

**Meeting of the Licensing Sub-Committee 3**  
**Tuesday 21<sup>st</sup> February, 2023 at 10.00am**  
**In Conference Room 9, Saltwells Education Development Centre,**  
**Bowling Green Road, Netherton**

**Agenda - Public Session**  
**(Meeting open to the public and press)**

1. Apologies for absence.
2. To report the appointment of any substitute Members for this meeting of the Sub-Committee.
3. To receive any declarations of interest under the Members' Code of Conduct.
4. To confirm and sign the minutes of the meeting held on 20<sup>th</sup> December, 2022 as a correct record – (Pages 7 – 15)

***The following application is to be considered under the provisions of the Licensing Act 2003:-***

5. Application for Review of a Premises Licence – News Express (The Wine Cellar) 15-17 Abbey Road, Gornal, Dudley, DY3 2PQ - (Pages 16 – 21)
6. To consider any questions from Members to the Chair where two clear days notice has been given to the Monitoring Officer (Council Procedure Rule 11.8).





**Chief Executive**

**Dated: 13<sup>th</sup> February, 2023**

**Distribution:**

**Members of the Licensing Sub-Committee 3**

Councillor A Taylor (Chair)

Councillors T Creed and K Finch

**Please note the following concerning meetings at Saltwells Education Development Centre:**

To continue to protect vulnerable people, you are asked to note the following information when attending meetings:-

- Do not attend if you feel unwell; if you have tested positive for Covid-19; if you are self-isolating or if you suspect that you are symptomatic.
- Windows/doors will be opened to provide adequate ventilation.
- Sanitise your hands when arriving and leaving the building and wash your hands regularly.
- People suffering from long term conditions or living with vulnerable people are encouraged to wear face masks in meeting rooms, communal areas and when moving around the building. Surgical masks are available at reception.
- All people are encouraged to be vaccinated to limit any potential ill-health effects.
- Be respectful of everyone's personal space and preferences when you attend meetings.



- If you cannot maintain distancing or in a crowded environment, please wear a mask

### **Toilets**

- Toilet facilities are available on site and are subject to safety measures that are in place. All the toilets have hand washing facilities.

### **No smoking**

- There is no smoking on the premises in line with national legislation. It is an offence to smoke in or on the premises. You cannot use e-cigarettes and/or similar vaping devices.

### **In Case of Emergency**

- In the event of the alarms sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

### **Submitting Apologies for Absence**

- Elected Members can submit apologies by contacting Democratic Services (see our contact details below). Members wishing to appoint a substitute should notify Democratic Services as soon as possible in advance of the meeting. Any substitute Members must be eligible to serve on the meeting in question (for example, he/she must have received the training required by the Council).

### **Private and Confidential Information**

- Any agendas containing reports with 'exempt' information should be treated as private and confidential. It is your responsibility to ensure that information containing private and personal data is kept safe and secure at all times. Confidential papers should be handed to Democratic Services for secure disposal. If you choose to retain the documents you should ensure that the information is securely stored and destroyed within six months.

## **General**

- Public Wi-Fi is available.
- The use of mobile devices or electronic facilities is permitted for the purposes of recording/reporting during the public session of the meeting. The use of any such devices must not disrupt the meeting – Please turn off any ringtones or set your devices to silent.
- Information about the Council and our meetings can be viewed on the website **[www.dudley.gov.uk](http://www.dudley.gov.uk)**

## **If you need advice or assistance**

- If you (or anyone you know) requires assistance to access the venue, or if you have any other queries, please contact Democratic Services - Telephone 01384 815238 or E-mail **[Democratic.Services@dudley.gov.uk](mailto:Democratic.Services@dudley.gov.uk)**

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## **Licensing Sub-Committee Procedure**

- Chair to welcome parties and introduce Members and Officers
- Establish who the parties are and any representatives
- Chair to confirm that all parties have had disclosure of all documents that the Committee has before them and been allowed sufficient opportunity to read them prior to the meeting.
- Presenting Officer of the Local Authority or Solicitor to present the report to the Sub-Committee
- Relevant Authority to present their evidence and the Chair will then ask if any of the following have questions for the Officer:-
  - Objectors/or their representative
  - Applicant or representative
  - Sub-Committee Members and Legal Advisor
- Objectors or their representative/nominated person to present his/her case (including Ward Members)
  - Any witnesses to be called
  - Each witness to be questioned through the Chair in the following order:-
    - Representative of objectors (if present), if no representative, the objectors
- The Chair will then ask the following if they have any questions for the representative or the objectors:-
  - Presenting Officer Local Authority (or Solicitor)
  - Applicant or Representative
  - Sub-Committee Members and Legal Advisor
- Applicant or representative to introduce his or her case
  - Any witnesses for the applicant to be called
  - Each witness to be questioned through the Chair in the following order:-
    - Representative of Applicant (if present)
    - Presenting Officer Local Authority/Solicitor
    - Relevant Authority



- Objector or Representative
- Sub-Committee Members and Legal Advisor

- Presenting Officer of the Local Authority/Solicitor to sum up.
- Objectors/Representative to sum up
- Applicant or representative to sum up (must make final comments)
- Legal Advisor indicates to parties details of legal advice to be given to Sub-Committee
- Parties asked if they have had a fair hearing
- All parties, together with any members of the public to withdraw
- Sub-Committee to make their decision
- All parties invited to return and the Chair reads out the decision and the reasons for the decision.