

CITY OF  
WOLVERHAMPTON  
COUNCIL

# Statutory Licensing Sub-Committee

Minutes - 12 July 2019

## Attendance

### Members of the Statutory Licensing Sub-Committee

Cllr Obaida Ahmed  
Cllr Alan Bolshaw  
Cllr Keith Inston

### Responsible Authorities

Andy Johnston

Environmental Health

### Employees

Elizabeth Gregg  
Debra Craner  
Sarah Hardwick  
Kirsty Tuffin  
Donna Cope

Senior Licensing and Compliance Officer  
Section Leader Licensing  
Senior Solicitor  
Democratic Services Officer  
Democratic Services 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 – Temporary Event Notice in respect of Dog and Partridge, Broad Street, Wolverhampton, WV14 0BU**

An Objection Notice for a Temporary Event Notice in respect of Dog and Partridge, Broad Street, Wolverhampton, WV14 0BU, had been received from Environmental Health.

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

Elizabeth Gregg, Senior Licensing Officer, provided an outline of the report. She advised the Sub-Committee that West Midlands Police had mediated with the premises and as long as the conditions attached in Appendix 4 were met, then West Midlands Police did not object to the event taking place.

The Chair afforded all parties present the opportunity to question the report content.

Sarah Hardwick, Senior Solicitor, requested clarification on the premises licence plan to confirm what areas were covered under the current licence. Officers advised the Sub-Committee that no plan was available but stated that the current premises licence did not cover the area that had been requested in the Temporary Event Notice.

The Chair invited Environmental Health to present their Objection Notice.

Andy Johnston, Senior Officer - Food and Consumer Safety, presented the grounds for the Objection Notice as per Appendix 4. He advised that Environmental Health were satisfied that allowing the premises to hold the event with the proposed conditions would undermine the Public Nuisance Licensing Objective.

He stated that two similar events had been held at the premises in March and June 2019 that resulted in noise complaints from local residents. A noise monitoring device had been placed within one of the residents' premises when one of these events took place and the noise exceeded 70 decibels.

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

The Sub-Committee were advised that in regard to the two similar events previously held at the premises no Temporary Event Notice was submitted.

Andy Johnston provided responses to questions asked.

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

Andy Johnston presented a summary on behalf of Environmental Health.

All interested parties, with the exception of the Solicitor and the Democratic Services Officers, 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:

Having had regard to the Objection Notice served in accordance with section 104 of the Licensing Act 2003, as amended, the Licensing Sub-Committee are satisfied that a counter-notice should be issued in accordance with Section 105(3) of the Licensing Act 2003 as it is considered appropriate for the promotion of the prevention of public nuisance licensing objective.

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

1. The Licensing Sub Committee have considered written representations from West Midlands Police. They have also considered written and oral representations from Environmental Health (EH), Wolverhampton City Council.
2. EH have provided evidence of complaints from residents close to the premises about noise and disturbance which has resulted from previous events outside.
3. EH made particular reference to an event held outside at the premises on 28 March 2019. At that time noise monitoring equipment had been placed by EH in residential accommodation near to the premises. Acceptable levels of noise were exceeded from the Dog and Partridge.
4. Other complaints were received from residents and from a local Councillor about the noise.
5. EH confirmed that complaints had related to all times of the day and therefore, they felt the TE should not be allowed and felt that WMP proposal of activities moving inside the premises at 23:00 would not be sufficient.