and
 - ii) within the period prescribed under section 51(3)(c)
 - b) that they have not been withdrawn, and
 - c) if they are made by an interested party (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
18. Where the relevant licensing authority determines that any representations are frivolous or vexatious, it must notify the person who made them of the reasons for that determination.
19. Where a licensing authority determines an application for review under this section it must notify the determination and its reasons for making it to -
- a) the holder of the licence
 - b) the applicant
 - c) any person who made relevant representations, and
 - d) the chief officer of police for the police area (or each police area) in which the premises are situated.

20. A determination under this section does not have effect -
- a) until the end of the period given for appealing against the decision, or
 - b) if the decision is appealed against, until the appeal is disposed of

21. Pursuant to schedule 5 part 1, section 8(2)

An appeal may be made against the decision of the committee by –

- a) the applicant for the review
- b) the holder of the premises licence or
- c) any other person who made relevant representations in relation to the application for review.

Risk Management

22. There are no material risk implications.

Equality Impact

23. This report takes into account the Council's policy on equal opportunities.
24. The licensing of premises and individuals will impact on children and young people through their attendance at licensed premises.
25. There has been no consultation or involvement of children and young people in developing these proposals.

Human Resources/Organisational Development

26. There are no organisational development/transformation implications.

Commercial/Procurement

27. There are no commercial/procurement implications.

Council Priorities and Projects

28. This application falls within the Council's responsibility for Licensing as a direct link to the Council's key corporate priority to support stronger and safer communities.



Andy Vaughan
Interim Director of Public Realm

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Appendices

Appendix 1 - Minutes of meeting held 12th July, 2016

Minutes of the Licensing Sub-Committee 2

Tuesday 12th July, 2016 at 10.00 am
in the Council Chamber, The Council House, Dudley

Present:-

Councillor E Taylor (Chair)
Councillors C Bayton and C Elcock

Officers:-

R Clark – Solicitor (Chief Executive Directorate), L Rouse – Licensing Clerk (Place Directorate) and K Buckle, Democratic Services Officer (Chief Executive Directorate).

1. **Apology for absence**

An apology for absence from the meeting was submitted on behalf of Councillor A Taylor.

2 **Appointment of Substitute Member**

It was noted that Councillor C Elcock had been appointed as a substitute member for Councillor A Taylor for this meeting of the Committee only.

3 **Declarations of Interest**

No Member made a declaration of interest in accordance with the Members' Code of Conduct.

4 **Minutes**

Resolved

That the minutes of the meeting of the Sub-Committee held on 19th April, 2016, be approved as a correct record and signed.

there was no written authority from the applicant for her husband to represent her. The committee therefore deferred the application for the applicant herself to attend.

6 **Application for Review of a Premises Licence – Bargain Booze (AKA Costcutter), Dibdale Road, Milking Bank, Dudley.**

A report of the Strategic Director Place was submitted on an application for a review of the premises licence in respect of Bargain Booze (AKA Costcutter), Dibdale Road, Milking Bank, Dudley.

The following persons attended the meeting in respect of this application:-

Mr A Singh Grewal – Premises Licence Holder
Mr B Kaulwell – Store Manager
Mr G Wintrip – Trading Standards
PC A Baldwin – West Midlands Police
Miss K Turley – West Midlands Police

Also in attendance:-

Councillor D Birch – Conservative Deputy Leader, Bracknell Forest Council – Observer.

Following introductions the Licensing Clerk presented the report on behalf of the Council.

Mr Wintrip then presented the facts of the case relating to the prevention of crime and disorder and the protection of children from harm under the Licensing Act 2003 which had resulted in the application being made for a review of the premises licence. It was explained that on 29th April, 2016 a test purchase had been carried out at the premises and on that occasion a child test purchaser had been sold scrumpy jacks cider with the seller making no attempt to ask the age of the volunteer, or for identification.

The Premises Licence Holder circulated the Register of Refusals of the Sale of Alcohol to Members for inspection purposes and it was noted that the Register was up to date.

In responding to a question from a Member, Mr A Singh Grewal, the Premises Licence holder responded stating that the member of staff responsible for the sale had been interviewed and formally disciplined and that all staff were fully trained in relation to the implications of selling alcohol to those who were under the statutory age and those who were intoxicated. It was also noted that upon a three monthly basis flyers were forwarded to all members of staff reminding them of those responsibilities.

Mr A Singh Grewal was informed of his right to appeal the decision of the Sub-Committee.

7

Transfer of Premises Licence and Variation of Designated Premises Supervisor – Local 201, Stourbridge Road, Halesowen

A report of the Strategic Director Place was submitted on an application for the review of the premises licence and variation of designated premises supervisor in respect of Local 201, Stourbridge Road, Halesowen.

The following persons attended the meeting in relation to the application:-

Mr B Nota – Applicant
PC A Baldwin – West Midlands Police
Miss K Turley – West Midlands Police

Following introductions, the Licensing Clerk presented the report on behalf of the Council.

PC Baldwin outlined the reasons for their objections to the application and it was noted that Mr Nota was currently on bail until 16th September, 2016 when he was due to attend Court.

Mr Nota confirmed that he was currently on bail until 16th September, 2016 but stated that the only outstanding charge was that of failing to provide a breath specimen.

