

## LICENSING SUB-COMMITTEE 2

Tuesday, 10<sup>th</sup> March, 2009 at 10.20am  
in the Council Chamber, The Council House, Dudley

### PRESENT:-

Councillor Woodall (Chairman)  
Councillors Mrs Dunn and Mottram

### Officers

Principal Solicitor (Legal Advisor), Mrs J Elliott (Licensing Officer) and Mrs K Farrington (Directorate of Law and Property)

---

### 25 DECLARATIONS OF INTEREST

No member declared an interest in accordance with the Members' Code of Conduct.

---

### 26 MINUTES

#### RESOLVED

That the Minutes of the Meeting of the Sub-Committee held on 14<sup>th</sup> January, 2009 be approved as a correct record and signed.

---

### 27 APPLICATION FOR A PREMISES LICENCE – PEPITO'S, 12 NEW STREET, DUDLEY

A report of the Interim Director of Law and Property was submitted on an application received from Mr S Hussain, for the grant of a premises licence, in respect of Pepito's, 12 New Street, Dudley.

Mr Aslan of Dennings Solicitors was in attendance at the meeting, together with Mr Hussain, applicant.

Following introductions by the Chairman, the Legal Advisor outlined the procedure to be followed.

Mrs J Elliott, Licensing Officer, Directorate of Law and Property, presented the report on behalf of the Council. It was noted that no objectors were present at the meeting but that a petition comprising thirteen signatures had been sent to the Sub-Committee members prior to the meeting.

Mr Aslan then presented the case on behalf of the applicant, and in doing so informed the Sub-Committee that Mr Hussain had submitted the application to extend the hours currently operated to allow him to conduct his business alongside the surrounding fast food establishments. He stated that CCTV would be installed at the premises which would be in operation twenty-four hours a day and also stated that signs would be clearly displaced inside the premises asking customers to leave the premises quietly and to respect local residents. In relation to the concerns expressed within the written representations and petition regarding litter, Mr Aslan reported that a rota system would be in operation, whereby staff would be permitted, on a regular basis, to carry out spot checks, both inside and outside of the premises and pick up any litter that had accumulated.

In concluding, Mr Aslan stated that Mr Hussain was committed to working with local residents to make the premises a success and had offered to provide his contact details to residents in order for them to contact him direct if they had any concerns relating to the establishment.

In responding to a query from the Legal Advisor in relation to CCTV, Mr Hussain confirmed that cameras had been put in position and that he was currently waiting for the hard drive to be installed before CCTV could be fully operational.

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 all the remaining parties were invited to return and the Chairman then outlined the decision.

## RESOLVED

That the application received from Mr S Hussain, for the grant of a premises licence, in respect of Pepito's, 12 New Street, Dudley, be approved, in the following terms:-

### Late Night Refreshment

Monday – Thursday	11.00 – 01.00
Friday & Saturday	11.00 – 03.00
Sunday	17.00 – 01.00

### Conditions

- (1) All exit doors within the premises to have signs asking customers to leave the premises quietly and respect local residents and their premises.

APPLICATION FOR A PREMISES LICENCE – DAVE'S DISCOUNT STORES LIMITED, 40 BEECH GREEN, OLD PARK FARM ESTATE, DUDLEY

A report of the Interim Director of Law and Property was submitted on an application received from Licensed Trading Legal Services Limited, for the grant of a premises licence, in respect of the premises known as Dave's Discount Stores Limited, 40 Beech Green, Old Park Farm Estate, Dudley.

Mr Hardy, Representative of Licensed Trading Legal Services Limited was in attendance at the meeting, together with Ms S Sanghera, Designated Premises Supervisor and Mr Singh.

Following introductions by the Chairman, the Legal Advisor outlined the procedure to be followed.

Mrs J Elliott, Licensing Officer, Directorate of Law and Property, presented the report on behalf of the Council. It was noted that no objectors were present at the meeting but that a written representation had been sent to the Sub-Committee members prior to the meeting.

Mr Hardy, on behalf of the applicants then stated his case, and in doing so, confirmed that the applicants were very experienced operators of licensed premises, operating several successful premises around the Country. He stated that all new employees would undertake extensive in-house training to ensure that they were fully aware of their responsibilities under the Licensing Act 2003 and reported that the premises would operate a proof of age scheme via acceptable forms of identification and would also incorporate the Challenge 21 policy. He further stated that in order to help prevent potential noise nuisance problems, improvements would be made to the premises, in particular, installing an internal and external CCTV unit with recordings being retained for thirty days including a panic button facility at the expense of the applicants.

Mr Hardy acknowledged the concerns raised as set out in the objection letter, however, he stated that the issues expressed were based on activities provided by the previous owners of the premises and assured the Sub-Committee that the applicants were committed to turning the premises into a well-respected upmarket establishment.

In summing up, Mr Hardy reported that no objections had been received from the Police or Environmental Health to the application. He stated that the resident had based his objections on they way the premises had been previously managed, however, if the fears of residents in the area were fulfilled, under the licensing laws, there was a remedy in that the applicants could be brought back to the Sub-Committee for review.

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

