

Attendance

Members of the Licensing Sub-Committee

Cllr Alan Bolshaw (Chair)

Cllr Wendy Thompson

Employees

Jo Till	Section Leader Licensing
David Abel	Solicitor
Donna Cope	Democratic Services Officer
Debra Craner	Environmental Health District Officer (Observing)

Premises Licence Holder

Heath Thomas	Harrison Clark Rickerbys Limited - Solicitor
Emily Shield	Harrison Clark Rickerbys Limited – Solicitor (Observing)
Paul Atkins	Director of Atkins Leisure Ltd
Kelly Davis	Premises Manager
Andrew Rhodes	Premises Owner
Lucy Armstrong	Wolverhampton Business Improvement District

Other Persons

Hayley Hall	Local Resident - Lych Gate Tavern
Rob Edge	Licence Leader Ltd - Agent for Hayley Hall
Rev David Wright	Local Resident - St Peter's Collegiate Church

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 Variation of a Premises Licence in respect of Slater's Bar, 41 Queen Square, Wolverhampton, WV1 1TX

An application for a Variation of a Premises Licence in respect of Slater's Bar, 41 Queen Square, Wolverhampton, WV1 1TX was considered following representations received from Other Persons.

The Chair informed all present that Mr Rob Edge, agent for Hayley Hall, 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.

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

Ms Joanne Till, Section Leader, Licensing, provided an outline of the application. All parties confirmed that the summary was accurate.

Mr Heath Thomas, Solicitor representing Atkins Leisure Limited, questioned Mr Rob Edge's introductory statement that he was representing Black Country Ales as there was no evidence of a representation from them.

Donna Cope, Democratic Services Officer, explained that an email containing representations from Black Country Ales had been received from Mr Edge on Friday 7 September 2018 and copies of the email were available for viewing if all parties were in agreement.

Following discussions between all parties it was agreed that the representation from Black Country Ales would not be considered at the hearing as the document had not been correctly served on all parties prior to the hearing.

The Chair invited the applicant to present the application. Mr Heath Thomas, Solicitor representing Atkins Leisure Limited, did so.

During his submission he referred to additional documentation that had been submitted to all interested parties on behalf of his client prior to the hearing. As this document had been served correctly, copies were distributed to members by the Donna Cope, Democratic Services Officer, for their consideration.

Mr Thomas advised the Committee that prior to submitting the application, his client had consulted with West Midlands Police and Environmental Health to ensure both Responsible Authorities were happy with the proposals.

Mr Thomas introduced Mrs Lucy Armstrong, a representative from Wolverhampton Business Improvement District. Mrs Armstrong confirmed that the proposed premises would be the first of its kind in the city centre and that there were no issues with the applicant's existing premises within the city.

The Chair afforded all parties present the opportunity to question the applicant in relation to its representation. Mr Heath Thomas and Kelly Davis, Premises Manager, provided responses to questions asked.

The Chair invited Mr Rob Edge to make representations on behalf of his client, Hayley Hall. Mr Rob Edge did so. He stated that his client was extremely concerned that the trading hours applied for at the premises would add to the existing noise nuisance his client was experiencing.

Mr Edge explained his concerns with the proposed operating schedule and did not feel the current licence conditions were robust enough should the variation be granted.

The Chair invited all parties present to question the Mr Rob Edge in relation to his submission. Mr Rob Edge and his client, Hayley Hall, provided responses to questions asked.

The Chair invited Rev David Wright to make representations. Rev David Wright did so. He stated that he supported the new premises but believed the trading hours applied for were excessive and would cause additional noise nuisance.

The Chair invited all parties present to question Rev David Wright in relation to his submission. Rev David Wright provided responses to questions asked.

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

Mr Heath Thomas, Mr Rob Edge and Rev David Wright made closing statements.

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 Solicitor.

Resolved:

The Licensing Sub-Committee agreed that the application should be granted as follows:

Opening hours -

Sunday to Thursday until 1.30am with last entry to the premises being at 1.00 am.
Friday and Saturday until 2.30 am with last entry to the premises being at 2.00 am.

The sale of alcohol -
Sunday to Thursday until 1.00am
Friday and Saturday until 2.00am

The playing of recorded and acoustic music -
Sunday to Thursday until 1.00am
Friday and Saturday until 2.00am

Under 18's would not be allowed on the premises after 22.00pm on all days of the week.

The Premises Management would monitor sound levels to comply with the existing condition that no noise or vibration should emanate from the premises and would keep a log of this sound monitoring which would be available to all responsible authorities on request.

The last entry to the venue would be 30 minutes prior to closing time.

SIA Door staff would be in place at the premises on Fridays and Saturdays from 2100 hours until close of business and would also be in place when Wolverhampton Wanderers played at home and during occasions when live music took place.

The application to change the name of the venue from Slaters Bar to the Parisian was also granted.

The Licensing Sub-Committee had listened carefully to the representations made by all of those in attendance. The Sub-Committee, in reaching its decision, tried to strike a balance between supporting a new venue as part of the night time economy and upholding the licensing objectives which was the Committee's primary consideration.

The Sub-Committee heard that there was already noise from existing venues in the locality and therefore considered the cumulative effect of extending the opening times for another venue. The Sub-Committee were of the view that there was no evidence before them that the hours as granted would contribute to existing problems and speculation of noise nuisance from the premises could be dealt with by way of the Review procedure once substantiated. The Sub-Committee believed that the conditions stated were robust enough to deal with any potential nuisance.

The Sub-Committee noted that the applicant had stated that they would be happy to accept lesser hours than those granted and whilst the hours granted were less than those applied for due to existing concerns, the Sub-Committee believed that the hours and conditions imposed were reasonable and in line with existing venues in the locality and that they would not add to existing problems. Therefore, the decision of the Sub-Committee was to rebut the presumption of refusal which falls within the operation of the Cumulative Impact Zone which was in place throughout Wolverhampton City centre.

[NOT PROTECTIVELY MARKED]

There is a right of Appeal within 21 days of receipt of this letter, to the local Magistrates Court for anyone who is aggrieved by the Sub-Committees decision.