

M I N U T E S

meeting: **LICENSING SUB-COMMITTEE**

date: **18 JANUARY 2012**

PRESENT:-

Councillor Claymore (Chair) Mrs Patten and N Patten

OFFICERS IN ATTENDANCE:-

L Banbury	-	Democratic Support Officer, Delivery
R Edge	-	Section Leader (Licensing), Education and Enterprise
S Hardwick	-	Senior Solicitor, Delivery

PART 1 – OPEN ITEMS**Licensing Act 2003 – Application for a Premises Licence
Singhfellows, 55-57 Lichfield Street, Wolverhampton
(Appendix 13)**

184

In AttendanceFor the Premises

Mr S S Khera - Applicant

Objectors

WPC N Holt &

PC S Williams - West Midlands Police

Mrs J Freeman-Evans - Food & Environmental Safety
Service

The Chair 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.

At this juncture, Mr Khera outlined his case and, in so doing, advised that it was intended for the Premises to provide food & snacks and live entertainment. He indicated that he had liaised with both the West Midlands Police and Food & Environmental Safety Service to ensure that all correct standards were met. He had also liaised with adjoining businesses.

All parties were afforded the opportunity to question Mr Khera. In response, he indicated that the music would be Bollywood and Bhangra; mainly background music, with some live entertainment. There would be two distinct areas, separated by lockable doors; one for entertainment and one for dining. The dining area would have only background music. Under 18's would only be allowed in with adults and then only up until 2200 hours. Mr Khera indicated that he would be happy to give 7 days notice to the West Midlands Police in instances where a high profile performer had been invited or it was anticipated that there would be a high capacity of customers. In regard to capacity, Mr Khera advised that the music room had capacity for 350 with seating for 100 and the restaurant area had a capacity of 250 with fixed seating for 100.

At this juncture WPC Holt outlined the objections of the West Midlands Police and, in so doing, drew attention to the fact that the Premises were located within the Cumulative Impact Zone and that the initial application did not appear to meet the licensing objectives. However, the applicant had verbally agreed to the proposed conditions as outlined at Appendix 5 of the Licensing Officer's report, subject to last entry into the Premises being at 0130 hours, which the Police believed was inappropriate.

All parties were afforded the opportunity to question the Police representatives.

At this juncture, Mrs Freeman-Evans outlined the objections of the Food & Environmental Safety Service which she advised were due to a lack of information on the initial application. She indicated, however, that the applicant had agreed for an acoustic survey to be undertaken that afternoon. Mrs Freeman-Evans requested the Sub-Committee, should they grant the Licence, insist that the recommendations from the survey be fully implemented and that all licensable activities cease at 0200 hours.

All parties were afforded the opportunity to question Mrs Freeman-Evans.

The applicant and the representatives of the West Midlands Police and Food & Environmental Safety Service made final statements.

Exclusion of Press and Public

185 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

186 The Sub-Committee discussed the issues which had been raised during consideration of application for a Premises Licence.

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

Re-Admission of Press and Public

187 Resolved:-

That the press and public be readmitted to the meeting.

PART I - OPEN ITEMS

Announcement of Decision

188

All parties returned to the meeting room and the Solicitor outlined the decision of the Sub-Committee as follows:-

The Sub-Committee have taken note of all the written concerns raised in respect of the application for a Premises Licence for Singhfellows, 55-57 Lichfield Street, Wolverhampton. They have listened to the arguments of those who have spoken at this hearing, both for and against the application.

Having considered the views of all concerned, the Sub-Committee are satisfied that the Cumulative Impact Policy applies to these Premises. They are further satisfied that sufficient evidence has been provided by the applicant to illustrate that the Premises will not add to the cumulative impact already experienced and that the presumption of non grant has been rebutted.

The application for a Premises Licence is therefore granted as applied for, subject to the following conditions requested by the West Midlands Police:-

1. Door staff to be SIA registered, clearly displaying their own badges and wearing high visibility attire, and at least one to be female (for ease of searching other females). Two door staff to be at each entrance/exit door of the Premises and a further member of door staff floating between each room as a more visible presence inside the Premises. This is to be incorporated during any entertainment event. Random searches to be carried out, particularly if patrons have used the outside smoking facilities and re-entered the Premises.
2. If smoking facilities are in place and in use at the Premises during the sale of alcohol, a member of door staff should be deployed in this area. If this area is directly out the front of the vicinity, the area should be clearly identified by barriers or similar.
3. Challenge 25 to be implemented at the Premises and photo identification to be produced by anyone who appears to be under the age of 25. All staff to receive training in challenging under age drinking and such training to be documented.
4. No glass drinking vessels or glass bottles permitted outside of the Premises either in the street or the smoking area.
5. Last entry time for all patrons into the Premises to be 0100 hours. However, under 18's will not be allowed to be on the Premises after 2200 hours on any evening.
6. Premises to join the radio link scheme and to sign up to the Business Crime Partnership in conjunction with Wolverhampton City Centre Management (currently known as WV ONE).
7. The Designated Premises Supervisor or their representative to attend Pubwatch meetings and any customer who behaves inappropriately will be barred from the Premises and their details passed to the Pubwatch scheme.

8. Evidential quality CCTV to be installed and maintained to a high standard, with images/recordings to be kept for 31 days and to be available on request by anyone from a responsible authority. At any time at least one member of staff to be on duty who can use/download CCTV on request. CCTV should cover entry and exit points of the Premises, areas where alcohol/money is served/taken and all areas to which the public have access.
9. An incident book shall be kept on the Premises, in which will be recorded any incident of crime and disorder. This book will be reviewed by senior management in association with the Designated Premises Supervisor. Any incident of crime and disorder at the Premises shall be reported to the Police by a member of staff as soon as is reasonably practicable.
10. All staff who are involved in the sale of alcohol will be fully trained to ensure that no person who is drunk or disorderly or who appears to be under the age of 18 years will be served with intoxicating liquor. Such training should be repeated every six months.
11. Daily briefing/tasking should be undertaken for all staff, outlining their responsibilities and any relevant information/policies in relation to the Premises to be documented and provided to any responsible authority on request.
12. At least two SIA door staff to be deployed at the Premises when there is a football match at Wolverhampton Wanderers Football Club of Category C or above. For all other categories it is advisable, but to the discretion of the Designated Premises Supervisor. Police advice should be taken into consideration.
13. All licensable activity at the Premises shall cease at 0200 hours Monday to Saturday.
14. At least 7 days notice to be given to the West Midlands Police (Licensing Unit) when it is planned that the Premises are likely to have licensable activities involving a high capacity of patrons and/or a high profile performer.

The granting of the Premises Licence is also subject to the following condition, requested by the Food and Environmental Safety Service:-

1. A full acoustic survey to be carried out at the Premises and any recommendations made to be implemented prior to regulated entertainment taking place at the Premises.

(The Food and Environmental Safety Service also recommended the termination of licensable activities at 0200 hours).

It is considered by the Sub-Committee that the above conditions should be attached to the Licence in support of the prevention of crime and disorder and prevention of public nuisance licensing objectives.

Finally, such conditions as are specified on/or are consistent with the operating schedule will be attached to the Licence together with any mandatory conditions required by the Act.

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