



Licensing Sub-Committee

Minutes - 6 August 2014

Attendance

Chair Cllr Alan Bolshaw (Lab)

Labour

Cllr Rita Potter

Conservative

Cllr Patricia Patten

Employees

Linda Banbury

Rob Edge

Sarah Hardwick

Joanne Till

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 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.

4 Application for a private hire vehicle driver's licence

The Licensing Officer outlined the report which had been circulated to all parties in advance of the meeting.

Mr Singh was in attendance at the meeting in connection with his application for a private hire vehicle driver's licence and answered questions from the Sub-Committee

and employees as appropriate. In so doing, he provided a character reference from his sister.

Mr Singh and the Licensing Officer withdrew from meeting to enable the Sub-Committee to reach their decision. The Solicitor advised them of the options open to them in determining the application.

Resolved:

A private hire vehicle driver's licence be granted to Mr Sandeep Singh for a period of twelve months, subject to a satisfactory medical report and his passing the driving ability and knowledge tests.

5 Re-admission of press and public

The press and public were admitted to the meeting.

6 Licensing Act 2003 - Application for a premises licence in respect of Sweet as Ya Like, 46c Queen Street, Wolverhampton

The application for a premises licence had been withdrawn which negated the need for the Sub-Committee to consider this matter.

7 Application for a premises licence, The Grand Post House, 62-70 Lichfield Street, Wolverhampton

In attendance

For the premises

Gerald Bailey and Rav Rayget (GPH Wolverhampton Limited)

Shaun Gill (Architect)

Responsible Authorities

WPC Lisa Davies and WPC Clare Fox (West Midlands Police)

Elaine Moreton (Licensing Authority)

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 circulated to all parties in advance.

Gerald Bailey, Rav Rayget and Shaun Gill presented their application by way of a PowerPoint presentation and answered questions raised by the Sub-Committee, employees and responsible authorities in regard to the proposals. Hard copies of the presentation were circulated for information.

At this juncture the responsible authorities presented their representations. It was noted that, following extensive consultation and close co-operation between the parties, conditions had been agreed between the applicant and the responsible authorities. Signed copies of the conditions agreed between the applicant and the Licensing Authority on 4 August, the West Midlands Police on 4 August and Environmental Health (Commercial) on 4 August were circulated at the meeting. The

responsible authority representatives indicated that, should the Sub-Committee be minded to grant the licence subject to the addition of these conditions, they would be content to withdraw their representations.

The applicant and responsible authority were afforded the opportunity to make a closing statement.

8 **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.

9 **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 application.

10 **Announcement of decision**

The Sub-Committee have taken note of all the written concerns raised in respect of The Grand Post House, 62-70 Lichfield Street, Wolverhampton. They have also listened to the arguments of those who have spoken at the hearing.

Having considered the views of all concerned, the Sub-Committee are satisfied that the Cumulative Impact Policy applied 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.

The application for a premises licence is therefore granted as applied for, but subject to conditions agreed between the applicant and responsible authorities as follows:

Conditions agreed with the Licensing Authority on 4 August 2014

- **Opening hours:**

Monday to Wednesday	0700 to 0400 hours
Thursday and Friday	0700 to 0600 hours
Saturday	0800 to 0600 hours
Sunday	0800 to 0400 hours

Non- standard hours:

Sunday prior to a Bank Holiday Monday, Christmas Eve, Boxing Day and New Year's Eve	0800 to 0600 hours
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- **Sale/supply of alcohol on the premises:**

Sunday to Wednesday	1000 to 0330 hours
Thursday to Saturday	1000 to 0530 hours

Non-standard hours:

Sunday prior to a Bank Holiday Monday, Christmas Eve, Boxing Day
and New Year's Eve 1000 to 0530 hours

- **Late night refreshment on the premises:**

Sunday to Wednesday 2300 to 0230 hours

Thursday to Saturday 2300 to 0430 hours

Non-standard hours:

Sunday prior to a Bank Holiday Monday, Christmas Eve, Boxing Day
and New Year's Eve 2300 to 0430 hours

