

DUDLEY METROPOLITAN BOROUGH

LICENSING & SAFETY COMMITTEE

REPORT OF THE DIRECTOR OF LAW AND PROPERTY

CIVIC SQUARE

6<sup>TH</sup> MAY, 2005

1.0. PURPOSE

- 1.1. To consider the application on behalf of Mr. Matthew Caddick, Town Centre Manager, Dudley Town Centre, for the grant of a Public Entertainments Licence for the Civic Square, Dudley.

2.0. BACKGROUND

- 2.1. On the 25th February, 2004, Mr. George Whitehouse made application for the grant of a Public Entertainments Licence in respect of the New Civic Square, Stone Street, Dudley for the following days and times.

Monday - Sunday  
10.00 a.m. - 11.00 p.m.

- 2.2. This application was circulated to the West Midlands Fire Service, West Midlands Police and the Directorate of the Urban Environment. The Directorate of the Urban Environment made various comments, which were brought to the attention of the Committee.
- 2.3. Proof of publication of the requisite public notice was received.
- 2.4. On the 4th March, 2004 a letter of objection was received from a local resident which was brought to the attention of the Committee.
- 2.5. This matter was considered by the Committee on the 29<sup>th</sup> March 2004. The Committee resolved that the application be granted for a period of 3 months subject to the receipt of a satisfactory electrical certificate. That licence was issued on the 6<sup>th</sup> December 2004 and expired on the 5<sup>th</sup> March 2005.
- 2.6. On the 24<sup>th</sup> March 2005 Mr Matthew Caddick made application for the grant of a public entertainments licence.
- 2.7. That application was circulated as in paragraph 2.2 above.
- 2.8. The Director of the Urban Environment made comments which are attached to this report as Appendix 1.

2.9 Proof of publication of the requisite public notice has been received. However the notice was not published until the 13<sup>th</sup> April 2005.

2.10 A satisfactory electrical certificate has been received.

### 3.0 PROPOSAL

3.1. That the Committee consider the application for the grant of a Public Entertainments Licence in respect of the New Civic Square.

### 4.0 FINANCE

4.1. There are no financial implications.

### 5.0 LAW

5.1 The law relating to the licensing of Public Entertainments is governed by Schedule 1 to the Local Government (Miscellaneous Provisions) Act 1982, which gives an absolute discretion to the Council to grant or refuse any applications for the grant, renewal or transfer or any licence.

5.2 Pursuant to Paragraph 4 Schedule I of the Local Government (Miscellaneous Provisions) Act 1982, the Council may in certain specified circumstances grant a licence on terms and conditions and subject to certain restrictions. Schedule 4 also allows the Council to impose conditions so as to prevent persons in the neighbourhood being unreasonably disturbed by noise.

### 6.0 EQUAL OPPORTUNITIES

6.1. This report takes into account the Council's policy on equal opportunities.

### 7.0 RECOMMENDATION

7.1. That the Committee consider this application.

### 8.0 BACKGROUND PAPERS

8.1 Application form.

*John Poyellis*

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DIRECTOR OF LAW AND PROPERTY

Contact Officer: Mrs. J. Elliott - Ext 5377