



Licensing Sub-Committee

Minutes - 10 June 2015

Attendance

Chair Cllr Alan Bolshaw (Lab)

Labour

Cllr Rita Potter
Cllr Keith Inston

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 Dosa Hut Restaurant, 314 Dudley Road

In Attendance

For the Premises

Mr D Hardy – Licensed Trade Legal Services

Mr D S Juttla – applicant

Responsible Authorities

Elaine Moreton – Licensing Authority

Michelle Smith – Public Health

Stefan Polajko – Environmental Health (Commercial)

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

Rob Edge, Section Leader (Licensing) outlined the application for a new premises licence.

At this juncture Mr Hardy outlined the application which was aimed as an upmarket restaurant with corporate facilities.

Responding to questions, the applicant advised that the cuisine would be South Indian, with the family/business persons orientated restaurant seating a maximum of thirty persons with an additional takeaway facility. Mr Hardy advised that the extension to hours on New Year's Eve was standard on all applications. Elaine Moreton advised that this aspect was introduced as a de-regulation order.

At this juncture Elaine Moreton outlined the representations on behalf of the Licensing Authority and, in so doing, stated that she would support the application, subject to the following conditions:

Sales of alcohol off the premises –

- Only patrons ordering sit down table meals will be permitted to purchase alcohol for consumption off the premises.

The protection of children from harm –

- The words 'under the age of 18' to be added for clarification.
- No unaccompanied children under the age of 18 will be allowed on the premises.

Michelle Smith, on behalf of Public Health, concurred with the above suggestion. Stefan Polatajko, on behalf of Environmental Health (Commercial) had liaised with the applicant and had no issues with the application for a public nuisance point of view.

All parties were afforded the opportunity to make a closing statement.

4 Exclusion of press and public

Resolved:

That, in accordance with Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business 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 particular persons.

5 Deliberations and decision

The Sub-Committee discussed the issues which had been raised during consideration of the application for a new premises licence.

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 written concerns raised in respect of Dosa Hut Restaurant, 314 Dudley Road, 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.

Therefore, having considered the views of all concerned, the Sub-Committee have decided that the application for a premises licence is granted as applied for, subject to the following conditions agreed between the applicant and the Licensing Authority:

Sales of alcohol off the premises –

- Only patrons ordering sit down table meals will be permitted to purchase alcohol for consumption off the premises.

The protection of children from harm –

- The words 'under the age of 18' to be added for clarification.
- No unaccompanied children under the age of 18 will be allowed on the premises.

It is considered by the Sub-Committee that the above conditions should be attached in support of the public safety and protection of children from harm 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.