- **Films, boxing or wrestling on the premises:**

Monday to Wednesday 1000 to 0330 hours

Thursday and Friday 1000 to 0530 hours

Saturday 1000 to 0530 hours

Sunday 1000 to 0330 hours

Non-standard hours:

Sunday prior to a Bank Holiday Monday, Christmas Eve, Boxing Day
and New Year's Eve 1000 to 0530 hours

- **Regulated entertainment, live music, performance of dance and anything of a similar description falling within live music, recorded music and performance of dance:**

Monday to Wednesday 0700 to 0330 hours

Thursday and Friday 0700 to 0530 hours

Saturday 0800 to 0530 hours

Sunday 0800 to 0330 hours

Non-standard hours:

Sunday prior to a Bank Holiday Monday, Christmas Eve, Boxing Day
and New Year's Eve 0800 to 0530 hours

- **Entertainment facilities, making music, dancing and anything of a similar description falling within these categories:**

Monday to Wednesday 0700 to 0330 hours

Thursday and Friday 0700 to 0530 hours

Saturday 0800 to 0530 hours

Sunday 0800 to 0330 hours

Non-standard hours:

Sunday prior to a Bank Holiday Monday, Christmas Eve, Boxing Day
and New Year's Eve 0800 to 0530 hours

Conditions agreed with the West Midlands Police on 4 August 2014

- A CCTV system with recording equipment shall be installed and maintained at the premises.
- CCTV shall cover entry and exit points of the premises and all areas where alcohol/money is served/taken and all areas to where public have access and the immediate vicinity outside the premises.
- Images/recordings to be downloaded in a suitable format and provided to any member of a responsible authority upon request and without any undue delay.
- Images and recording must be of evidential quality, must indicate the correct date and time 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 images should any member of a responsible authority make a request.
- Lapel cams shall be in use from 2100 hours whenever licensable activities are taking place inside the premises. They shall be maintained and images/recordings to be downloaded in a suitable format and submitted to any member of a responsible authority upon request and without any undue delay. All footage to be kept for 31 days.
- 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 to be produced to a member of a responsible authority upon request.
- Relevant incidents of crime and disorder shall be reported to the Police.
- All staff to receive training and refresher training every 6 months on their responsibilities with regard to licensing legislation. This training to be documented and shown to a member of a responsible authority upon request.
- To ensure compliance with 'Challenge 25', a refusals log book to be maintained where any sale of alcohol is refused to persons who present themselves to be underage.
- No person who is drunk or disorderly shall be allowed access or be allowed to remain on the premises.
- Documentation to be maintained of refusals of sales to persons presenting as being intoxicated.
- There shall be no new admissions to the premises after 0200 hours on a Monday, Tuesday, Wednesday and Sunday and no new admissions after 0300 hours on a Thursday, Friday Saturday and Sunday preceding a Bank Holiday Monday.
- Whenever licensable activities are taking place on the premises, SIA registered door staff, authorised for front line duties shall be on duty from 2100 hours. The only exceptions will be agreed events to which the Police Licensing Department has received the appropriate event risk assessment notification and has agreed no necessity is required.

The following will apply to each licensed area:

The restaurant/ bar area shall have SIA registered door staff on duty from 2100 hours at the minimum ratio of 1:75 customers (or part thereof) at the premises, 20% of which shall be female.

The basement event space/music room shall have SIA registered door staff on duty from 2100 hours at the minimum ratio of 1:50 customers (or part thereof) at the premises, 20% of which shall be female.

The coffee shop shall have SIA registered door staff from 2100 hours at the minimum ratio of 1:50 customers (or part thereof) at the premises, 20% of which shall be female.

A register will be maintained of all persons engaged as door supervisors to include the name and SIA number of the staff and proof of identity (such as photocopy of passport or drivers licence), proof of address (utility bill dated within the last 6 months) and the time and date duties commenced and finished.

