

**Minutes of Licensing Sub-Committee 3
Tuesday 20th December, 2022 at 10.00am
In the Council Chamber, The Council House, Dudley**

Present:

Councillor A Taylor (Chair)
Councillors T Creed and K Finch

Officers:

N Slym – Assistant Team Manager (Licensing and Waste Enforcement) (Directorate of Public Realm); R Clark – Principal Solicitor and K Taylor – Senior Democratic Services Officer (Directorate of Finance and Legal).

4. Declarations of Interest

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

5. Minutes

Resolved

That the minutes of the meeting held on 25th October, 2022, be approved as a correct record and signed.

6. Application to Vary a Premises Licence – The Royal, 54 Castle Street, Coseley

A report of the Interim Director of Public Realm was submitted on an application to vary a premises licence in respect of the premises known as The Royal, 54 Castle Street, Coseley.

The following persons were in attendance at the meeting:-

Mr A Green (Solicitor – Gosschalks LLP)
Mr M Finnemore (Regional Manager – Craft Union Pub Company Ltd)
Mr G Chase (Licensing Manager – Stonegate Group)
Councillor P Drake – Ward Member and Objector.

Following introductions, the Assistant Team Manager (Licensing and Waste Enforcement) presented the report on behalf of the Council, advising that the application proposed the variation of the premises licence as follows:

Supply of Alcohol

Friday and Saturday – 10.00 until 01.00

Sundays – 12.00 until 23.00

Christmas Day – 12.00 until 23.00

Live Music/Recorded Music

Friday and Saturday – 11.00 until 01.00

Sundays – 12.00 until 23.00

To remove/replace conditions contained in the premises licence as outlined in the application.

Councillor P Drake, on behalf of local residents, outlined the reasons for his objection, and in doing so stated that although there were no concerns of the establishment, the proposed variation was not considered appropriate for the local area. It was anticipated that the requested additional hours could result in public nuisance and be detrimental to residents living within close proximity to the premises, in particular those residing at the nearby assisted living accommodation, many of whom were elderly and vulnerable. It was preferred that the premises continued with the existing licensable hours, however a reduction in the supply of alcohol and regulated entertainment until midnight would be acceptable.

Mr Green, on behalf of his client confirmed that the current operator had managed the premises for over 20 years and no complaints or issues had been made during that time, and that the purpose of the application was to give The Royal the flexibility within the operation of the premises. Following discussions with West Midlands Police and the Environmental Health Officer, additional conditions had been voluntarily agreed by the applicant to further enhance the application. The Sub-Committee were requested to consider that there had been no objections received from responsible authorities during the determination of the application.

Reference was made to the objection raised by Councillor P Drake in relation to noise nuisance, and Mr Green advised the Sub-Committee that prominent, clear and legible notices would be displayed at exits requesting patrons to respect the needs of local residents and vacate the premises and area quietly. An additional condition would also be attached to the operating schedule in that all windows and doors (including fire doors) to the premises would be kept closed, except doors used for access and egress, during any regulated entertainment.

In responding to a question raised by Councillor T Creed, Mr Green confirmed that an allowance of up until 30 minutes would be given to patrons vacating the premises after the time permitted of the supply of alcohol.

Mr Finnemore confirmed that The Royal was regarded as a good family pub within the local community and was predominately visited by local residents. It was reiterated that there had been no issues or complaints made in relation to the premises and there was no intention to change the operation or brand. It was further noted that patrons with children were asked to vacate the premises at 7pm.

Following a suggestion by the Sub-Committee, Mr Green agreed on behalf of his client to a reduction in the hours sought for the use of regulated entertainment at the premises on Fridays and Saturdays until midnight. This variation would address concerns raised in relation to potential noise nuisance.

In responding to questions raised by Councillor T Creed, Mr Green believed that the licensing hours of nearby premises were later than those currently operated at The Royal and anticipated that the requested additional hours would not attract a different clientele. It was further noted that there were five members of staff currently employed at the premises and that should the application be granted, this would not require the appointment of further staff.

Mr Finnemore, in responding to the Principal Solicitor, confirmed that a live singer was booked at the premises each Sunday from 4pm for a short period and a karaoke/band booked each Saturday until 11pm. It was again reiterated that the intention of the variation was not to change the business but to provide future flexibility. It was also confirmed that the premises had double glazed windows and shutters.

Following summing up, all parties withdrew from the meeting to enable the Sub-Committee to determine the application.

The Sub-Committee having made their decision invited the parties to return and the Principal Solicitor outlined the decision.

Resolved

That following consideration of the information contained in the report submitted and presented at the meeting, the application for a variation of the premises licence in respect of the premises known as The Royal, Castle Street, Coseley be granted, subject to the modified hours of supply of alcohol on Fridays and Saturdays, as outlined below:-

Supply of Alcohol

Friday and Saturday – 10.00 until 00.30

Sundays – 12.00 until 23.00

Christmas Day – 12.00 until 23.00

Live Music/Recorded Music

Friday and Saturday – 11.00 until 00.00

Sundays – 12.00 until 23.00

To remove/replace conditions contained in the premises licence as outlined in the application.

The applicant was informed of their right of appeal.

7. **Notice of Temporary Event – Conyers Yard, Station House, Station Yard, Stourbridge**

It was noted that this item had been withdrawn by the applicant prior to the meeting.

The meeting ended at 11.05am

CHAIR