

Minutes of the Licensing Sub-Committee 1

Tuesday 29th December, 2015 at 10.00 am
in the Council Chamber, The Council House, Dudley

Present:-

Councillor D Russell (Chair)
Councillors C Elcock and C Perks

Officers:-

N Bangar (Solicitor – Resources and Transformation Directorate),
L Rouse (Licensing Clerk – Place Directorate), S Smith (Licensing
Enforcement Officer – Place Directorate) and M Johal (Democratic
Services Officer – Resources and Transformation Directorate).

24 **Declarations of Interest**

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

25 **Minutes**

Resolved

That the minutes of the meeting of the Sub-Committee held on 24th
November, 2015, be approved as a correct record and signed.

26 **Application to Vary a Premises Licence – Spar, 48 Castle Street,
Coseley**

A report of the Strategic Director Resources and Transformation was
submitted on an application for variation of the premises licence in respect
of Spar, Castle Street, Coseley. A separate folder containing documents
and records relating to training, procedures and policies had also been
circulated to Members prior to the meeting.

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

Ms C Shields – Manager
Mr J Dyson – Area Manager
Mr O Davies – Regional Manager
Mr C Hopkins – Legal Representative
Councillor C Baugh – Ward Councillor (Objector)
PC Baldwin – West Midlands Police

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

PC Baldwin, on behalf of the police, stated that although there were general concerns in selling alcohol from 6am in the morning, they had no objection to the variation of the premises licence to extend the alcohol licensing hours. There had been a total of fourteen police logs since January, 2015 relating to the premises. However, it should be noted that if there were to be an increased number of calls to service and/or an increase in anti-social behaviour in the area, the police would seek a review of the licence.

Councillor Baugh presented his case and made representations on behalf of Coseley East residents in opposing the application and objecting to the extension of the alcohol licensing hours. It was stated that there were already alcohol related problems in the area and selling alcohol from 6am in the morning would exacerbate the situation.

In presenting their case Blakemore Retail representatives and the legal representative responded to issues and concerns raised. It was pointed out that all new applications relating to their stores were completed on a generic basis to incorporate the changes in licensing legislation. Individual stores operated varying opening hours and it was clarified that although the application stated that the sale of alcohol was to commence from 6am it would not apply to this store as it did not open until 7am. It was explained that staff at the store were placed in a difficult position as they suffered abuse from customers, particularly on a Sunday as the store was open until 10.30 pm, however alcohol could not be served after 10.00 pm due to restrictions on the licence. The application sought to allow the store to sell alcohol during their normal trading hours which would appease customers and also benefit the store as currently they were losing business as customers tended to shop elsewhere. Members were assured that the organisation was a responsible business, rigid procedures were in place and Blakemore Retail employed an external company to conduct test purchases at all their stores to measure compliancy. The representatives acknowledged comments made by Councillor Baugh and stated that they were willing to work with Ward Members and the community to alleviate any concerns or problems should they arise.

The parties then 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 then outlined the decision.

Resolved

That, following consideration of the information contained in the report submitted and presented at the meeting, the application for variation of the premises licence in respect of Spar, Castle Street, Coseley, be approved as follows:-

Supply of Alcohol – Monday to Saturday – 06:00 to 23:00

Supply of Alcohol – Sunday – 06:00 to 23:00

Reasons for Decision

The Sub- Committee is satisfied that the company does and will continue to trade in line with the licensing objectives.

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Application to Vary a Premises Licence – The St John’s Service Station, St John’s Road, Stourbridge

A report of the Strategic Director Resources and Transformation was submitted on an application for variation of the premises licence in respect of The St John’s Service Station, St John’s Road, Stourbridge.

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

Mr K P Sharma – Premises Licence Holder
Ms S Walker – Designated Premises Supervisor
Mr R Baker – Licensing Agent
Mr R Light – Legal Representative
Councillor N Barlow – Ward Councillor (Objector)
PC Baldwin – West Midlands Police

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

PC Baldwin referred to meetings that had taken place between the organisation and the police to discuss the application prior to its submission. The previous application sought to apply for the sale of alcohol on a twenty four hour basis but upon advice from the police the organisation agreed to change the timings for the supply of alcohol from 06:00 to 02:00 in line with neighbouring facilities.

Councillor Barlow made representations and objected to the proposed extension to the premises licence. He commented that the area had a busy night time economy and an additional establishment selling alcohol in the early hours of the morning could potentially exacerbate anti social behaviour and crime and disorder which would impact on police resources.

In presenting their case the organisation's representatives and the legal representative responded to issues and concerns raised. It was pointed out that the premises were well established, the designated premises supervisor had extensive experience as she had been employed with the organisation for thirty years, there had been no complaints and Trading Standards had carried out a recent visit to the premises and no issues of concern had been raised. Arising from previous discussions and advice from the police the organisation had agreed to amend their initial application to reduce the time for sale of alcohol and they had also agreed to apply and abide to further conditions which included employing a mobile external security provider to assist them should the need arise which would reduce the need for police assistance. The refusals register was circulated to members for their information.

The parties then 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 then outlined the decision.

Resolved

- (1) That, following consideration of the information contained in the report submitted and presented at the meeting, the application for variation of the premises licence in respect of The St John's Service Station, St Johns's Road, Stourbridge, be approved as follows:-

Supply of Alcohol – Monday to Sunday – 06:00 to 02:00

- (2) That approval be given to amend the layout of the premises.

Reasons for Decision

Having heard all of the representations made at the hearing, the Sub-Committee is satisfied that the conditions attached to the licence will enable the premises to trade within the licensing objectives.

The meeting ended at 12.10 pm

CHAIR