

## LICENSING SUB-COMMITTEE 1

Tuesday 16<sup>th</sup> April, 2013 at 10.00am  
in The Council Chamber, The Council House, Dudley

### PRESENT:-

Councillor Bills (Chair)  
Councillors Blood and Woodall

### Officers

Mr R Clark (Legal Advisor), Mrs L Rouse (Licensing Officer) and Mrs K Taylor (Directorate of Corporate Resources).

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### 61. DECLARATIONS OF INTEREST

No Member declared an interest in accordance with the Members' Code of Conduct.

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### 62. MINUTES

#### RESOLVED

That the minutes of the meeting held on 12<sup>th</sup> March, 2013, be approved as a correct record and signed.

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### 63. APPLICATION FOR A PREMISES LICENCE – 175, 176 AND 177 HIGH STREET, LYE, STOURBRIDGE

A report of the Director of Corporate Resources was submitted on an application for the grant for a premises licence in respect of 175, 176 and 177 High Street, Lye, Stourbridge.

Mr G Namdar, Applicant, was in attendance at the meeting together with Mr Sarwar, Barrister, Mr Athi, Solicitor, and a member of the press.

Following introductions, Mrs L Rouse, Licensing Officer, Directorate of Corporate Resources, presented the report on behalf of the Council.

It was noted there had been an objection to the application, which had been circulated to all parties prior to the meeting, however the objectors were not present at the meeting.

In responding to a question by the Chair, Mr Sarwar confirmed that the premises was a buffet style restaurant, and that the recorded music would be played as background music only.

In responding to a question by Mr Sarwar, Mr Namdar outlined his understanding of the requirements of the four licensing objectives.

Mr Sarwar referred to the licensing objective, namely, the prevention of crime and disorder and informed the Sub-Committee that a CCTV system had been installed, and that there were four cameras installed outside the premises and twelve cameras inside. Mr Sarwar circulated a number of documents to highlight the installation of CCTV, including, a receipt and a satellite image to identify the location and the positioning of the cameras at the premises.

In responding to concerns raised in regard to the positioning of the cameras outside the premises, Mr Namdar confirmed that the cameras were installed towards the building and to the rear of Church Road, rather than looking towards the High Street.

Mr Sarwar further reported that CCTV footage would be stored securely, and that all staff would be trained to access and download footage immediately, if requested.

Mr Sarwar then submitted an e-mail highlighting the closure times of premises in close proximity to the restaurant.

In responding to a question by the Chair, Mr Namdar confirmed that he had previously operated a restaurant in Birmingham, however the premises closed after five months due to financial losses.

In responding to a question by a member, Mr Namdar confirmed that should Mr Namdar not be present at the premises, there would be members of staff present who also held a Personal Licence.

Mr Sarwar circulated a floor plan of the premises, and informed the Sub-Committee that the main restaurant was positioned at the front of the premises looking onto the High Street, with the kitchens positioned at the rear of the premises, therefore the noise levels should be predominately heard from the High Street, and not in the residential area of Church Road.

The parties then withdrew from the meeting in order to enable the Sub-Committee to determine the application.

The Sub-Committee, having made their decision, invited the parties to return and the Chair then outlined the decision.

**RESOLVED**

That the application made for the grant of a premises licence in respect of 175, 176 and 177 High Street, Lye, Stourbridge, be approved, in the following terms: -

Sale of Alcohol

Monday – Saturday	11.00 – 22.00
Sunday	14.00 – 22.00

Recorded Music

Monday – Saturday	11.00 – 23.00
Sunday	14.00 – 22.00

REASON FOR DECISION

This is an application for a premises licence for 175, 176 and 177 High Street, Lye, Stourbridge, West Midlands.

The Sub-Committee has heard the applicant, Mr Ghulam Nabi Namdar, who confirmed that the business was to be a buffet restaurant.

The Sub-Committee has considered the letter of representation from two local residents at one neighbouring property. This letter raises a potential increase in problems in the area if the licence were granted, but does not raise any issues directly related to this premises and the grant of any premises licence. It also raises a planning issue, which is not the business of this Committee.

The Sub-Committee has been impressed with the planning, which has gone into the preparation of the premises and application, and noted that the licence is sought until only 10 pm each evening.

The application is granted.

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64. APPLICATION FOR REVIEW OF PREMISES LICENCE – DUDLEY MINI MART, 106 STOURBRIDGE ROAD, DUDLEY

A report of the Director of Corporate Resources was submitted on an application for the review of the premises licence in respect of Dudley Mini Mart, 106 Stourbridge Road, Dudley.

Mr Khalid, Manager of the Premises, was in attendance.

Also in attendance were Mr C King, Principal Trading Standards Officer and Mr G Wintrip, Age Restricted Products Enforcement Officer, both from the Directorate of the Urban Environment, and Ms D McNulty, Dudley Primary Care Trust (PCT).

It was noted that Ms Ramzan, Designated Premises Supervisor, was not in attendance at the meeting due to work commitments.

The Chair requested an adjournment of the meeting, to allow Mr Khalid to contact Ms Ramzan to request Ms Ramzan to attend the hearing; given that she was the Designated Premises Supervisor.

The Sub-Committee agreed to the proposal made.

At the re-commencement of the meeting, it was reported that Ms Ramzan was in a meeting in Birmingham, and would be unable to attend the hearing within a short timescale.

Following a brief discussion it was identified that Mr Khalid was the member of staff who made the sale during the test purchase exercise on 6<sup>th</sup> February, 2013, therefore the Sub-Committee requested that Mr Khalid attend the re-convened hearing.

RESOLVED

That, in view of the non-attendance of the Designated Premises Supervisor, the application for the review of the premises licence in respect of Dudley Mini Mart, 106 Stourbridge Road, Dudley be adjourned to a future meeting of a Sub-Committee.

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65. APPLICATION FOR HOUSE TO HOUSE COLLECTIONS LICENCE – NATIONAL KIDNEY FEDERATION

A report of the Director of Corporate Resources was submitted on an application for a house to house collections licence in respect of Unicare Ltd on behalf of the National Kidney Federation.

It was noted that the applicant was not in attendance.

Following consideration, it was

RESOLVED

- (1) That the application for a House to House Collections licence in respect of Unicare Ltd on behalf of National Kidney Federation be deferred to a future meeting of a Sub-Committee.
  - (2) That the Licensing Clerk, be requested to write to the Applicant, informing them to contact the Licensing Office within fourteen days if they wished to proceed with the application, otherwise the application would then be withdrawn.
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The meeting ended at 11.00am

CHAIR