

LICENSING SUB-COMMITTEE 5

Monday 19th December 2005 at 10.00 am
in the Council Chamber, The Council House, Dudley

PRESENT:-

Councillor Taylor (Chairman)
Councillors Mrs Dunn and Hart

Officers

Assistant Director of Legal and Democratic Services (Legal Advisor) and
Mrs K Farrington - Directorate of Law and Property (am only) and
Principal Solicitor - (Legal Advisor) and Mrs J Holland - Directorate of
Law and Property (pm only)

48

MINUTES

RESOLVED

That the minutes of the meeting of the Sub-Committee held on
the 29th November 2005 be approved as a correct record and
signed.

49

DECLARATIONS OF INTEREST

There were no declarations of interest from Members in accordance with
the Members' Code of Conduct.

50

APOLOGY FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of
Councillors Bradney and Ms Craigie.

51

APPOINTMENT OF SUBSTITUTE FOR THIS MEETING OF THE SUB-COMMITTEE

It was noted that Councillors Mrs Dunn and Hart had been appointed to serve as substitutes for Councillors Bradney and Ms Craigie respectively for this meeting of the Sub-Committee only.

52

APPLICATION FOR A PREMISES LICENCE - DAYS NEWSAGENTS AND STORE, 32 MADELEY ROAD, KINGSWINFORD

A report of the Director of Law and Property was submitted on an application received from CLB Lawyers, for the grant of a premises licence, in respect of Days Newsagents and Store, 32 Madeley Road, Kingswinford.

Ms Kumari, CLB Lawyers, was in attendance at the meeting together with Mr Patel.

Also in attendance were Mrs Kaur and Ms Headly, whose written objections were submitted as Appendix 2 to the report submitted. Further objection letters received by the Licensing Officer together with a petition of 54 names was also included at Appendix 2 of the report.

The Chairman introduced the Members of the Sub-Committee and at this juncture, Ms Kumari informed the Sub-Committee that an agreement had been reached, prior to the meeting, between Mr Patel and the objectors with regard to the sale of alcohol. In view of this, it was

RESOLVED

That the application received from CLB Lawyers, for the grant of a premises licence, in respect of Days Newsagents and Store, 32 Madeley Road, Kingswinford be amended for the sale of alcohol as follows:-

Monday – Tuesday	08.00 – 19.00
Wednesday	07.00 – 19.30
Thursday – Friday	08.00 – 19.00
Saturday	07.00 – 19.30
Sunday	07.00 – 13.00

and that, in view of the above amendment, as the objections had been withdrawn, the licence be granted.

53

APPLICATIONS FOR A PREMISES LICENCE AND TO RENEW AND VARY A STREET TRADING CONSENT - MR SMITH (RINGSIDE REFRESHMENTS)

Reports of the Director of Law and Property were submitted on an application received from Mr Smith, for the grant of a premises licence and for the renewal and variation of his street trading consent, in respect of the site at the Junction of Foster Street/High Street, Stourbridge.

The applicant, Mr Smith was not in attendance at the meeting, but had informed the Licensing Officer that he was away on holiday.

Inspector Mark Thomas and Sergeant Kerr Ross, West Midlands Police, were in attendance at the meeting.

Following introductions, the Licensing Officer briefly outlined both reports on behalf of the Council.

RESOLVED

That the applications received from Mr Smith, for the grant of a premises licence and for the renewal and variation of his street trading consent, in respect of the site at the Junction of Foster Street/High Street, Stourbridge, be deferred until after 5th January 2006, so as to allow a meeting to take place between the Police the Licensing Office and the applicant to establish hours of operation and the siting of the van.

54

APPLICATION TO VARY A PREMISES LICENCE - THE WHITE SWAN, HOLLAND ROAD, DUDLEY

A report of the Director of Law and Property was submitted on an application received from Ridgeway Licensing Services, to vary a premises licence, in respect of The White Swan, Holland Street, Dudley.

The applicant was not in attendance at the meeting.

