

LICENSING SUB-COMMITTEE

Wednesday, 22nd June, 2011 at 10.30 a.m.

Conference Room, Council House, Walsall

Present

Councillor Rochelle (Chairman)
Councillor Anson
Councillor Sears

In attendance

Steven Knapper - Principal Licensing Officer, Walsall MBC
Paul Green - Legal Services, Walsall MBC
Mr. Saddamur Rahman - Applicant
Mr. Michael White - Solicitor for the applicant

Appointment of Chairman

Resolved

That Councillor Rochelle be appointed Chairman of the Sub-Committee for this meeting only.

Councillor Rochelle in the Chair

Welcome

The Chairman extended a welcome to all persons present at the Sub-Committee which had been established under the Licensing Act, 2003.

Apologies

There were no apologies submitted for non-attendance.

Declarations of Interest

There were no declarations of interest.

Licensing Hearing

Application for a Premises Licence under Section 17 of the Licensing Act, 2003 - Kismet Spice, 7 Reeves Street, Bloxwich, Walsall, WS3 2DQ

The report of the Interim Regulatory Manager was submitted:-

(see annexed)

Steven Knapper (Principal Licensing Officer) enlarged upon the report and indicated that the application had been received by the Licensing Authority on 27th April, 2011. He drew the Sub-Committee's attention to Paragraph 3.3 of the report which set out the proposed activities and times of operation and indicated that a blue site notice had been displayed at the premises.

On 3rd June, 2011, mediated conditions had been received from West Midlands Police which would become conditions on the licence if the application was granted. Written representations had been received from an interested party (Appendix 3 refers) and had not been withdrawn.

Mr. White (Solicitor for the applicant) confirmed that he had no questions for Mr. Knapper on the application.

Councillor Anson asked if there had been any police objections to the application. Mr. Knapper replied that the only police observations were the mediated conditions referred to in Paragraph 3.8 of the report.

Councillor Anson asked if the police had made mention of the concerns expressed by the objectors to the application. Mr. Knapper confirmed that they had not.

Mr. White advised the meeting that the police had visited the premises on 19th June, 2011 and were happy with the way the premises were run. He continued that Mr. Rahman wanted the premises licence because of the competitive nature of the restaurant business. Other outlets in the area sold alcohol so Mr. Rahman wanted to provide the same service to compete with them.

Councillor Rochelle asked why the supply of alcohol, both on and off the premises, had been applied for. Mr. White replied that the off-sales would be ancillary to the take-away side of the business.

Councillor Rochelle asked if there were any houses in close proximity to the premises. Mr. White confirmed that there were houses in the vicinity of the restaurant.

All parties withdrew from the meeting at 10.57 a.m.

The Sub-Committee considered carefully all the written evidence submitted and the representations made at the hearing, following which it was,

Resolved

That the Sub-Committee grants the Premises Licence in respect of Kismet Spice, 7 Reeves Street, Bloxwich, Walsall as requested, together with the mediated conditions agreed with West Midlands Police on 3rd June, 2011, on the understanding that the off-licence facility is ancillary to the take-away food provision supplied by the restaurant.

The Sub-Committee is satisfied that these conditions are necessary based on the evidence and are proportionate to promote the licensing objectives.

Both parties were re-admitted at 11.02 a.m. and advised of the Sub-Committee's decision and informed of their right of appeal to the local Magistrates Court within 21 days of receipt of the decision letter.

Termination of meeting

The meeting terminated at 11.05 a.m.

Chairman

Date