

**Minutes of the Licensing Sub-Committee 1
Tuesday, 2nd August, 2022 at 10.00 am
In the Council Chamber, Council House, Dudley**

Present:

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

Officers: -

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

7. Declarations of Interest

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

8. Application for a Licensed Premises Gaming Machine Permit – The Cross Inn, High Street, Kingswinford

A report of the Interim Director of Public Realm was submitted in respect of an application for the grant of a Licensed Premises Gaming Machine Permit for four Category C machines at the premises known as The Cross inn, High Street, Kingswinford.

The following persons were in attendance at the meeting:-

Mr R Minns – Area Manager
Miss G Tandy – Pub Manager

Following introductions, the Assistant Team Manager (Licensing and Waste Enforcement) presented the report on behalf of the Council, advising that an application had been received on 10th June, 2022 from JD Wetherspoon PLC for grant of a licensed premises Gaming Machine Permit for four Category C machines at The Cross Inn, High Street, Kingswinford. It was noted that the premises held a permit for three Category C machines.

Mr R Minns (Area Manager) confirmed that the application would be to increase the Gaming Machine Permit from three to four Category C gaming machines owing to the rise of demand.

It was reported that all gaming machines were supervised by staff from the bar area and were within sight view, that digital machines would require additional approval from participants to confirm whether they were over eighteen, that all staff were trained to enforce the Challenge 25 policy together with additional refresher training being undertaken periodically. It was advised that a duty manager would continually be on site and that internal challenge tests were frequently initiated at the premises.

In responding to comments made by R Clark, Principal Solicitor regarding the floor plan of the bar area, the location of the gaming machines were established and it was confirmed that all staff would be able to view and continually monitor all gaming machines from the main bar area.

Following the summing up from all parties, the Sub-Committee came to their conclusion and the Chair of the committee 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 four Category C machines in respect of the premises known as The Cross Inn, High Street, Kingswinford, be approved.

9. **Application for Licensed Premises Gaming Machine Permit – The Red Lion, Bull Ring, Dudley**

A report of the Interim 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 at the premises known as The Red Lion, Bull Ring, Dudley.

The following persons were in attendance at the meeting:-

M Finnemore – Regional/Area Manager
R Noon – Pub Manager



Following introductions, the Assistant Team Manager (Licensing and Waste Enforcement) presented the report on behalf of the Council, advising that an application had been received on 20th June, 2022 from The Craft Union Pub Company Ltd for grant of a licensed premises Gaming Machine Permit for three Category C machines at The Red Lion, Bull Ring, Dudley. It was noted that the premises held a notification for up to two Category C machines.

Arising from questions raised by R Clark, Principal Solicitor, it was confirmed that the premises had undergone a full refurbishment whereby planners had specified where the gaming machines would be situated, that the premises held a notification for up to two Category C machines and were seeking a third, that all gaming machines were supervised by staff, were within sight view and that staff were regularly on and off the bar to check areas for activity.

In responding to comments made by R Clark, Principal Solicitor regarding the floor plan of the bar area, it was confirmed that a door leading to the smoking area at the back of the premises would be enclosed, that it was within view of the bar area and monitored by staff to prevent underage individuals gaining access.

Following the summing up from all parties, the Sub-Committee came to their conclusion and the Chair of the committee 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 in respect of the premises known as The Red Lion, Bull Ring, Dudley, be approved.

10. **Change in Order of Business**

Pursuant to Council Procedure Rule 13(c) it was: -

Resolved

That the order of business be varied and the agenda items be considered in the order set out in the minutes below.

11. **Application for Grant of Consent to Engage in Street Trading – Build A Burga Ltd**

A report of the Interim Director of Public Realm was submitted in respect of an application made by Mr M Ikhlas (Build A Burga Ltd) for the grant of a consent to engage in street trading in Dudley Town Centre.

The following persons were in attendance at the meeting:-



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Mr M Ikhlas – Applicant

Mr D Jacobs – Project Engineer - Traffic, Transportation and Engineering Services

Following introductions, the Assistant Team Manager (Licensing and Waste Enforcement) presented the report on behalf of the Council, advising that an application had been received from Mr M Ikhlas on 23rd May, 2022 for the grant of a consent to engage in street trading in Stone Street Square, Dudley to sell Burgers, Fries and Canned Drinks, Monday to Sunday between the hours of 12pm to 11pm. The application together with details of the proposed site and photographs of the trading vehicle had been circulated to the Committee and interested parties.

