

**Minutes of the Licensing Sub-Committee 1
Tuesday, 25th January 2022 at 10.55 am
In the Council Chamber, Council House, Dudley**

Present:

Councillor E Taylor (Chair)
Councillors P Miller and K Razzaq

Officers: -

N Slym – Assistant Team Manager - Licensing and Waste Enforcement (Directorate of Public Realm), R Clark – Principal Solicitor and K Buckle - Democratic Services Officer (Directorate of Finance and Legal).

Observer: -

S Smith – Team Manager – Licensing and Waste Enforcement (Directorate of Public Realm).

21. **Declarations of Interest**

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

22. **Application to Vary a Premises Licence – The New Inn, 2 Cherry Street, Stourbridge**

A report of the Acting Director of Public Realm was submitted on an application to vary a premises licence in respect of premises known as the New Inn, 2 Cherry Street, Stourbridge.

The following were in attendance at the meeting in respect of the application: -

Mr C Derricote – The Tenant of The New Inn
Mr T Timmins – Area Manager for Punch Partnership Limited
Mr Domleo – Flint Bishop LLP – The Applicant's Legal Representative
Ms C Vaughan – Senior Environmental Health Officer

Following introductions, the Assistant Team Manager – Licensing and Waste Enforcement presented the report on behalf of the Council and made specific reference to the objections that had been raised by Environmental Health and Safety and local residents. It was reported that one of those local residents who had wished to attend the meeting could not due to illness.

It was also noted that the variation proposed to play recorded music 10:00 hours until 00:00 hours Monday to Friday had been withdrawn by the applicant.

Representations were received from Environmental Health and Safety, with Ms Vaughan stating that several complaints had been received by local residents relating to noise emanating from the beer garden at the licensed premises, including banging on the fence of the newly developed beer garden area. It was stated that there were six houses that bordered the licensed premises area and following discussions, the applicant had agreed to two conditions being placed on the licence.

Mr Domleo, on behalf of the applicant confirmed that the two conditions agreed to were to close the outdoor area of the licensed premises to the public at 23:00 hours Monday to Saturday and at 22:30 hours on Sundays and the three-metre wide area at the north end of the licensed premises outside boundary would be closed at 21:00 hours Monday to Sunday.

However, Ms Vaughan requested the Sub-Committee to impose a further condition that a one-metre strip on the northern boundary of the Licensed Premises should be a planted area, to prevent access to and banging on the fence, at any time.

Members were satisfied that the closure of the three-metre strip at 21:00 hours on the North side of the outside boundary was sufficient to protect neighbouring properties from the noise and nuisance. It was recommended the applicant seriously consider planting the border, to avoid the issue of noise nuisance arising in the future.

Mr Domleo confirmed that the variation sought was to allow the premises to supply alcohol until midnight on Friday and Saturday nights and to open the premises until 00:30 hours on those two days (drinking up time).

The applicant also sought to remove and replace the non-standard hours on Christmas Day. It was noted that no objections had been received in relation to the proposed extension of Christmas day opening hours.

Mr Domleo agreed on behalf of the applicant to accept a condition on the premises licence that no new customers would be admitted to the premises on Fridays and Saturdays after 23:00 hours. That condition would address local resident's concerns of customers coming from other local licensed premises for the last hour.

In responding to questions from the Sub-Committee, Mr Domleo stated that in relation to the proposed 08:00 hours daily opening time, that would be for breakfast and the sale of alcohol would not be permitted until 10:00 hours.



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The Sub-Committee asked questions in relation to parking at the licensed premises, as it was believed that the newly constructed beer garden had previously been available for customer parking. In responding Mr Domleo indicated that there had been very few car parking spaces with the ground being utilised as an overflow to the parking at the front of the licensed premises.

Following summing up, all parties withdrew from the meeting to enable the Sub-Committee to determine the application.

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

Resolved

- (1) That following consideration of the information contained in the report submitted and presented at the meeting, the application for a variation of the premises licence as outlined in the Schedule Submitted in respect of premises known as The New Inn, Cherry Street, Stourbridge be granted subject to the following amendments to the operating schedule, conditions and opening times as follows: -

That no new customers shall be allowed on the premises after 23:00 hours Friday and Saturday.

That the opening hours be extended to 08:00 hours Monday to Sunday for non-licensable activities between 08:00 hours and 10:00 hours.

That the Christmas day non-standard timing restriction for all licensable activities and opening hours be removed.

Conditions

- (1) The outdoor area shall be closed to the public at 23:00 hours Monday to Saturday and 22:30 hours on Sundays.
 - (2) That the three metre wide area at the north end of the premises outside boundary shall be closed at 21:00 hours Monday to Sunday.
- (2) That the Applicant be requested to submit plans detailing the North Garden outdoor area of The New Inn, 2 Cherry Street, Stourbridge.

The meeting ended at 12:35 pm

CHAIR



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