In attendance were four objectors, Mr and Mrs Harding and Mr and Mrs Bladen, whose written objections were attached at Appendix 2 to the report submitted.

Following introductions, the Licensing Officer, briefly explained to the objectors that the applicant had not yet arrived, but that the Licensing Office were making immediate endeavours to contact him or his representative.

RESOLVED

That, despite a number of enquiries having been made to establish whether the applicant was to attend the meeting, the application received from Ridgeway Licensing Services, to vary a premises licence, in respect of The White Swan, Holland Street, Dudley be dismissed in view of the non-attendance of the applicant.

55

APPLICATION TO VARY A PREMISES LICENCE, THE BRITISH QUEEN, 55 PARKES HALL ROAD, WOODSETTON, DUDLEY

A report of the Director of Law and Property was submitted on an application received from Ridgeway Licensing Services, to vary a premises licence, in respect of The British Queen, 55 Parkes Hall Road, Woodsetton, Dudley.

The applicant was in attendance at the meeting, together with the Development Manager of Ridgeway Licensing Services.

Also in attendance was Councillor Simms, representing the objectors, who were not in attendance and who had indicated that they wished to remain anonymous.

Following introductions, the Legal Advisor informed the meeting of recent legislation that stated anonymous objections should not be taken into account when reaching a decision on an application.

Mr Phillips, Senior Licensing Clerk, then suggested that mediation take place between the objectors and the Brewery and that the applicant be kept updated by Email.

Following a short discussion, it was

RESOLVED

That the application received to vary a premises licence in respect of The British Queen, 55, Parkes Hall Road, Woodsetton, Dudley, be deferred to a future meeting, to allow mediation to take place between the objectors and the Brewery.

56

RENEWAL AND VARIATION OF STREET TRADING CONSENT, HALESOWEN TOWN CENTRE - MR H JONES

A report of the Director of Law and Property was submitted on an application made by Mr H Jones to renew and vary his street trading consent in respect of Halesowen Town Centre.

Mr Jones was in attendance at the meeting.

The Senior Licensing Clerk presented the report on behalf of the Council.

Mr Jones then spoke on his application to vary his street trading consent, which was in relation to moving his trading site to another position within Halesowen Town Centre.

RESOLVED

That approval be given to the application made by Mr Jones for the renewal of his street trading consent and to the variation of the consent as indicated in paragraph 13 of the report submitted.

57

RENEWAL OF STREET TRADING CONSENT IN STOURBRIDGE TOWN CENTRE - MR D McGILLICUDDY

A report of the Director of Law and Property was submitted on an application made on behalf of Mr D McGillicuddy for the renewal of the street trading consent for an Arts and Crafts Market in High Street/Coventry Street, Stourbridge.

The Applicant was in attendance at the meeting together with his supporter, Mr Perry.

The Senior Licensing Clerk presented the report on behalf of the Council.

Mr McGillicuddy then spoke on his application and outlined the nature of the trading.

Following discussion and careful consideration of the report submitted, it was

RESOLVED

That approval be given to the application made by Mr D McGillicuddy for the renewal of his street trading consent for an Arts and Crafts Market in Stourbridge Town Centre.

58

APPLICATION FOR LICENCE FOR A SEX SHOP, GOOD VIBRATIONS, UNIT 1, LITTLE COTTAGE STREET, BRIERLEY HILL

A report of the Director of Law and Property was submitted on an application made by Mr J Toye for a licence in respect of a sex establishment, Good Vibrations, Unit 1, Little Cottage Street, Brierley Hill.

Mr Toye was in attendance at the meeting.

The Senior Licensing Clerk presented the report on behalf of the Council.

Following discussion and careful consideration of the report submitted, it was

RESOLVED

That the application made by Mr Toye for the grant of a sex establishment licence in respect of Good Vibrations, Unit 1, Little Cottage Street, be approved for a period of twelve months.

The meeting concluded at 4.10pm.

CHAIRMAN