

## LICENSING SUB-COMMITTEE 1

Wednesday, 26<sup>th</sup> October 2005 at 11.15 a.m.  
in the Council Chamber, The Council House, Dudley

### PRESENT:-

Councillor Mottram (Chairman)  
Councillors Mrs Coulter and Tomkinson

### Officers

Director of Law and Property and Mrs. J. Rees (Directorate of Law and Property)

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### MINUTES

#### RESOLVED

That the minutes of the meetings of the Sub-Committee held on the 4<sup>th</sup> October, 2005 and 12<sup>th</sup> October, 2005 be approved as correct records and signed.

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### DECLARATIONS OF INTEREST

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

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### APPOINTMENT OF SUBSTITUTES FOR THIS MEETING OF THE COMMITTEE

It was reported that Councillors Mrs Coulter and Mottram had been appointed as a substitutes for Councillors Mrs Ameson and Ryder respectively for this meeting of the Sub-Committee only.

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### APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillors Mrs Ameson and Ryder.

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APPLICATION TO VARY A CLUB PREMISES LICENCE, COSELEY  
CONSERVATIVE CLUB, 35 AVENUE ROAD, COSELEY

A report of the Director of Law and Property was submitted on an application received from Poppleston Allen, Licensing Solicitors, to convert an existing club certificate into a club premises certificate and to vary that license simultaneously, in respect of Coseley Conservative Club, 35 Avenue Road, Coseley.

Mr J Duffy, the Club Secretary and Mr J Guest, the President of the Coseley Conservative Club were in attendance at the meeting.

Following introductions, the Director of Law and Property, outlined the procedure to be followed. He advised that although no objectors were present at the meeting, consideration would have to be given to the two written objections which had been received.

Mr Phillips, Senior Licensing Clerk, presented the report on behalf of the Council. He advised that this case had been deferred on 20<sup>th</sup> September, 2005 due to the applicant failing to advertise the requested hours correctly. The applicant had given an undertaking that the requested hours had since been correctly advertised.

Mr Phillips advised that two written objections had been received. One written objection alleged that the Club did not uphold the rules of the Club, in so far as they allowed visitors to attend without signing in, as a direct consequence of which, the Club had no control of customers leaving the club in the early hours of the morning. The objector also expressed concerns regarding noise nuisance which might occur at night. The second written objection expressed concerns at the conflicting information regarding the requested hours for serving alcohol as advertised by the applicant and that advertised on the website. The objector also expressed concerns regarding the noise nuisance and taxis collecting customers from the Club and a nearby Public House, which could cause noise nuisance at night.

Mr Duffy and Mr Guest presented their case, advising that although they had applied for a licence until 01.00 the club currently closed at 11.00 pm. It was not their intention to alter this in future, apart from special occasions, such as Bank Holidays and birthday parties. They would also wish for an extended hour on alternate Saturdays.

In response to the comments made within the written objections, Mr Duffy and Mr Guest advised that the allegations were unfounded. With regard to the lack of signing in of visitors, they advised that this had been investigated and had not been substantiated by the Association for Conservative Clubs. They both agreed that as the club was small, occasionally a visitor failed to sign in when the steward was not on duty at the door. However this did not cause any great problem. They did not agree that there were problems regarding noise nuisance. Both advised that there were notices at the Club requesting customers to be mindful of the neighbours when leaving the club. The Club also insisted that taxis collecting members telephoned to advise of their attendance for collections. Customers could view the arrival of the taxis on the CCTV camera. The Club also insisted that taxis did not sound their horns on arrival at or departure from the Club.

In response to questioning, Mr Duffy and Mr Guest advised that there were no windows in the Club; there was a small portable stage close to the entrance door for live entertainment, which took place every two weeks and which ended at 11.45pm; they did not envisage opening the Club for any longer and that Artists and staff wished to leave at a reasonable time.

Both agreed that they would have no objections, should the Sub Committee choose, to reduce the licensing hours, as set out in the Schedule, by one hour.

Following questions, the opportunity to sum up was given, and prior to the withdrawal of the respective parties the Director of Law and Property indicated that there were no additional legal issues, upon which he needed to advise the Sub-Committee.

The Sub-Committee having made their decision, the respective parties were invited to return and the Chairman then outlined the decision and the reasons for the decision.

Accordingly, it was

**RESOLVED**

That the application received from Poppleston and Allen, to convert an existing club certificate into a club premises certificate and to vary that licence accordingly on behalf of the Coseley Conservative Club, be approved, subject to the following terms and conditions and based on the reasons indicated:-

Variation of Premises Certificate is approved, subject to the revised following hours for regulated entertainment and the supply of alcohol:-

Monday – Friday and Sunday 12.00 am - 11.30 pm

Saturday and Bank Holidays 12.00 am - 12.00 pm

### Conditions

- 1 All conditions set out in the operating schedule
- 2 All doors shall be kept closed during regulated entertainments
- 3 All exit doors within the premises shall have signs asking customers to leave the premises quietly and respect local residents and their premises.

### Reasons for Decision

The Sub Committee is of the opinion that the hours set out for the sale of alcohol and regulated entertainment should provide an opportunity for greater flexibility and, in turn, a reduction in customers' leaving the premises in large numbers at a set time with consequent nuisance and associated anti social behaviour to local residents. This approach is consistent with the principles contained within the licensing legislation and our licensing policy.

However we recognise the legitimate concerns of local residents but believe that their concerns can be met through licensing conditions and appropriate enforcement.

The meeting ended at 11.45 am.

CHAIRMAN