

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee

Minutes - 10 December 2019

Attendance

Cllr Alan Bolshaw

Cllr Keith Inston

Cllr Rita Potter

Applicant

Mr Anthony Tomlinson

Mr Shannon Gillings

Director of Chill Spot

West Midlands Police

PC Michelle Churm

Employees

Elizabeth Gregg

Timothy Omodeni

Richard Phillips

Kirsty Tuffin

Senior Licensing and Compliance Officer

Licensing and Compliance Officer

Senior Solicitor

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 Chill Spot, 35A
Lichfield Street, Bilston, Wolverhampton, WV14 0AJ**

An Objection Notice for a Temporary Event Notice in respect of Chill Spot, 35A Lichfield Street, Bilston, Wolverhampton, WV14 0AJ had been received from West Midlands Police.

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

It was agreed that the press and public would not be excluded as long as the witness's identification not be identified.

Elizabeth Gregg, Senior Licensing Officer, provided an outline of the report. She advised the Sub-Committee that West Midlands Police had submitted additional information that could be found in the Supplementary Agenda pack. The Supplementary Pack had been made exempt under paragraph 2 of schedule 12A of the Local Government Act 1972, which relates to information which is likely to reveal the identity of an individual. The applicant had recently applied for a Late Temporary Event Notice for the event to take place on 30 November 2019 which received a Counter Notice.

The Chair afforded all parties present the opportunity to question the report content. No questions were asked.

The Chair invited the applicant to present their application.

The applicant, Mr Anthony Tomlinson, presented their application as per Appendix 1. He advised that issues had occurred with the previous tenant since the licence had been transferred to himself and that the accusations made by West Midlands Police were false accusations.

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

Mr Anthony Tomlinson responded to all questions asked.

The Chair invited West Midlands Police to present their Objection Notice.

PC Michelle Churm, West Midlands Police, presented the grounds for the Objection Notice as per appendix 3. She advised that West Midlands Police were seeking an Objection Notice but would be satisfied if the following conditions be added to the application:

1. No admissions after 11pm
2. All licensable activities end at 01:00am
3. Searches to be conducted by SIA door staff on patrons and any sharp items found be handed to West Midlands Police as soon as reasonably possible
4. No under 18's on the premises
5. Signs displayed in the premises stating to leave the premises quietly.

The Chair afforded all parties present the opportunity to question West Midlands Police in relation to its representation.

Members of the Sub-Committee raised concerns regarding the protection of children, as during their submission, West Midlands Police had made accusations that the applicant was allowing underage girls on the premises.

Michelle Churm provided responses to questions asked.

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

Both parties presented a final summary.

All interested parties, with the exception of the 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 by the Solicitor.

Resolved:

Having had regard to the Objection Notice of the Chief Officer of West Midlands Police, being an email sent to Wolverhampton City Council on 28 November 2019, the Statutory Licensing Sub-Committee were satisfied that a counter-notice should not be issued to the applicant in accordance with Section 105(3) of the Licensing Act 2003 as it was not considered appropriate. The Statutory Licensing Sub-Committee also declined to add any conditions to the TEN as applied for.

When not issuing a Counter Notice the Statutory Licensing Sub-Committee are not required to give reasons for the decision.