

Minutes of Licensing Sub-Committee 2

Tuesday 19th August, 2014 at 10.00 am
in Committee Room 2, The Council House, Dudley

Present:-

Councillor K Finch (Chair)
Councillors S Etheridge and E Taylor

Officers: -

T Holder (Legal Advisor), L Rouse (Licensing Clerk) and K Buckle
– All Directorate of Corporate Resources.

1 **Apology for Absence**

An Apology for absence from the meeting was submitted on behalf of Councillor R James.

2 **Declarations of Interest**

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

3 **Appointment of Substitute Member**

It was noted that Councillor E Taylor was serving as a substitute member for Councillor R James for this meeting of the Sub-Committee only.

4 **Minutes**

Resolved

That the minutes of the meeting of the Sub-Committee held on 3rd June, 2014, be approved as a correct record and signed.

5

Review of Street Trading Consent/Prohibited Streets – Dudley Town Centre

A report of the Director of Corporate Resources was submitted on an application for the revision of the consent/prohibited streets in Dudley Borough to include Castle Street, New Street, Union Street and the Junction of Stone Street/High Street, Dudley as consent streets in respect of Street Trading.

During the consideration of this matter there was a brief adjournment so as to obtain a hard copy of the Street Trading Notice published in the Express and Star on 24th June, 2014 and referred to as Appendix 2 to the report.

The meeting was reconvened and following consideration of the notice it was

Resolved

That, in the light of the information contained in the report submitted, the application on behalf of Mr P Coyne for the revision of the consent/prohibited streets in the Dudley Borough to include Castle Street, New Street, Union Street and the junction of Stone Street/High Street, Dudley as consent streets in respect of Street Trading, be approved.

6

Review of Street Trading Consent/Prohibited Streets – Market Street, Stourbridge

A report of the Director of Corporate Resources was submitted on an application for the revision of the consent/prohibited streets in the Dudley Borough to include Market Street, Stourbridge as a consent street in respect of Street Trading.

Following consideration of the Notice setting out the proposals and noting that no objections had been received, it was

Resolved

That, in the light of the information contained in the report submitted, the application on behalf of Ms Newell for the revision of the consent/prohibited streets in the Dudley Borough to include Market Street, Stourbridge as a consent street in respect of Street Trading, be approved.

Application for a Premises Licence – Lovi’s, 164 High Street, Quarry Bank.

A report of the Director of Corporate Resources was submitted on an application for a premises licence in respect of Lovi’s, 164 High Street, Quarry Bank.

The Applicant Mr Singh Lakra was in attendance at the meeting.

Also in attendance and objecting to the application was Councillor 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 making particular reference to the number of licensed premises already in the local vicinity, expressing concerns relating to possible competition as far as prices were concerned, and the likely increase in alcohol consumption resulting in possible anti social behaviour.

Councillor Cotterill referred to the adjacent primary school to the premises and raised concerns for the safety of those accessing the school due to parking problems that would result when loading and unloading occurred.

Mr Singh Lakra then presented his case and provided reassurances that in view of a change in legislation a price war in relation to alcohol would no longer be possible. He referred to previous trading at the premises and outlined his good relationship with the police.

Mr Singh Lakra referred to specific space to the rear of the premises for parking which could be accessed via a right of way over the premises next door with the owner’s permission.

In responding to a question from the Legal Advisor the Applicant confirmed that he had received and considered the five letters objecting to the applications, together with a Petition from residents of the wider area and a letter from the Reverend D Hoskin also objecting to the Application

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 outlined the decision.

Resolved

That the grant of a premises licence in respect of Lovi's, 164 High Street, Quarry Bank, be refused.

Reasons for Decision

The Sub-Committee has heard the application brought by Mr Singh Lakra. We have also heard the representations made by Councillor Bryan Cotterill. We have read five letters of complaint provided by residents of adjacent and adjoining properties. We have considered the Petition provided by Councillor Cotterill and read a further letter from the Reverend Hoskin. We are minded to refuse this application on the grounds of the Protection of Children from harm. This is because the premises are located opposite to a school. The Sub-Committee is further concerned that the premises are on a very busy road and that the increase in traffic and loading and unloading vehicles outside the premises will increase the danger posed to children and parents using the school premises.

Mr Singh Lakra was informed of his right to appeal the decision of the Sub-Committee.

The meeting ended at 11.10 am

CHAIR