

**Minutes of Licensing Sub-Committee 3
Tuesday 25th October, 2022 at 10.00am
In the Council Chamber, The Council House, Dudley**

Present:

Councillor A Taylor (Chair)
Councillors T Creed and K Finch

Officers:

N Slym – Assistant Team Manager (Licensing and Waste Enforcement)
(Directorate of Public Realm); R Clark – Principal Solicitor and H Mills –
Democratic Services Officer (Directorate of Finance and Legal).

1. Declarations of Interest

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

2. Minutes

Resolved

That the minutes of the meeting held on 21st December, 2021, be
approved as a correct record and signed.

**3. Application for Grant of a New Premises Licence – Tapri, 404 Himley
Road, Gornal Wood, Dudley**

A report of the Interim Director of Public Realm was submitted on an application for grant of a new premises licence in respect of the premises known as Tapri, 404 Himley Road, Gornal Wood, Dudley.

The following persons were in attendance at the meeting:-

R Patel – Applicant

S Singh – Business Partner

Following the introduction of those present, the Assistant Team Manager (Licensing and Waste Enforcement) presented the report on behalf of the Council, advising that an application had been received on 5th September, 2022 from John Gaunt and Partners on behalf of Tapri Himley Limited, for grant of a new premises licence in respect of Tapri, formerly known as The Bulls Head, 404 Himley Road.

The Assistant Team Manager (Licensing and Waste Enforcement) outlined the application and stated that permission for the sale of alcohol at the premises was requested between 10am to 11.30pm Monday to Saturday and Sunday 12 noon to 11.30pm, with live and recorded music, dance and late-night refreshments also requested for the same time period. It was proposed that the premises would be open to the public until midnight Monday to Saturday and 11.30pm on a Sunday and it was confirmed that copies of the application, together with supporting documentation had been circulated to Members of the Sub-Committee and responsible authorities accordingly.

It was reported that mediation with responsible authorities had been undertaken with the applicant at the application stage and changes had been made to the initial application to alleviate concerns raised. Therefore, no representations had been submitted from responsible authorities. Representations had however been received from local residents, copies of which had been circulated to Sub-Committee Members and interested parties in advance of the meeting. The Sub-Committee were advised that the objectors had confirmed that they would not be in attendance at the meeting, however requested that their written representations be taken into consideration.

S Singh then presented the case on behalf of the applicant and in doing so attempted to address the issues identified in the local residents representations, in particular in relation to noise nuisance from vehicles and patrons leaving the premises in the early hours of the morning and stated that the requested licencing hours were for the premises to be vacated by 12 midnight and there was no incentive for the premises to remain open longer than the licensed hours. He emphasised that the company was well experienced within the hospitality trade and all staff would be trained appropriately to ensure that they adhered to licensing laws.

S Singh expressed his desire to work with local neighbours to address their concerns and it was suggested that to alleviate issues with taxis attending the premises and sounding their horns, which had been an issue previously experienced, an arrangement with a local taxi firm would be established in that the premises would arrange a patrons taxi on their behalf, providing the taxi firm with a contact name and telephone number of the client so that they could be called upon arrival, prohibiting the use of vehicle horns. It was commented however that patrons could not be prohibited from making their own taxi arrangements, however if using providers such as Uber, these sources did not usually sound their horns upon arrival, as the customer was contacted directly via their mobile device.

The Sub-Committee were advised that R Patel and S Singh would not be heavily involved at the premises and appropriate management and staff would be appointed to manage the daily operations of the premises. Assurance was provided that the premises would close on time to take care of their staff and to ensure effective and efficient use of utilities. It was emphasised that the focus of the premises would be predominately food rather than a pub focussing on alcohol sales.

In responding to questions raised by Councillor K Finch, in relation to what the premises would bring to the local area and what steps would be taken to minimise noise nuisance from the car park area, it was stated that after much research it was established that the area did not have an Indian food/grill provision and it was their aim to provide good quality Indian/Punjabi food. Extensive refurbishment works would be undertaken at the premises so that it looked good and was comfortable for families and customers to attend to enjoy good food, relax and watch sporting events. The car park was now gated and would remain locked when the premises was not open to the public, with notices displayed around the car park area, as well as on doors and windows at the exit requesting patrons to respect local residents and to keep noise to a minimum. It was also commented that it was not the intention to have extensive advertisements displayed on the exterior of the building.

Arising from a question raised by Councillor T Creed, it was confirmed that a food only takeaway facility would be available at the premises, however food would be for collection and delivered by professional couriers only. The Sub-Committee was assured that this would not generate significant noise due to the nature the collection and delivery business operated.

In response to a further question raised by Councillor T Creed in relation to the operating schedule, S Singh reiterated that the premises would predominately be food orientated, therefore on occasions the premises may close earlier than the proposed 12 midnight. However, the proposed times would provide a buffer for when sporting events go beyond programmed times.

At the request of the Solicitor, the Assistant Team Manager (Licensing and Waste Enforcement) clarified that the initial application was submitted on 5th September, 2022, however following mediation with responsible authorities the application was resubmitted with the requested changes, hence the date on the application circulated being 28th September, 2022.

The Applicant was then provided with the opportunity to sum-up their case and confirmed that they had had a fair hearing. Following which all parties withdrew from the meeting to enable the Sub-Committee to determine the application.

Having made their decision, the meeting was reconvened and it was

Resolved

That following careful consideration of the information contained in the report and presented at the meeting, the application for a new premises licence in respect of the premises known as Tapri, 404 Himley Road, Gornal Wood, Dudley, be granted.

The meeting ended at 10.30am

CHAIR