

LICENSING SUB-COMMITTEE 3

Tuesday, 16th November, 2010 at 10.00 am
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Mrs Dunn (Chairman)
Councillors Mottram and Ryder

Officers

Mr R Clark (Legal Advisor), Mrs J Elliott (Licensing Officer) and Mrs K Taylor (Directorate of Law, Property and Human Resources).

17 **APOLOGY FOR ABSENCE**

An apology for absence from the meeting was submitted on behalf of Councillor Mrs Ameson.

18 **APPOINTMENT OF SUBSTITUTE MEMBER**

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

19 **DECLARATIONS OF INTEREST**

No member declared an interest in accordance with the Members' Code of Conduct.

20 **MINUTES**

RESOLVED

That the minutes of the meeting of the Sub-Committee held on 7th September 2010 be approved as a correct record and signed.

21 **APPLICATION FOR PREMISES LICENCE – UNIT 5, BARNETT LANE, KINGSWINFORD**

A report of the Director of Corporate Resources was submitted on an application received from Mr Joseph Brogan, in respect of Unit 5, Barnett Lane, Kingswinford.

Mr J Brogan (Applicant) was in attendance at the meeting.

Also in attendance and objecting to the application were Councillor P Miller (Ward Member for Kingswinford South) and Mr and Mrs Collins (Residents of Barnett Lane).

Following introductions, the Chairman outlined the procedure to be followed.

Mrs J Elliott, Licensing Officer, Directorate of Law, Property and Human Resources, presented the report on behalf of the Council.

Mr Collins presented his objections, which had been circulated prior to the meeting in accordance with the Licensing Act 2003. In doing so he stated that, should the licence be approved, it was anticipated that anti-social behaviour would increase as previously experienced when the premises was an off-licence. He commented that the current traffic and parking problems in regard to customers and delivery vehicles would be increased, and suggested that should the licence be granted, Mr Brogan ensure that all deliveries be carried out at the rear of the premises.

Further to a comment made by Mr Collins in regard to Mr Brogan's operating schedule to supply alcohol at 8.00am as outlined in Appendix 1 of the report submitted, Mr Brogan confirmed that this was an error and that it should read 10.00am.

Councillor Miller on behalf of his constituents presented his objections, which had been circulated prior to the meeting in accordance with the Licensing Act 2003. He made particular reference to previous incidents of anti-social behaviour and nuisance to nearby residents, which had improved following co-operation with Police, and stated that should the licence be approved, there was a danger of the anti-social behaviour re-occurring.

In responding to a question from a Member relating to whether the anti-social behaviour was the result of alcohol consumption, Councillor Miller stated that there were between 12 – 15 premises within a one mile radius which supplied alcohol which could have fuelled the anti-social behaviour.

In responding to a question from a Member relating to whether there was living accommodation above the premises in the area, Councillor Miller confirmed that he believed that there was a mixture of private rented accommodation and some was used by the shop owners.

Mr Brogan (Applicant) then presented his case, and in doing so sympathised with the concerns raised by Mr Collins and Councillor Miller. He assured the Committee that he was committed to implement measures to reduce anti-social behaviour, and circulated information in regard to a scheme in Kingswinford where activities had been carried out with youngsters to prevent anti-social behaviour.

A report of the Director of Corporate Resources was submitted on an application made on behalf of Care 2 Give Limited for the grant of an House to House Collections Licence on behalf of Guideposts, Action Medical Research and the Woodland Trust.

In attendance were Mr P. Lowther (Managing Director) and Mr G. Hockley (Finance Director / Chief Promoter) for Care 2 Give Limited.

Following introductions, the Chairman outlined the procedure to be followed.

Mrs J Elliott, Licensing Officer, Directorate of Law, Property and Human Resources, presented the report on behalf of the Council.

Following a brief discussion, 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 Chairman then outlined the decision.

RESOLVED

That, following careful consideration of the application made on behalf of Care 2 Give Limited, the grant of a house to house collections licence on behalf of Guideposts, Action Medical Research and the Woodland Trust, be approved for a period of twelve months.

24 APPLICATION FOR HOUSE TO HOUSE COLLECTIONS LICENCE –
TREATING CHILDREN WITH CANCER

This item was withdrawn.

The meeting ended at 11:45 am

CHAIRMAN