

# MINUTES

meeting: **LICENSING SUB-COMMITTEE**

date: **18 APRIL 2012**

**PRESENT:-**

Councillor Dass (Chair);  
Councillors Banger and Clarke

**OFFICERS IN ATTENDANCE:-**

R Edge	-	Section Leader (Licensing), Regeneration Division, Education and Enterprise Directorate
S Hardwick	-	Senior Solicitor, Governance Services Division, Delivery Directorate
C W Craney	-	Democratic Support Officer, Governance Services Division, Delivery Directorate

**Wolverhampton**  
City Council



**PART I - OPEN ITEMS**  
**(Open to the Press and Public)**

**Apologies for Absence**

244 No apologies for absence were received.

**Declarations of Interest**

245 No declarations of interest were made relative to items under consideration at the meeting.

**Licensing Act 2003 - Application for a New Premises Licence in Respect of Lichfield Chambers, 44 Queen Square, Wolverhampton WV11 1TX (Appendix 45)**

246 In attendance:-

Mr R J Francis        ) For the applicant  
Mr A McMeeking     )  
PC N Holt - West Midlands Police

The Chair, Councillor Dass, introduced the Sub-Committee and Officers and outlined the procedure to be followed at the meeting. R Edge, Section Leader (Licensing), Regeneration Division, Education and Enterprise Directorate, outlined briefly the report and referred to the representations which had been received from West Midlands Police given that the premises was located in the Cumulative Impact Zone.

Mr R J Francis outlined the application to the Sub-Committee and explained the layout of the proposed premises. Mr A McMeeking advised on the background to the Company and the likelihood of 12 to 20 jobs being created; the bringing back into public use of an old building and suggested that the establishment would not compound the existing crime and disorder objectives set out in the Cumulative Impact Zone policy. He undertook, on behalf of the Company, to comply will all requests from West Midlands Police. Mr Francis and McMeeking responded to various questions from Members of the committee and the representative from West Midlands Police.

**Exclusion of Press and Public**

247 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) was likely to be disclosed.

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

**PART II - EXEMPT ITEMS**  
**(Press and Public Excluded)**

**Deliberations and Decision**

- 248                   The Sub-Committee discussed the issues which had been raised during consideration of the application for a Premises Licence. The Solicitor advised the Sub-Committee of the options open to it in determining the application.

**Re-Admission of Press and Public**

- 249                   Resolved:-  
                          That the press and public be re-admitted to the meeting.

**PART I – OPEN ITEMS**  
**(Open to the Public and Press)**

**Announcement of Decision**

- 250                   All parties returned to the meeting room and the Chair, Councillor Dass, invited the City Council's Solicitor to outline the decision of the Sub-Committee as follows:-

That the application for a Premises Licence for Lichfield Chambers 44 Queen Square Wolverhampton be granted subject to:-

1.       Evidential quality CCTV to be installed and maintained to a high standard, images/recordings to be kept for 31 days and to be available on request by anyone from responsible authority. At any time at least one member of staff on duty who can use/download CCTV on request. CCTV should cover entry and exit points of premise and areas where alcohol/money is served/taken and all areas to where public have access.
2.       Premise to join the radio link scheme and to sign up to the Information Sharing Agreement in conjunction with Wolverhampton City Centre management, (currently known as WV ONE).
3.       DPS or 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.
4.       An incident book shall be kept in 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 premise shall be reported by a staff member to the Police as soon as is reasonably practicable.

5. 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 to be repeated every six months.
6. Daily briefing/tasking for all staff outlining their responsibilities and any relevant information/policies in relation to the premise to be documented and provided to any responsible authority.
7. On any day that Wolverhampton Wanderers play a home game at The Molineux, when the match is graded Cat C or above then at least two SIA registered doorstaff to be deployed at the venue.

**Licensing Act 2003 - Application for a New Premises Licence in Respect of Pearl of India 33 Princess Street Wolverhampton WV1 1HD (Appendix 46)**

251 Resolved:-

That in the absence of the applicant consideration of the application be deferred to a meeting of the Sub-Committee to be held on 9 May 2012 commencing at 1000 hours.

**Exclusion of Press and Public**

252 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) was likely to be disclosed.

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

**PART II - EXEMPT ITEMS**  
**(Press and Public Excluded)**

**Policing and Crime Act 2009 - New Sex Establishment Licensing Application, Cobra Lounge, 29-30 Queen Street, Wolverhampton WV1 3JW (Appendix 47)**

253 In attendance:-

Ms E Allen     )  
C Jones        )     For the applicant  
J Freeman-Evans - Principal Officer, Food and Environmental Safety,  
Regeneration Division, Education and Enterprise Directorate

PC N Holt - West Midlands Police )  
A Leach )  
D Thompson ) Observers

The Chair, Councillor Dass, introduced the Sub-Committee and Officers and outlined the procedure to be followed at the meeting. R Edge, Section Leader (Licensing), Regeneration Division, Education and Enterprise Directorate, outlined briefly the report. S Hardwick, Senior Solicitor, Governance Services Division, Delivery Directorate requested clarification as to whether West Midlands Police had objected to the application. PC N Holt, West Midlands Police confirmed that West Midlands Police had no objections to the application but was in attendance to assist and provide information, if required.

