

# **Minutes of the Licensing Committee**

**3<sup>rd</sup> December, 2004 at 10.00 a.m.**  
**at the Sandwell Council House, Oldbury**

**Present:** Councillor Rowley (Chair);  
Councillors Burkitt, Mrs Edis, Horton, Tagger and Turton.

## **Local Government (Miscellaneous Provisions) Act 1982 – Public Entertainment Licence**

### 132/04 **Application for the Grant of a Public Entertainment Licence in respect of the Club Allusions, Kings Square, West Bromwich**

The Committee considered an application by Mr Barry Paice and Mr Peter Pericleous for the grant of a Public Entertainment Licence in respect of Club Illusions, formerly The Precinct Nightclub, Kings Square, West Bromwich.

Mr B.P. and his representative Mr R. were present and addressed the Committee. Representatives for West Midlands Police, and Centro objecting to the application were also present and addressed the meeting. A letter from a resident objecting was also submitted.

Mr B.P.'s representative informed the Committee that Mr P. was an experienced licensee. He had approximately 20 years of running establishments such as nightclubs and was currently the owner of a nightclub in Coventry. The local magistrates court had recently granted Mr P. a Justices License.

Centro representatives informed the Committee of their objections to the nightclub pointing out that the current entrance and exist lead directly to and from the bus station. Previously when the establishment operated Centro's property suffered vandalism and their staff often came into conflict with patrons of the nightclub as they left. The heavy cleaning of the bus station took place between the hours of 12.10midnight and 4.00 a.m. in the morning and the proposed opening hours of the nightclub would leave patrons and Centro staff in direct conflict. Since the nightclub had not been in operation over the last two years, there had been only two incidents of vandalism to the bus shelters. It was feared if the nightclub were allowed to operate the problems of vandalism would re-occur.

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The Police expressed concerns regarding problems of anti social behaviour, nuisance and violence. The type of music the proprietor proposed to play lends itself to gang culture and it was perceived would encourage gang activities. If the nightclub were to open it would put their resources under pressure as previously when the club was in operation the police had to attend on 64 occasions in one year. The club Mr P. ran in Coventry had 17 incident reports in the last year and that it was questionable if Mr P. could run an orderly house.

The Committee took into account the objections raised by the Police and Centro. The Committee also noted Mr R's objections to the comments of Centro and the Police and acknowledged that the premises had not been in operation for approximately two years. That at the time of operation the nightclub was not under Mr P's control and therefore none of the incidents described could be attributed to him.

After full and frank discussion and careful consideration the Committee were of the view that due to the comments made by Centro and the Police they could not come to decision based on the facts before them. They also felt that based on the facts presented to them, Mr P. would not have a fair and proper hearing as he was not in a position to properly defend himself against the objections raised.

The Committee decided that the decision should be deferred in order that objectors could adduce any further evidence relevant to their objections and the applicant be given proper opportunity and time to consider any such further evidence and if he so wished adduce evidence in rebuttal.

The Committee therefore decided that all objectors must serve the local authority with any further evidence relating to their objection by 14<sup>th</sup> December, 2004. That on or before the 20<sup>th</sup> December, 2004 the applicant to be served with all additional evidence by the local authority and that on or before 10<sup>th</sup> January, 2005 the applicant must serve any additional evidence he intends to rely upon on the local authority.

**Resolved** that consideration of the matter be adjourned until the 21<sup>st</sup> January, 2005.

(The meeting adjourned between 12.20 p.m. – 12.25 p.m.)

(The meeting ended at 12.30 p.m.)

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