

**Minutes of Licensing Sub-Committee 3
Tuesday, 23rd February, 2021 at 10.00am
On Microsoft Teams**

Present:

Councillor A Taylor (Chair)
Councillors K Finch and S Greenaway

Officers:-

B Hughes – Assistant Team Manager (Directorate of Public Realm), R Clark – Principal Solicitor, K Griffiths – Democratic Services Officer and G Gray – Assistant Democratic Services Officer (Directorate of Finance and Legal).

6. **Declarations of Interest**

No Member made a declaration of interest in accordance with the Members' Code of Conduct.

7. **Minutes**

Resolved

That the minutes of the meeting held on 3rd November, 2020, be approved as a correct record and signed.

8. **Application for Grant of a New Premises Licence – Unit 10 Castle Mill, Birmingham New Road, Dudley**

A report of the Acting Director of Public Realm was submitted on an application for the grant of a new premises licence in respect of the premises known as Unit 10 Castle Mill, Birmingham New Road, Dudley.

The following were in attendance at the meeting:-

Ms A Lawless – Applicant
Mr A Woods, Woods Whur – Legal Representative of Ms Lawless

The Chair welcomed everyone present to the meeting and outlined the procedure that would be followed.

The Assistant Team Manager presented the report on behalf of the Council.

The Assistant Team Manager confirmed that an objection had been received in response to the application, from a local resident, who was not in attendance at the meeting. The resident had expressed concerns relating to the potential for noise emanating from the business, both from music and traffic.

Mr Wood then presented the case on behalf of the applicant, Ms Lawless, and in doing so explained the location, structure, layout plans and opening times of the proposed premises. A copy of the plans and photographs of similar shops operated by the Company had been circulated to the Sub-Committee prior to the meeting.

Mr Wood indicated that the business, Company Shop Limited had been operating successfully for 40 years, with 13 stores located in other areas of the Country and that the applicant had been an employee of the Company for 15 years. It was acknowledged that Closed Circuit Television (CCTV) would be installed and in operation at all times the premises were being used for licensable activity, to include public areas, entrances, exits and the external area of the premises and would be recorded and retained for a minimum of 28 days. It was noted that during the times that the site was closed, it would be secured and alarmed. Planning permission had been granted, a 15 year lease had been entered into and the applicant was determined to ensure that the premises operated successfully.

Company Shop Limited provided a membership only facility selling branded grocery goods to qualifying members. Membership was granted to eligible people that provided evidence of their profession with access to the premises by card only through scanning entry devices and membership was monitored frequently. Staff received frequent training to ensure the licensing objectives were observed. A Challenge 25 scheme would be in operation, together with a register of any refusals of age restricted products, which would be kept up to date and available for immediate inspection by the Police or authorised officers of the Council. Mr Wood indicated that the applicant had applied for a licence to play background music in store only provided through the in-house system or radio and assured the Sub-Committee that the music would be not be overheard from the car park.

In concluding, Mr Woods indicated that no objections had been received from the Police or Environmental Health.

In referring to the percentage of alcohol sales, the applicant confirmed that the overall turnover of supermarket sales that related to alcohol was in the region of 2-3%.

All parties were given the opportunity to sum up their cases and the legal advisor to the Sub-Committee outlined the law relating to the determination of applications for the grant of a premises licence.

All parties then withdrew from the meeting to enable the Sub-Committee to determine the application, the decision of which would be conveyed to all parties after the meeting had concluded.

Resolved

That, following consideration of the information contained in the report submitted and presented at the meeting, the application for a new premises licence in respect of the premises known as Unit 10 Castle Mill, Birmingham Road, Dudley, be granted.

The meeting ended at 10.23am

CHAIR