

**Minutes of Licensing Sub-Committee 3
Tuesday 26th October, 2021 at 11.00am
In the Council Chamber, The Council House, Dudley**

Present:

Councillor A Taylor (Chair)
Councillors P Drake and E Taylor

Officers:

L Rouse – Senior Licensing Clerk (Directorate of Public Realm); R Clark – Principal Solicitor, H Mills – Democratic Services Officer and G Gray – Assistant Democratic Services Officer (Observer) (Directorate of Finance and Legal).

4. **Apology for absence**

An apology for absence from the meeting was submitted on behalf of Councillor C Elcock.

5. **Appointment of Substitute Member**

It was reported that Councillor E Taylor had been appointed as a Substitute Member for Councillor C Elcock for this meeting of the Committee only.

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 31st August, 2021, be approved as a correct record and signed.

8. **Application to vary a premises licence – Skinny Tiger Limited (Ltd), St Giles House, 15-16 Lower High Street, Stourbridge**

A report of the Acting Director of Public Realm was submitted on an application for variation of the premises licence in respect of the premises known as Skinny Tiger Ltd, St Giles House, 15-16 Lower High Street, Stourbridge.

The following persons were in attendance at the meeting:-

P Tunnicliffe – Applicant
R Hopkins – Objector
T Glews – Public Protection Manager

The Chair welcomed everyone to the meeting. Following introductions, the Senior Licensing Clerk presented the report on behalf of the Local Authority.

T Glews, on behalf of Environmental Safety and Health, made representations on the grounds that the proposed extension of hours would be in contravention of the permitted planning use for the premises and the licensing objective of preventing public nuisance. The comments made in respect to Planning Application P20/0394 were referred to, in that the premises were within close proximity to residential properties and therefore a potential risk to cause noise disturbance to nearby residents.

R Hopkins then made representations, and in doing so, stated that the significant change in operating hours at the premises would lead to additional public and noise nuisance for local residents. It was considered that should the variation be granted, this would permit the premises to operate for twice as many hours, and suggested that it would be highly probable that further variations would be requested in the future, if granted.

It was commented that despite the Cumulative Impact Zone and the increase in criminal statistics for the area, new licensed premises continued to open, with a significant number of premises changing their primary purpose to become a bar once established. It was further stated that objections had been made when the application for grant of a new premises licence had been submitted and the applicant had been explicit at that time, that they had no intention or desire for the venue to become a bar.

In responding to a question from the Principal Solicitor in relation to the locality of residential properties in regard to the premises, T Glews confirmed that 60% of premises within Lower High Street were residential, with two or three flats directly above Skinny Tiger Beer Ltd. There were no residential properties located within the High Street, which was predominantly commercial.

Mr Tunnicliffe, the applicant, then presented his case, and in doing so, confirmed that there were no residents currently residing in the properties directly above, however the premises were soundproof to alleviate any noise disturbance. Due to the unforeseen impact of COVID-19 to the hospitality sector, it was essential for the business to adapt for sustainability purposes moving forward. The venue operated a café style approach, with no standing and table service for a maximum of 16 persons. Whilst a blanket variation had been submitted, there was no intention for the premises to be open every day and evening, however, it would be expected that the hours on Friday and Saturday evenings would be extended, with the occasional Sunday particularly during peak periods. Letters of support had been received from patrons that frequented the premises who favoured the niche environment and nature of the service.

Mr Tunnicliffe responded to questions raised by all parties, and in doing so, confirmed that no standing was permitted within the venue and that revenue was currently 50:50 ratio between bar and shop sales. No large groups were permitted, with the largest table available onsite catering for up to four people and drinks were not permitted outside of the premises. Mr Tunnicliffe confirmed that he was aware that any changes to the licence would also require a change in planning conditions, and he proposed to apply for temporary planning permission in the first instance, to monitor how the change was perceived. He conversed that he would be willing to accept conditions to the licence that the Sub-Committee considered reasonable and necessary.

In providing clarification for the Sub-Committee, T Glews confirmed that he was not aware of any noise complaints received with regard to the premises.

Following submissions and questions, all parties then withdrew from the meeting to enable the Sub-Committee to determine the application.

Having made their decision, the meeting was reconvened and it was

Resolved

That, following careful consideration of the information contained in the report submitted and presented at the meeting, the application for variation of the premises licence in respect of the premises known as Skinny Tiger Ltd, St Giles House, 15-16 Lower High Street, Stourbridge, be granted in part, as outlined below, and subject to the following conditions:-

Supply of Alcohol

Monday to Thursday (inclusive) 11.00 until 20.00

Friday to Saturday (inclusive) 11.00 until 21.30 (on sales)

Friday to Saturday (inclusive) 11.00 until 22.00 (off sales)

Conditions

- 1) No alcohol shall be served to customers who do not have a seat within the premises and service shall be table service only.
- 2) The maximum number of customers in the premises at one time, consuming alcohol, shall be sixteen.

The meeting ended at 12.20pm

CHAIR