

LICENSING SUB-COMMITTEE

Thursday, 4th September, 2014 at 10.30 a.m.

In a Conference Room, Council House, Walsall

Present

Councillor Rochelle (Chairman)
Councillor Sarohi
Councillor Anson

In attendance

Mr Steven Knapper – Principal Licensing Officer – Walsall MBC
Mr. Paul Green – Legal Services – Walsall MBC
Mr. Parbinder Singh Kang – Designated Premises Supervisor

Appointment of Chairman

Resolved

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

Councillor Rochelle in the Chair

Welcome

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

Apologies

Apologies for non attendance were submitted on behalf of Councillors Sears and Clarke.

Declarations of Interest

There were no declarations of interest.

Licence Hearing

Application for a premises licence variation under Section 34 of the Licensing Act, 2003 – Poets Corner, 51 Keats Road, Willenhall, WV12 5HY

The report of the Head of Communities and Public Protection was submitted:-

(see annexed)

Councillor Rochelle explained the purpose of the meeting and requested the Principal Licensing Officer (Mr. Knapper) to explain the variation application.

The Principal Licensing Officer (Mr. Knapper) enlarged upon the report for the benefit of the Sub-Committee and indicated that the application for a premises licence variation in respect of the Poets Corner Public house, 51 Keats Road, Willenhall, WV12 5HY had been made under Section 34 of the Licensing Act, 2003. The application could be granted as requested, granted with additional/modified conditions or rejected. The current premises licence which included the layout of the premises was given in Appendix 1 to the report and the premises licence variation which had been received on 9th July, 2014 was given in Appendix 2. In Section M of the variation application the applicant had identified the steps he intended to take to promote the licensing objectives which would become conditions on the licence if the application be granted.

Mr. Knapper drew the Sub-Committee's attention to Paragraph 3.4 of the report and indicated that a street map showing the location of the premises was given as Appendix 3 to the report. He confirmed that the application had been submitted to the statutory "Responsible Authorities" and had been advertised by way of a blue site notice displayed at the premises and a Licensing Notice had been placed in a newspaper circulating in the area to comply with the requirements of the Licensing Act.

On 30th July, 2014 the Licensing Unit had been advised by West Midlands Police that, in agreement with the applicant, the terminal hour had been reduced from that requested in the variation application. The opening hours of the premises would therefore be:-

- Sunday to Thursday all licensable activities 10.30 a.m. to 00.00 hours
- Friday and Saturday all licensable activities 10.30 a.m. to 01.00 hours and a SIA registered door supervisor to be present during licensing hours as required by the decision of the Licensing Sub-Committee held on 8th October, 2013. (N.B. the condition of the Licensing Sub-Committee from its meeting held on 28th October, 2013 that a door supervisor was to remain on duty after the premises had closed for licensable activities to encourage patrons to leave quietly was retained.)
- New Years Eve, Christmas Eve and Bank Holidays all licensable activities 10.00 a.m. to 02.00 hours.]

There had been no other representations from responsible authorities but one representation had been received from an "other person" – a Ward Councillor for the area concerned (Appendix 4 refers).

Mr. Knapper continued that although the Public Health Department of Walsall had been consulted as a responsible authority under the terms of the Act, Public Health was not a licensing objective. As a result of the amended times agreed

between West Midlands Police and the applicant the premises would be operating for an additional hour (Monday to Sunday) from the times imposed by the review hearing in October, 2013.

Mr. Knapper then drew the Sub-Committee's attention to Paragraph 4.2 of the report and to the contents of a letter from Mr. Kang's agent dated 26th August, 2014 which had been circulated to Members prior to the meeting.

Mr. Kang had no questions for Mr. Knapper on the report.

Councillor Anson asked if there had been any representations from residents of the area as a result of the Ward Councillor's canvassing exercise. Mr. Knapper replied no.

Councillor Rochelle referred to the fact that the objections raised by the Ward Councillor did not relate to any of the licensing objectives.

Mr. Kang was invited to present his case and informed the meeting that he wished to extend his opening hours so that his regulars could have an extra hour's drinking time on Friday and Saturday evenings.

Mr. Knapper had no questions for Mr. Kang.

Councillor Anson asked how far from the premises the nearest houses were. Mr. Kang replied over 150 yards away.

Both parties were invited to sum up and Mr. Knapper drew the Sub-Committee's attention to Paragraph 4.2 of the report. Mr. Kang had nothing further to add.

Councillor Rochelle asked if both parties were satisfied that they had had the opportunity to air their views fully. This was confirmed then both parties withdrew from the meeting at 10.43 a.m..

The Licensing Sub-Committee considered carefully all the evidence submitted and the representations made during the hearing and it was:-

Resolved

That the Sub-Committee grants the premises licence variation in respect of the Poets Corner public house, 51 Keats Road, Willenhall as agreed between West Midlands Police and the applicant as follows:-

- Sunday to Thursday all licensable activities to cease at midnight;
- Friday and Saturday all licensable activities to cease at 01.00 hours, with a SIA registered door supervisor present during licensing hours as required by the decision of the Licensing Sub-Committee held on 8th October, 2013. (N.B. the condition from the meeting of the Licensing Sub-Committee held on 28th October, 2012 that a door supervisor will remain on duty after the premises

are closed for licensable activities to encourage patrons to leave quietly be retained.)

- New Years Eve, Christmas Eve and Bank Holidays, all licensable activities to cease at 02.00 hours.

Both parties were re-admitted to the meeting at 10.46 a.m. and advised of the Sub-Committee's decision and Mr. Kang was informed of his right of appeal to the Local Magistrates Court within 21 days of the receipt of the decision letter.

Termination of meeting.

The meeting terminated at 10:50 a.m.

Chairman

Date