The parties then withdrew from the meeting in order to enable the Sub-Committee to determine the application.

The Sub-Committee having made their decision invited the parties to return and the Chair then outlined the decision.

Resolved

- (1) That, consideration of this application be deferred pending the outcome of the court hearing in relation to the Applicant on 16th September, 2016.
- (2) That a further meeting of this Sub-Committee, comprising the same Members including the substitute serving at this meeting, be held on Tuesday 20th September, 2016 to determine the application.

Reason for the Decision

This is an application dated 2nd June 2016 for transfer of an existing premises license from Mr. Satnam Singh Sandhu to Baiant Nota of 15 Springfield Road, Oldbury. Mr. Sandhu is also the current

Meeting of the Licensing Sub-Committee 1 – 28th June 2022

Report of the Interim Director of Public Realm

**Application for Review of a Premises Licence - News Express (The Wine Cellar)
15-17 Abbey Road, Gornal, Dudley, DY3 2PQ.**

Purpose

1. To consider the application for the review of the premises licence in respect of News Express (The Wine Cellar) 15-17, Abbey Road, Gornal, Dudley, DY3 2PQ.

Recommendation

2. That the Sub-Committee determine the application for the review of the premises licence received from Environmental Health and Trading Standards, in respect of the premises known as the News Express (The Wine Cellar) Abbey Road, Gornal, Dudley.

Background

3. The News Express (The Wine Cellar) was first issued with a premises licence on the 25th March 2008, that licence was transferred on the 29th July 2021 into the name of Mr Amit Singh. The premises licence was issued for the following days and times:

Supply of Alcohol/Premises open to the public

Monday to Sunday inc 07.00 -23.00

4. On the 5th May 2022, an application for the review of the premises licence was received from the Public Protection Manager, Environmental Health and Trading Standards, the grounds for the review relate to the prevention of crime and disorder and protection of children from harm. A copy of that application has been forwarded to the Premises Licence Holder, Committee Members, Relevant Authorities and Interested Parties in accordance with the Licensing Act 2003.
5. The Council advertised the application for review of the premises licence in accordance with Licensing Regulation SI, 2005, No. 42, Section 38.
6. Representations in support of the application for review have been received from 3 Ward Members, the West Midlands Police and the Children and Young People Safeguarding and Review and Public.

7. Letters of support in respect of the premises have been received from 10 local residents.
8. Copies of all representations and expressions of support have also been forwarded to the Premises Licence Holder, Committee Members and Interested Parties.

Finance

9. There are no financial implications.

Law

10. The law relating to the review of licences is governed by the Licensing Act, 2003 Section 52(1).

52(1) This section applies where:-

- a) The relevant licensing authority receives an application made in accordance with Section 51.
 - b) the applicant has complied with any requirement imposed on him under subsection (3)(a) or (d) of that section, and
 - c) the authority has complied with any requirement imposed on it under subsection (3)(b) or (d) of that section
11. Before determining the application, the authority must hold a hearing to consider it and any relevant representations.
 12. The authority must, having regard to the application and any relevant representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.
 13. The steps are -
 - a) to modify the conditions of the licence;
 - b) to exclude a licensable activity from the scope of the licence;
 - c) to remove the designated premises supervisor;
 - d) to suspend the licence for a period not exceeding three months;
 - e) to revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

14. Subsection (3) is subject to sections 19,20 and 21 (requirement to include certain conditions in premises licences).
15. Where the authority takes a step mentioned in subsection (4) (a) or (b) it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.
16. In this section “relevant representations” means representations which -
- a) are relevant to one or more of the licensing objectives, and
 - b) meet the requirements of subsection (8).
17. The requirements are -
- a) that the representations are made –
 - i) by the holder of the premises licence, a responsible authority or an interested party, and
 - ii) within the period prescribed under section 51(3)(c)
 - b) that they have not been withdrawn, and
 - c) if they are made by an interested party (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
18. Where the relevant licensing authority determines that any representations are frivolous or vexatious, it must notify the person who made them of the reasons for that determination.
19. Where a licensing authority determines an application for review under this section it must notify the determination and its reasons for making it to -
- a) the holder of the licence
 - b) the applicant
 - c) any person who made relevant representations, and
 - d) the chief officer of police for the police area (or each police area) in which the premises are situated.

20. A determination under this section does not have effect -
- a) until the end of the period given for appealing against the decision, or
 - b) if the decision is appealed against, until the appeal is disposed of

21. Pursuant to schedule 5 part 1, section 8(2)

An appeal may be made against the decision of the committee by –

- a) the applicant for the review
- b) the holder of the premises licence or
- c) any other person who made relevant representations in relation to the application for review.

Risk Management

22. There are no material risk implications.

Equality Impact

23. This report takes into account the Council's policy on equal opportunities.
24. The licensing of premises and individuals will impact on children and young people through their attendance at licensed premises.
25. There has been no consultation or involvement of children and young people in developing these proposals.

Human Resources/Organisational Development

26. There are no organisational development/transformation implications.

Commercial/Procurement

27. There are no commercial/procurement implications.

Council Priorities and Projects

28. This application falls within the Council's responsibility for Licensing as a direct link to the Council's key corporate priority to support stronger and safer communities.

Andy Vaughan
Interim Director of Public Realm

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