

## **LICENSING SUB-COMMITTEE 1**

Wednesday 12th October, 2005 at 2.00 pm  
in the Council Chamber, The Council House, Dudley

### **PRESENT:-**

Councillor Ryder (Chairman)  
Councillors Mrs Ameson and Tomkinson.

### **Officers**

Assistant Director (Legal and Democratic Services) (Legal Advisor)  
and Mr S Griffiths (Directorate of Law & Property)

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### **MINUTES**

#### **RESOLVED**

- (1) That the minutes of the meeting of the Sub-Committee held on 29<sup>th</sup> September, 2005, be approved as a correct record and signed.
- (2) That the minutes of the meeting on 4<sup>th</sup> October, 2005 be submitted to the next meeting of the Sub-Committee for confirmation.

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### **DECLARATIONS OF INTEREST**

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

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### **APPLICATION TO VARY A PREMISES LICENCE, THE GLASSBLOWER, FOSTER STREET, STOURBRIDGE**

This item was withdrawn.

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### **APPLICATION TO VARY A PREMISES LICENCE, THE BULLS HEAD, 86 BULL STREET, BRIERLEY HILL**

This item was withdrawn.

APPLICATION TO VARY A PREMISES LICENCE - THE BOAT INN,  
HAVACRE LANE, COSELEY

A report of the Director of Law and Property was submitted on an application received to convert an existing licence into a premises licence and to vary the premises licence simultaneously in respect of the Boat Inn, Havacre Lane, Coseley.

The Sub-Committee was advised that Ms M Radbourne, the former licensee, had recently left the public house and that Mr C and Mrs U Wilson had recently assumed responsibility for the premises. The application for the transfer of the personal licence was being processed and Mrs and Mrs Wilson were currently operating on the basis of an interim order. Mr and Mrs Wilson were present at the meeting and addressed the Sub-Committee.

Following introductions, Mrs J Elliott, Licensing Officer, Directorate of Law and Property, presented the case on behalf of the Council.

Mr A Allman, Senior Environmental Health Officer (Food and Occupational Safety), Directorate of the Urban Environment, then commented on the content of Appendix 2 to the report submitted. This included possible licence conditions to address potential public nuisance from noise generated within the premises and by persons entering and leaving the premises at the requested licensing hours.

Mr and Mrs Wilson indicated that they did not intend to fully utilise the licensing hours applied for, however, wished to retain flexibility for special occasions and instances where it would be commercially viable to remain open. Mr and Mrs Wilson had concerns that they would be at a commercial disadvantage should other competitors in the area be granted additional opening hours. Whilst Mr and Mrs Wilson had only recently moved into the premises, they indicated that practical measures had already been taken to address potential concerns relating to crime, disorder, nuisance and anti social behaviour surrounding the premises. In response to concerns regarding heat and ventilation if all windows and doors were closed during regulated entertainment, Mr Allman indicated the practical measures that could be implemented including extractor fans.

In response to questions from the Sub-Committee, Mr and Mrs Wilson outlined their future plans for the premises, including the ongoing extensive refurbishment works, their plans for entertainment and practical measures to minimise any potential nuisance to neighbouring residents.

The Sub-Committee noted that all children would be excluded from the premises by 21.00 and that there were no plans to admit additional customers after 23.30.

At the conclusion of questions, the Legal Advisor indicated the legal advice he would be giving to the Sub-Committee which related to the need to take into account the provisions of the Licensing Act 2003, Government Guidance received and written and oral representations made. The respective parties then withdrew from the meeting.

The Sub-Committee, having made their decision, invited the respective parties to return. The decision of the Sub-Committee and the reasons for the decision were then conveyed to them.

Accordingly, it was

## RESOLVED

That the application received to convert an existing licence into a premises licence and to vary the premises licence simultaneously in respect of the Boat Inn, Havacre Lane, Coseley, be approved, subject to the following terms and conditions based on the reasons indicated:-

### Variation of Premises Licence

Hours: Alcohol

Monday to Thursday – 11.00 – 00.30

Friday and Saturday - 11.00 - 01.30

Sunday 12.00 - 00.00

Bank Holidays, Christmas Day, Boxing Day – To 01.30

New Years Eve in accordance with existing legislation.

### Conditions

All conditions set out in the operating schedule.

1. All regulated entertainments shall end at 00.00 seven days per week.
2. All regulated entertainments shall end at 00.30 on bank holidays.
3. All children to be under the supervision of a responsible adult and to vacate the premises by 21.00.
4. All doors and windows shall be kept closed during regulated entertainments.

5. Late night refreshment shall end at 00.30 seven days per week.
6. All exit doors within the premises to have signs asking customers to leave the premises quietly and respect local residents and their premises.

#### Reasons for Decision

The Sub-Committee is of the opinion that the hours set for the sale of alcohol and regulated entertainment should provide an opportunity for greater flexibility and in turn a reduction in customers leaving the premises in large numbers at a set time with consequent nuisance and associated anti-social behaviour to local residents. This approach is consistent with the principles contained within the licensing legislation and our licensing policy.

The meeting ended at 3.25 pm.

CHAIRMAN