

M MINUTES

meeting: **LICENSING SUB-COMMITTEE**

date: **16 NOVEMBER 2011**

PRESENT:-

Councillor Davis (Chair)
Councillors Inston and John Rowley

OFFICERS IN ATTENDANCE:-

L Banbury	-	Democratic Support Officer, Delivery
L Cross	-	Principal Solicitor, Delivery
R Edge	-	Section Leader (Licensing), Education and Enterprise

Wolverhampton
City Council



PART 1 – OPEN ITEMS

Licensing Act 2003 – Temporary Event Notice
La Salsa, 179 Stafford Street, Wolverhampton (Appendix 54)

130

In Attendance

For the Premises

Mr G Karakurt - Premises Licence Holder

Objectors

WPC N Holt &

Inspector P Affron - West Midlands Police

PC S Williams (Observer)

The Chair introduced the Sub-Committee and all parties were introduced to the meeting. He then outlined the procedure to be followed at the meeting. No declarations of interest were made by the Members.

The Section Leader (Licensing) briefly outlined the report submitted to the meeting and circulated to all parties in advance. He apologised for the fact that the location map included did not cover the Premises in question.

At this juncture, Mr Karakurt outlined the application for a Temporary Event, indicating that he wished to provide a DJ and facilities for dancing, the prime reason being that he could not cover his expenditure within the restraints of his current Licence conditions. He drew attention to the fact he had the provision of CCTV and door supervisors who were employed on Thursday, Friday and Saturday nights and used a 'clicker' system for admission.

All parties were afforded the opportunity to question Mr Karakurt. In response, Mr Karakurt advised that he would not utilise the basement for the regulated entertainment but that the tables would be removed from the dining area for this purpose. He further advised that the promoter would sell tickets for the event. He indicated that he had held temporary events on previous occasions and there had been no problems in respect of crime and disorder (these included a 'Salsa' night and a 'Banga' night); the 'Drum & Bass' night had been cancelled. Mr Karakurt indicated that he did not have details of the DJ involved in the proposed event on 25 November or what type of music would be played. He was unable to provide precise figures in regard to the number of customers who would be admitted to the event.

On a point of clarification, the Licensing Officer advised that the planned temporary event on 28 September 2011 had not been cancelled on the advice of the West Midlands Police, as indicated by Mr Karakurt, but that the application was unable to be processed as the Premises Licence Holder had not given required 10 days notice for the event.

At this juncture Inspector Affron, supported by WPC Holt, outlined the objections to the Temporary Event Notice on behalf of the West Midlands Police, indicating that concerns had arisen due to the flyers and advertisements for events which were clearly not within the existing licence conditions for the Premises. He indicated that Fridays and Saturdays, between the hours of 12 midnight and 0400 hours, were peak times for crime and disorder in the City Centre and that the Premises Licence Holder had not been able to assure him that sufficient measures would be taken to prevent crime and disorder on and around the Premises.

Mr Karakurt and the representatives of the West Midlands Police were given the opportunity to sum up.

Exclusion of Press and Public

131 Resolved:-

That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from consideration of the items of business in Part II of the Agenda, on the grounds that in view of the nature of the business to be transacted or the nature of the proceedings, exempt information falling within paragraph 3 of Schedule 12A to the Act (Information relating to the business affairs of particular persons) is likely to be disclosed.

All parties, with the exception of the City Council's Solicitor and the Democratic Support Officer, withdrew from the meeting at this point.

PART II - EXEMPT ITEMS

Deliberations and Decisions

132 The Sub-Committee discussed the issues which had been raised during the presentation of the application for a Temporary Event Notice.

The Solicitor advised them of the options open to them in determining the application.

Re-Admission of Press and Public

133 Resolved:-

That the press and public be readmitted to the meeting.

PART I - OPEN ITEMS

Announcement of Decision

134 All parties returned to the meeting room and the parties were advised of the decision of the Sub-Committee as follows:-

'Having had regard to the Objection Notice of the Chief Officer of West Midlands Police, being a letter sent to Wolverhampton City Council on 7 November 2011, the Licensing Sub-Committee are satisfied that a counter-notice should be issued to you, in accordance with Section 105(3) of the Licensing Act 2003, as it is considered necessary for the promotion of the Prevention of Crime and Disorder licensing objective.

AND NOTICE is given that the reasons for this decision are as follows:-

Insufficient information has been provided on how the proposed event will be delivered and regulated, including insufficient details about the promoter, nature of the event, control and number of ticket sales and arrangements for security.

The applicant has a right of appeal to the Magistrates' Court. However, the appeal must be lodged no later than five working days prior to the date of the proposed event.'

Mr Karakurt and Inspector Affron were given type written copies of the decision notice, signed by the Chair of the Sub-Committee, before all parties left the meeting.