

Licensing Sub-Committee

Minutes - 17 November 2015

Attendance

Chair Cllr Alan Bolshaw (Lab)

Labour

Cllr Keith Inston

Conservative

Cllr Patricia Patten

Employees

Linda Banbury
Rob Edge
Robert Marshall

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 the Bilston Post Office, 4 -6 Hall Street, Bilston (10 am)

In Attendance

For the premises

Mr G Uppal – applicant
Mrs B Uppal – wife of applicant

Responsible Authorities

PC Mitch Harvey – West Midlands Police
Elaine Moreton – Licensing Authority

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

Rob Edge, Section Leader (Licensing) outlined the report circulated to all parties in advance of the hearing.

At this juncture Mr Uppal, supported by his wife, outlined the application for a new premises licence. The Sub-Committee were advised that the premises were being extensively refurbished and, in addition to the post office, the shop would mainly sell stationary and household goods. However, the sale of alcohol was needed in order for the business to be viable.

Responding to questions, Mr Uppal advised that he would personally provide training in regard to the protection of children from harm, aided by documentation provided by Mr Pearce who had trained him.

Elaine Moreton, on behalf of the Licensing Authority, advised that she had worked closely with the applicant and welcomed the additional condition put forward by the applicant's representative, Mr Pearce. The initial concerns of the Licensing Authority had been in regard to crime and disorder and specifically the issue of street drinking.

PC Harvey indicated that the concerns of the Police related to the CCTV and that, following mediation, the applicant had signed up to additional conditions. He was satisfied that the applicant had done everything to support the licensing objectives.

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

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 for the following item of business as it involves the likely disclosure of exempt information within paragraph 3 of Schedule 12A to the Act relating to business affairs of particular persons.

5 Deliberations and decision

The Sub-Committee discussed the issues which had been raised during consideration of the application.

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 has taken note of all the written concerns raised in respect of Bilston Post Office, 4 – 6 Hall Street, Bilston and has listened to those who have spoken at this hearing.

The Sub-Committee is satisfied that the Cumulative Impact Policy (CIP) applies to the premises and is 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.

Having considered the views of all concerned, the Sub-Committee has decided that the application should be granted as applied for, subject to the following conditions:

Conditions agreed between the West Midlands Police and the applicant dated 28 October 2015

CCTV shall be installed as per the plan, retained for a minimum of 31 days, stored in accordance with the requirements of the Information Commissioners and produced to Police or authorised Responsible Authorities on demand.

Conditions agreed between the Licensing Authority (as Responsible Authority) and the applicant dated 3 November 2015 and an additional condition agreed by the applicant in correspondence dated 9 November 2015

- Designated Public Place Order (DPPO) notice, provided by the Licensing Authority, shall be displayed prominently on the premises, visible from outside the store advising that police have powers to seize alcohol.
- No single cans/bottles of beer, lager or cider to be sold.
- No beer, lager or cider of an ABV of above 6.5% shall be stocked or sold.

It is considered by the Sub-Committee that the above conditions should be attached to the licence in support of the prevention of crime and disorder licensing objective.

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.

8 Licensing Act 2003 - Application for a premises licence in respect of Ashmore Park Co-operative Store, Griffiths Drive (1 pm)

The Sub-Committee was advised that the deadline for receipt of representations in regard to this application had been extended as the application had not been properly made. The hearing had therefore been cancelled and a further Sub-Committee meeting would be convened in due course.