It was reported that comments had been received from Environmental Health and Trading Standards and Traffic, Transportation and Engineering Services concerning the positioning of the van within Stone Street Square, Dudley and that amplified music or announcements were not to be played.

Mr D Jacobs, Project Engineer - Traffic, Transportation and Engineering Services, made comments on behalf of the Highways Department and it was noted that there were no objections concerning the application for street trading. In referring to the plan circulated to Members, it was advised that additional parking had been provided in Stone Street Square, that the area had a hard landscape circular feature together with ornamental block work to enable pedestrians to walk through and it was recommended that the location of the van should not prevent pedestrians having free flow to the bus stop and pedestrian crossing. It was reported that in the main part Stone Street Square was owned by a separate Committee.

Mr M Ikhlas then presented his case and in doing so stated that should the application be granted he would be agreeable to situate the van wherever the Sub-Committee deemed appropriate. Mr Ikhlas commented that it would not be suitable for the van to be situated outside the Glasshouse Restaurant and suggested that the van be situated alongside the bus stop

In referring to the pictures provided, Mr Ikhlas confirmed that the van would be serving Burgers, Fries and Canned Drinks from a hatch opening, that a high demand through local businesses and college students was expected, that the business would be unique to the town, and it was felt that the van would be popular.

In responding to questions raised by a Member concerning what days the business would be running, it was established that the business would be open from 12pm to 9pm each day with a view to preferably being open from 12pm to 10pm or 11pm on Fridays and weekends and that the business would not operate on Wednesdays.

In responding to a question by a Member regarding the hygiene and wash facilities, Mr Ikhlas stated that the van had cleaning facilities and electricity outlets on board that would be connected.



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In response to a further question raised by the Sub-Committee relating to whether any music would be played, it was confirmed that no music other than background music from a radio on board would be playing and that the operation would not be able to work efficiently should amplified music be installed.

In response to a comment made by the Chair, the Assistant Team Manager (Licensing and Waste Enforcement) stated that there had been no objections concerning the application of street trading from the Highways Department, however, the Committee that owned Stone Street Square could be contacted direct regarding the location.

Following submissions and questions, all parties then 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 submitted and presented at the meeting, the application made by Mr M Ikhlas (Build A Burga Ltd) for the grant of a consent to engage in street trading in Dudley Town Centre be approved subject to the relevant Department to confirm in writing the precise location on which the applicant could trade at Stone Street Square, Dudley.

12. **Application for Grant of Consent to Engage in Street Trading – Fresh Donuts, Dudley Town Centre**

A report of the Interim Director of Public Realm was submitted in respect of an application made by Mr P and Mrs N Westwood (Fresh Donuts) for the grant of a consent to engage in street trading in Dudley Town Centre.

The following persons were in attendance at the meeting:-

Mr P and Mrs N Westwood (Fresh Donuts) – Applicant

Following introductions, the Assistant Team Manager (Licensing and Waste Enforcement) presented the report on behalf of the Council, advising that an application had been received from Mr P and Mrs N Westwood on 23rd May, 2022 for grant of a consent to engage in street trading in Castle Street, Dudley to sell Fresh Donuts, Sauce Pots, Hot and Cold Drinks Monday to Sunday between the hours of 7am to 5pm. The application together with details of the proposed site and photographs of the trading vehicle had been circulated to the Committee and interested parties.



It was reported that no objections had been made and that Street Trading consent had been given to a former permit holder within the same location, which had since been discontinued.

Mr P Westwood then presented his case and in doing so advised that the business had been established for five years, that the business worked well alongside Wyre Forest Council, that all staff had been fully trained in hygiene and that the business was fully licenced. It was confirmed that the van would be situated at the same location as the previous permit holder.

Following submissions and questions, all parties then 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 submitted and presented at the meeting, the application made by Mr P and Mrs N Westwood (Fresh Donuts) for the grant of a consent to engage in street trading in Dudley Town Centre be approved on the grounds that the business will trade in the exact location of the previous permit holder and that the relevant Department to confirm in writing the precise location on which the applicant could trade at Castle Street, Dudley.

The meeting ended at 11.15am

CHAIR



LSBC1/19