

## LICENSING SUB-COMMITTEE 4

Tuesday, 26<sup>th</sup> September, 2006 at 2.00pm  
in the Council Chamber, The Council House, Dudley

### PRESENT:-

Councillor Donegan (Chairman)  
Councillors Mrs Aston and Rogers

### Officers

Assistant Director Legal and Democratic Services (Legal Advisor) and  
Mrs K Farrington (Directorate of Law and Property)

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19                    APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of  
Councillor Mrs Coulter.

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20                    APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that Councillor Rogers had been appointed as a substitute  
member for Councillor Mrs Coulter for this meeting of the Sub-Committee  
only.

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21                    DECLARATIONS OF INTEREST

No member declared an interest in accordance with the Members' Code  
of Conduct in respect of any matter to be considered at this meeting.

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22                    MINUTES

### RESOLVED

That the Minutes of the Meeting of the Sub-Committee held on  
22<sup>nd</sup> August, 2006 be approved as a correct record and signed.

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23                    APPLICATION TO VARY A PREMISES LICENCE, THE GLASS  
HOUSE, HIGH STREET, STOURBRIDGE

It was noted that this item had been withdrawn.

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CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13(c) it was

RESOLVED

That the remaining items of business be considered in the following order, namely:-

Agenda Item Numbers 7, 8, 9 and 6.

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EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972 as specified below and, in all the circumstances, the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure.

<u>Description of Item</u>	<u>Relevant paragraph of Part I Schedule 12A</u>
Application to Vary a Premises Licence to Specify an Individual as Designated Premises Supervisor	1

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APPLICATION TO VARY A PREMISES LICENCE TO SPECIFY AN INDIVIDUAL AS DESIGNATED PREMISES SUPERVISOR

A report of the Director of Law and Property was submitted on an application received from Messrs. Higgs and Sons, Solicitors, on behalf of Mr RS, in respect of an application for the variation of the premises licence to specify an individual as a designated premises supervisor.

Mr RS was not in attendance at the meeting.

In attendance at the meeting were Ms Joseph, Barrister for West Midlands Police, together with Sergeant Daulton, PC Turley and PC Palmer.

Following introductions by the Chairman, the Legal Advisor clarified the position regarding the case and the Sub-Committee agreed to proceed in the applicant's absence.

Ms Joseph then presented her evidence and informed the Sub-Committee of the grounds of the objection. It was considered that if a licence was granted it would undermine the Crime Prevention Objective. She then responded to questions asked by the Sub-Committee.

The Sub-Committee, having made their decision, then outlined the decision and the reasons for the decision.

Accordingly, it was

#### RESOLVED

That following careful consideration of the information contained in the report submitted and the representations made at the meeting, the application made on behalf of Mr RS for the variation of the premises licence to specify an individual as a designated premises supervisor be refused.

#### Reasons for Decision

Application refused because to do otherwise would compromise the Crime Prevention Objective. The police have visited the premises on numerous occasions and have found unlicensed security staff operating as well as dancers not registered in breach of condition of licence. The proposed Designated Premises Supervisor is a personal license holder who is based at The Bulls Head, Codsall, which is a considerable distance from the premises in Stourbridge. In addition, the proposed Designated Premises Supervisor has been on sick leave for the last 18 months and has not been seen at the Stourbridge premises despite numerous visits by the police. The applicant has failed to inform the police of his sickness record. We therefore take the view that the applicant is totally unsuitable to take on the role of Designated Premises Supervisor as this requires day to day management of the premises, which have been operating in breach of condition of licence. The premises manager and applicant have not attended the hearing and confirmed by letter that they will not be present.

#### APPLICATION FOR CONSENT TO ENGAGE IN STREET TRADING – STAFFORDSHIRE POT FAIR

A report of the Director of Law and Property was submitted on an application received on behalf of Mr Chris New, New Market Solutions, for the grant of a consent to engage in street trading for the Staffordshire Pot Fair to take place in Dudley Town Centre.

Mr New was not in attendance at the meeting.

It was reported that there were no objections to the application.

RESOLVED

That approval be given to the application received on behalf of Mr Chris New, New Market Solutions, for the grant of a consent to engage in street trading for the Staffordshire Pot Fair to take place in Dudley Town Centre on 9<sup>th</sup> to 14<sup>th</sup> October 2006.

The meeting ended at 2.45pm

CHAIRMAN