



Licensing Sub-Committee

Minutes - 3 September 2014

Attendance

Chair Cllr Bishan Dass (Lab)

Labour

Cllr Alan Bolshaw
Cllr Ian Claymore

Conservative

Employees

Linda Banbury
Rob Edge
Sarah Hardwick

Democratic Support Officer
Section Leader - Licensing
Solicitor

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 - Application for a Premises Licence in respect of Wolves Spice, 50 Lichfield Street, Wolverhampton

In attendance

For the premises

Mr Z Khan – Applicant

Responsible Authorities

Elaine Moreton – Licensing Authority

An apology for absence was submitted on behalf of Sarah Stiles – Environmental Health (Commercial)

The chair introduced the parties and outlined the procedure to be followed at the meeting.

The Section Leader (Licensing) outlined the report submitted to the meeting and circulated to all parties in advance.

Mr Khan outlined his application for a premises licence and advised that he had met with the Responsible Authorities and signed up to revised conditions.

Responding to questions, he indicated that a shift system would be employed with two members of staff on duty from 5pm and that the premises would primarily cater for eating off the premises although there was seating capacity for sixteen people.

On a point of clarification Elaine Moreton advised that the premises were not required to provide a public toilet.

Elaine Moreton referred to the conditions proposed by the Licensing Authority and Environmental Health (Commercial), which were attached at appendices 6 and 7 of the report of the Section leader (Licensing).

The parties were afforded the opportunity to make closing statements.

4 Exclusion of press and public

Resolved:

That, in accordance with Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting at this point as it involves the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A to the Act relating to the business affairs of a particular person.

5 Deliberations and decision

The Sub-Committee discussed the issues which had been raised during consideration of the application for a premises licence and the Solicitor advised them of the options open to them in determining the matter.

6 Re-admission of press and public

The parties returned to the meeting and were advised of the Sub-Committee's decision as follows:

7 Announcement of decision

The Sub-Committee have taken note of all the written concerns raised in respect of Wolves Spice, 50 Lichfield Street, Wolverhampton. They have listened to the arguments of all those who have spoken at this hearing.

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.

Therefore, having considered the views of all concerned, the Sub-Committee have decided that the application for a premises licence should be granted as applied for but subject to the following conditions to replace those on Section M of the application:

Conditions agreed between the applicant and the Licensing Authority on 20 August 2014

- A CCTV system with recording equipment shall be installed and maintained at the premises.
- CCTV should cover entry and exit points of the premises and all areas to which public have access and the immediate vicinity around the premises.
- Images/recordings to be downloaded in a suitable format and provided to any member of a Responsible Authority upon request and without undue delay.
- Images/recordings must be of evidential quality, must indicate the correct time and date and be kept for at least 31 days.
- All staff to be trained to use the CCTV system and at least one member of staff to be on duty who is trained to download the system's images should any member of a Responsible Authority make a request.
- An incident log must be maintained at the premises and a written record of any incident that occurs at the premises must be appropriately recorded. Where it is deemed appropriate the incident must be reported to the West Midlands Police. The incident log book must be produced to a member of a Responsible Authority upon request.

Conditions agreed between the applicant and Environmental Health (Commercial) on 12 August 2014

- An adequate number of bins shall be provided within the premises for use by customers.
- At the end of each day of trading, a litter pick should take place in the immediate vicinity of the premises to remove any litter associated with the premises.

It is considered by the Sub-Committee that the above conditions should be attached 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.