- A radio link system to be employed at the premises and used for contact with other premises in Wolverhampton and the main Wolverhampton camera facility; this is to be kept in good working order and monitored by a responsible member of staff.
- An ID scanner and biometric fingerprint device shall be installed in the event spaces and in use whenever licensable activities are taking place on the premises at all times. The only exceptions will be agreed events to which the Police Licensing Department has received the appropriate event risk assessment notification and has agreed no necessity is required. The data shall be made available to the Police on request.
- Hand held clickers will be in operation in the event spaces to keep a count of the number of persons inside the premises to ensure they do not exceed capacity. A separate clicker will be required for each of the event spaces on the ground floor and basement. The counting device will be in operation at whichever entrance is being used on any given evening.
- Any door supervisor employed at the premises shall wear high visibility attire (Tabards/jackets that have a reflective colour that is easily discernible from any background) and should use an electronic wand/glove or other electronic device in their searching process.
- A search policy will apply when any licensable activity is taking place in any of the event spaces. The only exceptions will be agreed events to which the Police Licensing Department has received the appropriate event risk assessment notification and has agreed that no necessity is required.
- West Midlands Police Licensing Department will be given 14 days' notice for any proposed event that will run to 0100 hours and 28 days' notice for any event running past 0100 hours. This will include full details of the event, together with a full risk assessment and the names and dates of birth of any DJ's playing at the event.
- Police and emergency services to be informed of any boxing event to take place on the premises. A full risk assessment shall be completed and handed into the Police Licensing Department at Wolverhampton Central Police Station at least 28 days prior to the event.

There shall be the minimum of one ambulance, one paramedic and an anaesthetist present during any boxing match.

- The venue will be part of the local Pub Watch scheme and the Designated Premises Supervisor, or a representative, shall attend the monthly meetings and ensure that a representative from the door security team attend the SIA forum.
- The premises shall operate a drugs policy and have drugs safe in operation. All drugs seizures are to be placed in a sealed bag provided by the West Midlands Police and recorded in a register. There shall be a weekly phone call to the Licensing Department to arrange the collection of any items seized. A lost property/found property policy is also to be in place.
- There shall be at least two personal licence holders employed in each of the separate areas where licensable activities are taking place.
- No persons shall be allowed to leave the premises with any bottle or glass.
- The venue must ensure adequate numbers of staff are on duty to ensure the safe collection of glasses, bottles and any other empty drinking vessel within the venue.
- No person under the age of 18 shall be present in the venue after 2200 hours, except those attending a pre-booked wedding reception who are accompanied by a parent or guardian, in which case all persons under the age of 18 shall vacate the premises by 2330 hours.
- 50% of the floor space in the restaurant/bar shall house fixed seating.
- At least one member of staff who is a qualified first aider to be on duty at all times the premises is open for licensable activities.
- All staff shall be trained in 'Challenge 25' and all appropriate ID checks shall be undertaken by all staff to ensure no sale of alcohol is made to underage persons.

Conditions agreed with Environmental Health (Commercial) on 4 August 2014

- All external smoking areas for use by persons on the premises shall be located within the building's own perimeter. Such areas will be compliant with the Health Act 2006.
- Noise and/or vibration shall not be allowed to emanate from the premises so as to cause a nuisance to nearby noise sensitive properties. This may include noise from music, voices and/or other sources, whether amplified or not.
- When regulated entertainment is taking place in the event spaces, the Premises Licence Holder, Designated Premises Supervisor, event organiser or another competent person shall carry out observations in the immediate

vicinity of the premises to assess the level of noise. Should such observations confirm that noise is likely to disturb local residents or occupiers of premises in the area, steps should be taken to control the noise levels to prevent disturbance.

- During regulated entertainment all doors and windows at the premises shall remain closed, except for normal access to and egress from the premises.
- Clear notices shall be displayed at all points where customers leave the premises, requesting them to respect the needs of local residents and leave the premises and area quietly.
- Daily checks should take place to ensure that external areas are maintained in a clean and litter free condition.

It is considered by the Sub-Committee that the above conditions should be attached in support of the prevention of public nuisance and prevention of crime and disorder licensing objectives.

Plans originally submitted by the applicant have been amended. Amended plans were presented to the Licensing Sub-Committee on 6 August 2014 and these amended plans will form part of the Licence.

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.

11 **Re-admission of press and public**

The parties re-entered the meeting.