Ms E Allen outlined the application and responded to various questions from Members of the Sub-Committee. PC Holt clarified details of an incident which had occurred at the premises in January 2012 which had resulted in a long term Action Plan being imposed on the premises licence and that no further problems had been experienced at the premises the previous 12 months.

All parties, with the exception of the City Council's Solicitor and the Democratic Support Officer, then withdrew from the meeting to enable the Sub-Committee to make its decision.

The Solicitor outlined the powers available to the Sub-Committee in determining the matter.

**Deliberations and Decision**

- 254 Resolved:-  
That a Sex Establishment Licence in respect of Cobra Lounge, 29-30 Queen Street, Wolverhampton WV1 3JW be granted to trade Monday to Saturday between 2200 and 0600 hours including bank holidays, the licence to be subject to the standard terms and conditions.

**Re-Admission of Press and Public**

- 255 Resolved:-  
That the press and public be re-admitted to the meeting.

**PART I – OPEN ITEMS**  
**(Open to the Public and Press)**

**Announcement of Decision**

- 256 The parties returned and the Chair outlined the decision of the Sub-Committee. The parties then withdrew.

**Licensing Act 2003 - Application for a Review of the Premises Licence in Respect of Drink Busters, Unit 8 Crossways Shopping Centre, Wolverhampton Road, Wolverhampton WV10 0QB (Appendix 48)**

R Edge, Section Leader (Licensing), Regeneration Division, Education and Enterprise Directorate advised that the application for the review of the Premises Licence had been initiated following receipt of an application from the Trading Standards Service. All parties involved had agreed to the addition of the due diligence conditions being attached to the Premises Licence operating schedule in order to promote the protection of children from harm licensing objective. Following a question from S Hardwick, Senior Solicitor, Governance Services Division, Delivery Directorate, R Edge confirmed that the Trading Standards Service was satisfied that the proposed conditions were appropriate for these particular premises.

257

Resolved:-

That the conditions of the premises licence be modified, permanently, to include the following which were considered necessary and proportionate to the promotion from the protection from harm licensing objective:-

1. All persons selling alcohol must be properly trained before they are allowed to sell any alcohol to the public. Records must be kept of training by the DPS or Premises Licence Holder. Persons selling alcohol must be authorised in writing by the DPS following successful completion of training. The records must be kept on the premises during opening hours and must be made available on request to an officer of a Responsible Authority.
2. Refresher training must be carried out at regular intervals and records maintained. The records must be kept on the premises during opening hours and must be made available on request to an officer of a Responsible Authority
3. A 'Challenge 25' policy and 'No ID NO Sale' policy which is supported with signage at all entrances and in the serving areas must be implemented.
4. Only documents which include a photograph of the purchaser should be used to prove that person's age, e.g. passport, new style driving licence, 'PASS' approved age card e.g. Validate Card or Citizens Card.
5. A 'Refusals Log' must be maintained, which documents the date and time a refusal of sale is made, the reason for the refusal and the member of staff refusing the sale. The Premises Licence Holder or the Designated Premises Supervisor (DPS) must monitor the Log on a regular basis and sign it to show it has been done. The Log must be kept on the premises during

opening hours and must be made available on request to an officer of a Responsible Authority.

6. A till prompt or a notice must be secured to the till at eye level to remind staff that they must ask for ID if a customer looks under 25.
7. CCTV must be installed and recordings kept at the licensed premises for the maximum period the system will allow whilst maintaining adequate picture quality to identify shoppers. Recordings must be made available to an officer from a Responsible Authority on request.

**Exclusion of Press and Public**

258

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) was likely to be disclosed.

**PART II - EXEMPT ITEMS**  
**(Press and Public Excluded)**

**Review Prior to the Renewal of the Private Hire Vehicle Driver's Licence (Appendix 49)**

In attendance:-

Mr B Mohammed - Applicant  
Mr N Ahmed - representing the Applicant

The Chair, Councillor Dass, introduced the Sub-Committee and Officers and outlined the procedure to be followed at the meeting. R Edge, Section Leader (Licensing), Regeneration Division, Education and Enterprise Directorate outlined briefly the report. Mr Mohammed and Mr Ahmed outlined the circumstances behind the convictions and responded to questions from Members of the Sub-Committee and Officers.

All parties, with the exception of the City Council's Solicitor and the Democratic Support Officer, then withdrew from the meeting to enable the Sub-Committee to make its decision.

The Solicitor outlined the powers available to the Sub-Committee in determining the matter.

259

Resolved:-

That having given careful consideration to all of the information contained in the Licensing Officer's report and having listened carefully to the representations made by the applicant and his representative at the meeting, the Sub-Committee had the power to suspend for up to 6 months and refuse to renew the current licence in accordance with paragraphs 5.1.19(b) of the Council's Guidelines relating to the relevance of convictions and breaches of licence conditions. However it was determined that Mr Ahmed was a fit and proper person to hold a private hire vehicle driver's licence and it would not take action against the current licence and would grant the application to renew subject to the applicant attending a further Hackney Carriage and Private Hire Driver's Training Day and Knowledge Test at Worcester at his own expense; furthermore the licence will be subject to review in 6 and 12 months time by the Head of Service and the applicant would be expected to have completed and passed any training by the time of the first review.

The parties returned and the Chair outlined the decision of the Sub-Committee. The parties then withdrew.