

Minutes of Licensing Sub-Committee 3

Tuesday 17th February, 2015 at 10.05 am
in the Council Chamber, The Council House, Dudley

Present:-

Councillors C Perks, A Taylor and E Taylor

Officers:-

N Bangar (Legal Advisor), L Rouse (Licensing Clerk) and K Taylor (Democratic Services Officer) – All Directorate of Resources and Transformation.

30 **Election of Chair**

In the absence of the Chair (Councillor J Cowell) it was

Resolved

That Councillor E Taylor be elected Chair for this meeting of the Sub-Committee only.

(Councillor E Taylor in the Chair)

31 **Apology for Absence**

An apology for absence from the meeting was received on behalf of Councillor J Cowell.

32 **Appointment of Substitute Member**

It was reported that Councillor C Perks had been appointed as a substitute Member for Councillor J Cowell for this meeting of the Sub-Committee only.

33 **Declarations of Interest**

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

34 **Minutes**

Resolved

That the minutes of the meeting of the Sub-Committee held on 13th January, 2015, be approved as a correct record and signed.

35 **Application for a Premises Licence – Quarry Bank Liberal Club, 153 High Street, Quarry Bank, Brierley Hill**

A report of the Strategic Director (Resources and Transformation) was submitted on an application for a premises licence in respect of Quarry Bank Liberal Club, 153 High Street, Quarry Bank, Brierley Hill.

The Applicant Mr S Owen was in attendance at the meeting.

Also in attendance and objecting to the application was Councillor B Cotterill, Ward Member, on behalf of his constituents.

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

Councillor Cotterill then presented representations on behalf of residents and in doing so stated that the objections had been submitted in relation to the hours requested for regulated entertainment seven days a week and the close proximity of residential accommodation, in particular, of a property adjoining the premises and elderly accommodation in Queens Street which was situated to the rear of the premises.

Councillor Cotterill referred to a similar establishment directly next to the establishment, namely, Quarry bank Labour Club, and anticipated that potential problems could arise should the application be granted, in particular in relation to noise nuisance from customers leaving the premises after midnight. It was also noted that there were insufficient car parking spaces available.

Mr Owen then presented his case and in doing so stated that the premises had been judged prior to its opening, and referred in particular to a representation submitted by a local resident in relation to a website highlighting Mr Owens's details as a Director. In responding to the representation, Mr Owen circulated information from the website to Members of the Sub-Committee and stated that he had worked in the trade for a number of years.

Mr Owen confirmed that the theme of the premises would be to sell cask ales, and drinks promotions and cans of alcohol would not be sold at the premises. He further reported on a number of premises that he had managed and refurbished successfully in the Dudley borough, making particular reference to an establishment that had been awarded "Pub of the Year 2013" by CAMRA.

It was noted that signs and posters would be displayed at the premises requesting customers to leave the premises quietly and with due consideration for local neighbours, and that the regulated entertainment would predominately be background music only.

Mr Owen further reported that a room located to the rear of the premises could be hired for various events including birthday parties, and that all rubbish would be cleaned in the immediate vicinity of the premises. It was further reported that there was provision to expand the car park located to the rear of the premises to allow parking for an additional twenty spaces.

In responding to a question by a Member, Mr Owen confirmed that light refreshments, including sandwiches, would be prepared in the small kitchen in the premises and that although the licensable hours requested was 24:00 hrs, it was unlikely that the premises would remain open to that time every day, unless there were private functions. It was further reported that the capacity in the function room was eighty people.

Reference was made to the operating schedule which was included in the application submitted, and Mr Owen confirmed that cigarettes or cigarette machines would not be available or installed at the premises.

In responding to a question by a Member, Mr Owen confirmed that he would be willing to install a noise limiter and that although the windows were double glazed it was his intention to replace them. It was also noted that the premises would be refurbished in to a pub, and would not continue to be a liberal club.

In summing up, Councillor Cotterill reiterated his comments made previously and stated that he was in attendance as a representative for the residents in the area.

In summing up, Mr Owen stated that the premises was not the establishment that had been perceived, and that he would refurbish the premises in to a real ale pub.

Following a question by the Legal Advisor, all parties confirmed that they had represented their case.

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, subject to the following conditions being applied, the grant of a premises licence in respect of Quarry Bank Liberal Club, 153 High Street, Quarry Bank, Brierley Hill, be approved, in the following terms:-

Sale of Alcohol/Regulated Entertainment (Live Music/Recorded Music/Dance)

Monday – Sunday (inclusive) 10.00 – 24.00

Late Night Refreshment

Monday – Sunday (inclusive) 23.00 – 24.00

Conditions

- (1) To install double glazing to all external doors and windows.
- (2) To install a noise limiter.

The Sub-Committee feel that these conditions will help limit any noise from the premises disturbing local residents.

Reasons for decision

Following careful consideration of the report and representations made at the meeting the Sub-Committee grants the application for a premises licence today.

The operating schedule and the evidence heard today has satisfied the Sub-Committee that the premises will be run in such a way to alleviate the concerns raised by residents, namely; we understand the following:

- In relation to paragraph M(e) all reference to cigarettes has been removed for the Sub-Committee's consideration.
- The rear will be cleared to maintain car park spaces for future use.
- Consideration will be given to the fact that the premises are attached to a residential property.

The meeting ended at 11.15 am.

CHAIR