

**Minutes of the Licensing Sub-Committee 4**

**Tuesday 24<sup>th</sup> June, 2014 at 10.00 am**  
**in the Council Chamber, The Council House, Dudley**

**Present:-**

Councillor M Roberts (Chair)  
Councillors D Hemingsley and H Turner

**Officers:-**

R Clark (Legal Advisor), L Rouse (Licensing Clerk) and K Griffiths (Democratic Services Officer) – All Directorate of Corporate Resources.

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1      **Declarations of Interest**

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

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2      **Minutes**

Resolved

That the minutes of the meeting of the Sub-Committee held on 13<sup>th</sup> May, 2014, be approved as a correct record and signed.

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3      **Application for a Licensed Premises Gaming Machine Permit –  
The Cross, High Street, Kingswinford**

A report of the Director of Corporate Resources was submitted on an application for the grant of a Licensed Premise Gaming Machine Permit for three, Category C machines, in respect of The Cross, High Street, Kingswinford.

Mr M Ford, Business Development Manager at Spirit Pub Company (Services) Limited and Ms K Hudson, General Manager at The Cross were in attendance at the meeting.

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

Mr Ford then explained the reason why a third Category C machine had been applied for and stated that the two machines currently in operation at the premises were very popular with customers. He referred to the poor history of the premises, however he stated that Spirit Pub Company (Services) Limited was a large and reputable company and were committed to introducing measures to improve the outlook of the premises. He referred, in particular, to the intention to offer a more varied range of food to encourage more customers to use the establishment.

Clarification was sought with regard to the siting and type of machines that would be available to customers at the premises.

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 for a Licensed Premises Gaming Machine Permit for three Category C Machines in respect of The Cross, High Street, Kingswinford be approved.

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**Application to Transfer a Premises Licence – Select Food and Beverages, 95 High Street, Dudley**

A report of the Director of Corporate Resources was submitted on an application for transfer of the premises licence in respect of the premises known as Select Food and Beverages, High Street, Dudley.

Ms J Braham, applicant, was in attendance at the meeting.

Also in attendance were Ms K Turley, Planning and Licensing Officer and PC A Baldwin, West Midlands Police.

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

PC Baldwin made detailed representations in relation to the applicant's previous convictions and although no offences had been committed since 2003, she requested that the Sub-Committee consider refusing the application.

PC Baldwin then responded to a number of questions in relation to the applicant's previous convictions.

Ms Braham acknowledged that she had made mistakes in the past and stated that she had put the past behind her and that she wanted to represent her community by selling Caribbean foods, products which were not widely available in the local area.

In responding to questions, Ms Braham confirmed that she had been managing the premises on her own for twelve months, however, she indicated that she had recently got a new business partner, Mr Tony Hartley, who could not attend the hearing today due to other commitments. She stated that she had invested a vast amount of time and financial commitment into the premises and assured the Sub-Committee that she was committed to making the premises a success.

In responding to a question from a Member, Ms Braham confirmed that she had little experience in relation to selling age restricted products, however, assured the Sub-Committee that she and her new business partner would ensure that appropriate training was undertaken. The Legal Adviser responded stating that it was essential that adequate training be undertaken in relation to the sale of alcohol.

In responding to a further question, Ms Braham confirmed that the current Designated Premises Supervisor was Mr A Hines and had been since August 2013.

Further questions were responded to in relation to licensing hours and safety measures. Ms Braham confirmed that she was currently working from 8.00am to 8.00pm and that CCTV was in operation at all times which was accessible, should the Police or local authority request to view the footage.

The Legal Adviser clarified the hours currently worked by Ms Braham and enquired whether she would consider adopting those hours permanently. In responding, Ms Braham confirmed that she would adopt the hours of 8.00am to 8.00pm should the Sub-Committee be minded to impose them.

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 for transfer of the premises licence in respect of the premises known as Select Food and Beverages, High Street, Dudley, be deferred.

### Reason for decision

Although the Sub-Committee was concerned in relation to the information reported on arising from Police intelligence, the Licensing Sub-Committee had serious reservations that the applicant and her new partner had received no training in relation to the sale of age restricted products and that the current Designated Premises Supervisor was only located at the premises part-time. Therefore, the Sub-Committee determined that no decision would be made until training had been undertaken and that any future decision would not exclude any Police representations in the future.

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The meeting ended at 10.55am.

CHAIR