

LICENSING SUB-COMMITTEE 2

Tuesday 25th March, 2014 at 10.15 am
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillors Cowell, Perks and Taylor

Officers: -

Mr R Clark (Legal Advisor), Mrs L Rouse (Licensing Clerk), Mrs K Taylor, and an observer – All Directorate of Corporate Resources.

15 ELECTION OF CHAIR

In the absence of the Chair (Councillor Russell) it was

RESOLVED

That Councillor Cowell be elected Chair for this meeting of the Sub-Committee only.

(Councillor Cowell in the Chair)

16 APOLOGY FOR ABSENCE

An apology for absence from the meeting was received on behalf of Councillor Russell.

17 APPOINTMENT OF SUBSTITUTE MEMBER

It was reported that Councillor Perks had been appointed as a substitute Member for Councillor Russell for this meeting of the Sub-Committee only.

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 of the Sub-Committee held on 14th January, 2014, be approved as a correct record and signed.

20

APPLICATION FOR GRANT OF A STREET COLLECTION
PERMIT – MORE MASCOTS PLEASE CIC

A report of the Director of Corporate Resources was submitted on an application made by Miss C Davies of More Mascots Please CIC, for the grant of a Street Collection Permit to collect in Dudley Town Centre.

Miss C Davies, Applicant, was in attendance at the meeting together with Miss V Bridgewater, Member Director and a supporter.

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

Miss Davies then presented her case, and in doing so stated that the company had been set up in May, 2013, to support disabled and underprivileged children on an individual or group basis. It was noted that there were seven Directors and one Member Director who worked voluntarily for the company, and did not receive any income or expenses.

It was noted that as the company had not been established for a long period of time, there were limited resources and should the permit be granted it would provide stability and allow the company to assist children in the Dudley borough.

In responding to a question by a Member, Miss Davies confirmed that although there were no audited accounts, as these would not be available before eighteen months from the date of incorporation, further bank statements could be provided.

In responding to a question by a Member, Miss Davies stated that monies raised would be donated to children directly, such as purchasing gifts and contributing to aids to assist children with disabilities.

Miss Davies informed the Sub-Committee that a street collection permit had been granted by Wolverhampton City Council that enabled her to raise funds to assist children in the Wolverhampton borough.

In responding to a question by the Legal Advisor, Miss Davies confirmed that the application for the street collection permit was for specific dates only and not for a twelve month period, and that there would be three people collecting donations in sealed buckets.

It was further noted that as well as fundraising, the company was also an enterprise, however Miss Davies assured the Sub-Committee that all fundraising were used solely for the children, and any monies received from events such as face painting contributed towards costs and purchasing of items to assist with the fundraising.

Following further discussion, 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

That the application made by Miss C Davies of More Mascots Please CIC, for the grant of a Street Collection Permit to collect in Dudley Town Centre, be granted.

REASONS FOR DECISION

The Sub-Committee grants a street collection permit to More Mascots Please CIC to collect money in or near Dudley Market on 18th April, 2014 – 8.30am – 3pm; 19th April 2014 – 8.30am – 3pm; 22nd April, 2014 – 1.30pm – 4pm and 24th April, 2014, 8.30 am – 3pm. The consent is for three persons to collect money in sealed buckets.

The Sub-Committee heard evidence that the company had been registered in May, 2013, and the company number was provided. The registration of the company has been verified by the Sub-Committee today.

As a new company, it was not able to present audited accounts. These will not be available before 18 months from the date of incorporation. The Sub-Committee has however seen a hand written document setting out expenditure and income from June, 2013 to January, 2014. The Sub-Committee was also provided with a bank statement and was able to reconcile some of the items on both documents.

The Sub-Committee therefore decided that although the policy of providing audited accounts has not been complied with, it has been able to satisfy itself that the company has been set up for the benefit of local children in need.

In granting the permit for these four dates, the Sub-Committee expects that any future applications will be accompanied by receipts to evidence that sums of money have been given to specific persons or causes of a charitable nature, as clear evidence of this has not been provided today.

The consent for these four dates is given on the basis that monies collected will be used solely for the benefit of a Dudley child.

21 APPLICATION FOR REVIEW OF PREMISES LICENCE –
SUPERSAVE, 79 RUSSELLS HALL ROAD, DUDLEY

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Supersave, 79 Russells Hall Road, Dudley.

Mr N Hussain (Premises Licence Holder) was in attendance together with a supporter, Mr Hussain.

Also in attendance were Mr G Wintrip, Age Restricted Products Enforcement Officer, Directorate of the Urban Environment, Ms D McNulty, Office of Public Health and Ms K Turley, Planning and Licensing Officer, West Midlands Police.

Following introductions, it was noted that a Mr K Khan, Designated Premises Supervisor, was not in attendance at the meeting.

It was further noted that the premises licence had been transferred to Mr N Hussain on 14th February, 2014 following the sale of alcohol to a child on 10th January, 2014, and that the current Designated Premises Supervisor, Mr Khan was the Premises Licence Holder during the time of the sale.

In responding to a question by the Legal Advisor, Mr Hussain stated that Mr N Hussain was in the process of becoming the owner of the business, and would transfer the Designated Premises Supervisor from Mr Khan to Mr N Hussain.

Following further discussion, the parties withdrew from the meeting in order to enable the Sub-Committee to consider whether the meeting could continue without the presence of Mr Khan.

RESOLVED

That consideration of the application made for the review of the premises licence in respect of Supersave, 79 Russells Hall Road, Dudley be adjourned to a re-convened meeting to be held on Tuesday 29th April, 2014.

The meeting ended at 12 pm

CHAIR