

Attendance

Sub-Committee Members:

Cllr Alan Bolshaw (Chair)

Cllr Rita Potter

Cllr Jane Stevenson

Premises Licence Applicant:

Rob Edge

Samuel Evans

Licence Leader Ltd (Agent)

Business Owner

Licensing Authority:

Elaine Moreton

Licensing Section Leader

Police:

Sgt Steph Reynolds

West Midlands Fire Service:

Neil Aston-Baugh

Fire Safety Officer

Employees:

Sarah Hardwick

Donna Cope

Jonathan Lloyd

Senior Solicitor

Democratic Services Officer

Senior Licensing Officer

Item No. Title

1 Apologies for absence

There were no apologies for absence.

2 Declarations of interest

There were no declarations of interest.

3 Licensing Act 2003 – Application for a Premises Licence in respect of The Hangar, Pountney Street, Wolverhampton, West Midlands, WV2 4HX

The Chair advised all present that Councillor Jane Stevenson was held up in traffic and therefore the Hearing would be adjourned for a short while to allow her more time.

The Sub-Committee adjourned at 10.05 hours.

The Hearing reconvened at 10.15 hours.

The Chair confirmed that Councillor Stevenson had no declarations of interest.

An application for a Premises Licence in respect of The Hangar, Pountney Street, Wolverhampton, West Midlands, WV2 4HX was considered following representations received from West Midlands Fire Service, Licensing Authority, West Midlands Police and Other Persons.

The Chair led round-table introductions and outlined the procedure to be followed. All parties confirmed that they understood the procedure.

The Chair informed all present that Mr Rob Edge, agent for the Applicant, Samuel Evans, was an ex-employee of the City of Wolverhampton Council but assured all parties present that this would not affect the decision of the Sub-Committee.

Mr Jonathan Lloyd, Senior Licensing Officer, provided an outline of the application. Mr Rob Edge, representing Mr Samuel Evans (applicant), confirmed that the summary provided was accurate.

The Chair invited the Applicant to present the application. Mr Rob Edge, Licence Leader Ltd, did so.

He explained that prior to the Hearing mediation had taken place with West Midlands Fire Service, West Midlands Police, and the Licensing Authority to address any concerns raised by them.

He explained that his client, Samuel Evans, had invested significantly in the premises to ensure all health and safety issues were addressed and stated that Building Control were satisfied with the new proposed plans.

Mr Edge discussed the recent Temporary Event Notices held at the premises and advised the Sub-Committee that all issues identified had been addressed. These included parking provisions and the implementation of Parking Stewards.

The Chair afforded all parties present the opportunity to question the Applicant in relation to its representation.

Mr Edge provided the following responses to questions asked:

- No complaints were received for the two events carried out under Temporary Event Notices,
- A risk assessment had been carried out to ensure there was sufficient time allowing patrons to vacate the premises,
- A separate risk assessment would be carried out for each event,
- Building Control and WMFS and been consulted regarding fire escapes,
- WMFS had limited the venue capacity to 600 persons and Building Control would confirm the final figure when plans were approved,
- WMP would be given a list of all forthcoming events including artists and demographic,
- Car parks would be leased from the nearby Banqueting Suite when available,
- No issues with noise had been raised and Environmental Health had not objected to the application,
- SIA Security would search patrons accordingly,
- Concerns raised by WMP regarding a Temporary Event Notice had been addressed,
- A full transport assessment had been carried out and the Applicant had consulted with Building Control and Planning.

The Chair invited West Midlands Police to make representations. Sgt Steph Reynolds did so. She confirmed that mediation had taken place with the Applicant prior to the Hearing and she was now satisfied with the provisions in place.

The Chair invited all parties present to question West Midlands Police in relation to its submission. Sgt Steph Reynolds provided responses to questions asked.

The Chair invited the Licensing Authority to make representations. Mrs Elaine Moreton, Section Leader Licensing, did so. She confirmed that mediation had taken place with the Application prior to the Hearing and she no longer had objections to the application.

The Chair invited all parties present to question the Licensing Authority in relation to its submission. No questions were asked.

The Chair invited West Midlands Fire Service to make representations. Mr Neil Aston-Baugh, Fire Safety Officer, did so. He confirmed Mr Edge's submission and discussed how the Applicant had taken extensive steps to resolve an issue regarding the use of roller shutters as a means of escape.

The Fire Safety Officer outlined a Voluntary Undertaking, signed by the Applicant, and confirmed that following mediation, he no longer had objections to the application.

The Chair invited all parties present to question West Midlands fire Service in relation to its submission. Mr Neil Aston-Baugh provided responses to questions asked.

The Chair invited all parties present to make their final address.

No further statements were made.

All interested parties, with the exception of the Council's Solicitor and the Democratic Services Officer, withdrew from the meeting to enable the Sub-Committee to determine the matter.

All interested parties were invited back to the meeting and the Chair advised them of the decision of the Sub-Committee, which was read out in full by the Senior Solicitor.

Resolved:

The Sub-Committee had taken note of all written concerns raised in respect of the application for a premises licence for The Hangar, Pountney Street, Wolverhampton, WV2 4HX. They had listened to the arguments of those who had spoken at the hearing, both for and against the application.

The Sub-Committee had heard from West Midlands Police that representations were lodged as there were concerns that granting of the licence would undermine 3 of the Licensing Objectives. The Applicant had entered into talks with West Midland Police and an agreement to modify conditions had been agreed. Therefore, it was proposed that conditions outlined at Agenda Item 3, Pages 5 and 6, be added to any licence and in that situation the West Midlands Police would be satisfied the premises licence could be granted and that the premises would promote the Licensing Objectives.

The Licensing Authority (as Responsible Authority) had made relevant representations relating primarily to the end time for licensable activities to be reduced by 30 mins. The Applicant had entered into talks with the Licensing Authority and an agreement to modify conditions had been agreed. Therefore, it was proposed that the condition outlined at Agenda Item 3, Page 7 be added to any licence.

The Sub-Committee had heard from West Midlands Fire Service, with particular reference to roller shutters at the premises to be used as means of escape being not acceptable. The Fire Service had confirmed that concerns had been addressed and that the premises had entered into continued dialogue with them. The premises had also given a voluntary undertaking as referred to at Page 4 of Agenda Item 3. The Sub-Committee were satisfied that provisions on Page 4 should remain as voluntary undertakings and not form conditions of licence as other legislation applied.

The Sub-Committee had regard to both the written and oral evidence that had been presented and attached appropriate weight.

An Other Person, for the purpose of the Licensing Act 2003, had made written representations about parking on the public highway. The Sub-Committee were not satisfied this was relevant for the purpose of the Licensing Act 2003. The Sub-Committee did however note that the Applicant had indicated Parking Marshalls were

to be used and patrons were being signposted to use local car parks. There had also been meetings with Highway Services and a full transport assessment.

Having considered the views of all concerned, the Sub-Committee decided that the application for a premises licence should be granted, as applied for but subject to the terms and conditions detailed at Agenda Item 3, Pages 5 to 7 in accordance with section 18 of the Licensing Act 2003.

It was considered by the Sub-Committee that the above conditions should be attached in support of the Prevention of Public Nuisance, Public Safety and Prevention of Crime and Disorder Licensing Objectives.

They also noted that the premises had given the voluntary undertaking at Page 4 of Agenda item 3.

Finally, such conditions as were specified on/or consistent with the Operating Schedule would be attached to the licence, together with any mandatory conditions required by the Act.

A written copy of the decision would be given in 5 working days.

All parties had a right of appeal to the Magistrates Court within 21 days of receipt of this decision.