

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING SUB-COMMITTEE

MONDAY, 2ND APRIL, 2007

PRESENT: Councillor A. J. Dent, Councillor M. H. Gill and Councillor G. H. R. Hulett

Also in attendance were: P.C. 355 Paul Bott, West Mercia Constabulary,
Mr. James Rankin, Legal Representative, J.D. Wetherspoon,
Ms Melinka Berridge, Legal Adviser, J.D. Wetherspoon
Mr. Phil Boyd, Regional Manager, J.D. Wetherspoon
Mr. Neil Hatton, Premises Supervisor, Golden Cross Public House.

Officers: Mr. D. Hammond, Mrs. S. Sellars and Mr. A. Jessop.

1/06 **ELECTION OF CHAIRMAN**

RESOLVED: that Councillor A.J. Dent be elected Chairman for the Meeting.

2/06 **PROCEDURE**

The Chairman opened the Hearing and introduced Members of the Sub-Committee and the Council's Officers to the other parties present.

The Chairman invited the other parties present to identify themselves in order to satisfy all parties that no person who might be in a position to influence the Sub-Committee remained in the room when the Sub-Committee considered their decision at the conclusion of the Hearing.

The Chairman reminded all parties of the procedure to be followed during the Hearing and that those parties present could be represented by a legal representative at their own expense, or by a Ward Councillor.

3/06 **APPLICATION FOR A REVIEW OF PREMISES LICENCE - GOLDEN CROSS PUBLIC HOUSE, HIGH STREET, BROMSGROVE.**

The Sub-Committee considered an application for a review of a Premises Licence in respect of The Golden Cross Public House, High Street, Bromsgrove. The application was subject to a Hearing in the light of a letter of objection from the West Mercia Police,(a Responsible Authority under the Licensing Act 2003 to review the above licence), in which they expressed their grave concern over the sale and supply of Class A drugs on the premises, and that, accordingly, they had undertaken an undercover operation at the premises over a period. A Report from the Head of Planning and Environment Services setting out the background of events had been previously circulated with the agenda for the Meeting.

P.C.355 Paul Bott put forward the case for the Police to the Sub-Committee, but, in doing so, reported that since submitting their application for a review, a number of changes had been introduced at the premises by the owners (J.D. Wetherspoon) including a number of measures recommended by the Police, and he was satisfied that the maintaining of these measures would help the premises to better comply with their overall Licence conditions.

Mr. James Rankin, Legal Representative for Wetherspoons, put forward their case to the Sub-Committee.

Following consideration of the representations put forward by all parties, which was followed by a general question and answer session, the Sub-Committee adjourned to consider their decision. Upon their return, it was

RESOLVED:

(1) that, in order to support the licensing objective of prevention of crime and disorder the Sub-Committee agree that the following licensing conditions proposed by J.D. Wetherspoon and agreed by the Police be added to the licence, i.e.

- (i) with the exception of the beer garden there will be no smoking anywhere on the premises to which the public have access;
- (ii) the premises will be equipped with a CCTV system which meets the approval of the West Mercia Constabulary;
- (iii) there will be two SIA registered door staff on each entrance on Thursday, Friday and Saturday evenings from 20.00 hours until close, unless otherwise agreed with West Mercia Constabulary. Any agreement of this nature will be recorded in writing and kept on the premises; and
- (iv) the Designated Premises Supervisor (i.e., the Pub Manager) or his Co-Manager will attend meetings of the Pubwatch scheme. If either are unable to attend for any reason, the Designated Premises Supervisor will contact the Police by telephone/e-mail as soon as reasonably practicable for an update on the matters discussed at the meeting;

(2) in addition, the Sub-Committee recognised the positives which had come out of the discussion on this case, and noted in particular the following actions that Wetherspoons had referred to in their submission, namely

- (i) a vast improvement to the standard of the CCTV equipment to be installed on the premises;
- (ii) the change of emphasis to promote food instead of alcohol;
- (iii) the continuation of Drug-Awareness Workshops for staff;
- (iv) the regular checking by staff of "zoned areas" within the pub;
- (v) visits to the licensed premises by Senior Managers and/or "mystery shoppers." and
- (vi) on a general note, that all Area Managers were to be instructed to telephone the Police every four weeks to check that there were no problems; and

(3) that Members wished to record their extreme concern over the necessity for the Police to have to mount an undercover operation at these premises,

and requested that the most senior personnel in Wetherspoons be made aware that the Sub-Committee were dissatisfied with the answers from their middle-management personnel present at the Hearing as to their (lack of) awareness of any drug activity on site.

The meeting closed at 11.55 a.m.

Chairman