

Minutes of Licensing Sub Committee 2

**Monday, 22 May 2023 at 10.00 am
at Committee Room 1 - Sandwell Council House, Oldbury**

Present: Councillor Fenton (Chair)
Councillors J Giles and N Singh

Officers: Geeta Bangerh (Licensing Officer)
Kiran Dhesi (Licensing Officer)
David Elliott (Legal Advisor)
Connor Robinson (Democratic Services Officer)
John Swann (Democratic Services Officer)

In Attendance: Sandip Gillar (Applicant)
Dalveer Gillar (Applicant)
Nicola Stansbie (West Midlands Police Licensing)
Sharan Dadwal (Environmental Health)
Catherine Hartle (Resident)
Jonathan Hartle (Resident)
Wayne Lancaster (Resident)
Dean Gould (Resident)
Craig Potter (Resident)
Ronald Shearwood (Resident)
Amanda Shearwood (Resident)

44/23 Apologies for Absence.

No apologies for absence were received.

45/23 Declarations of Interest



No declaration of interest was made.

46/23 Application for the grant of a new Premises Licence at Luxor Events, 152 Reddal Hill Road, Cradley Heath, B64 5JJ

The Sub Committee considered the application for the grant of a new Premises Licence at Luxor Events, 152 Reddal Hill Road, Cradley Heath, B64 5JJ.

Representations had been received from Environmental Health, West Midlands Police and local residents objecting to the grant of the application due to the licensing objectives, namely, the prevention of public nuisance, public safety and crime and disorder.

The application was for regulated entertainment, (Indoors only) Monday – Sunday 10:00 – 23:00 hours and Supply of Alcohol (On Premises only) Monday to Sunday 10:00 – 23:00 hours. The proposed hours the premises would be open to the public was Monday to Sunday 09:00 – 00:00 hours.

The applicant was present and addressed the Sub Committee with the following:-

- the applicants are two professional individuals with a young family;
- the application would expand the range of businesses currently being operated;
- as well as being professional project managers, the applicants manage a number of rental properties and a photo booth company;
- around £50,000 had been spent on the property to enhance facilities and bring it up to modern standards;
- the applicants wished to work and engage with local residents and build a relationship of respect and harmony;
- the venue would only be used for private events, these could include, birthday parties, weddings, baby showers and corporate events;
- it was expected that the venue would only be in use two to three times a week;
- use could be on any day of the week depending on the booking;
- in response to the Licensing Objectives and to reassure the Sub Committee:

- **The Prevention of Public Nuisance**

- the Environmental Health officer had visited the site and recommended sound proofing, subsequent work had been done and was ongoing to ensure the building was sound proof;
- noise assessments had been carried out to determine the frequency of any possible disturbance and a further enhanced assessment was planned;
- to mitigate noise at the closure of events, rubbish and glass clean up would take place only in the morning or afternoon, not in the evening;
- a dispersal policy would be in place, and if required outdoor supervisors would be on duty to ensure an orderly dispersal;
- a designated smoking policy would be in place and enforced;
- car parking was a noted concern, the Council currently owned an adjacent car park, but it was closed. Conversations had been had with local representatives to see if this car park could be opened up to alleviate parking;
- a petition had been set up to collect signatures from local residents asking for the car park to be re-opened;

- **The Prevention of Crime and Disorder**

- the venue would only cater for private and corporate events, it was not a public venue and all guests and clients would be registered;
- due to the nature of the events it was hoped that it would limit any anti-social-behaviour that had previously been experienced;
- a security system had been installed and CCTV been placed around the premises;
- licenced door staff would be employed on large event days;
- a comprehensive dispersal strategy would be in place;
- an effects of alcohol information would be included in all employee handbooks;

- **Public Safety**

- applicants hoped to have demonstrated a comprehensive plan of how they seek to manage the venue effectively;
- applicants had tried to reach out to local residents but was conscious that reaching everyone was difficult;

- applicants had seen the documents and review of the previous venue operators and wanted to stress the difference between what was there before and what they were planning to do;
- the venue limit was proposed to be 300 not 500 as it was previously;
- the equipment used for sound previously was unacceptable for the venue and residential setting, such equipment and speakers would not be used;
- visitors would not be allowed to bring alcohol outside of the venue;
- it was not expected that two events would operate at the same time, music would only be played in the large function room;
- fire safety was very important, and a clear plan had been submitted, designated fire exits were in place;
- the building had significant damage and work had been underway to rectify this and bring the venue up to a suitable standard.

A number of local residents were present and addressed the Sub Committee with the following representations:-

- local residents had not known who to approach about concerns, previous bad experiences had left local residents apprehensive about approaching the owner;
- the previous use of the venue had caused very serious concerns to local residents impacting their lives in a very negative way;
- the venue had very limited parking resulting in the majority of visitors and attendees parking locally and causing problems and distress to local residents and business owners;
- visitors and attendees at the venue were likely to cause noise problems when they left in the evening;
- doubt was expressed that the venue could be sound proofed due to its age and therefore presented a very real concern to local residents;
- each event had the potential to impact local residents negatively as users and uses of the venue could cause issues and problems.

The Police representation was present and addressed the Sub Committee with the following representations:-

- the venue was a large venue in a residential area which had been subject to a number of complains previously under a previous owner due to continued anti-social behaviour;
- there had been continued noise complaints due to sound escaping from the building and the type of events proposed had the potential to cause future problems;
- the risk of disturbance and anti-social behaviour to local residents was high;
- there was little parking available for visitors and attendees and therefore there was a concern that the local roads and residents would be impacted;
- the proposed exit and entrances onto the nearby streets had previously been a source of anti-social behaviour;
- the venue would require a number of staff to manage it effectively to deal with any concerns.

Environmental Health was present and addressed the Sub Committee with the following representations:-

- the venue had previously been a real concern due to the noise and vibration complaints and there was a worry of previous issues reoccurring;
- there was a high risk of anti-social behaviour when visitors were leaving the venue;
- no car park means visitors and attendees would need to park on nearby streets;
- noise can travel through buildings and while the applicant was undertaking work to sound proof the venue the level of investment was very substantial;
- local residents had the right to enjoy their homes and not be adversely impacted by noise;
- a noise abatement notice which had been contravened had led to the previous licence being revoked;
- continued noise disturbance would result in a noise abatement notice being issued.

The applicants appreciated the concerns raised by local residents, Police and Environmental Health and stated that they had spent a considerable amount of money on soundproofing measures.

Users of the venue would be required to submit their plans and activities prior to use, it was also expected that staff on site would be hired through the venue. Procedures would be in place to

prevent noise escaping the venue and managing visitors and attendees as they left the venue.

The applicants indicated that they had been working with a noise expert would be attending the venue within the next few weeks to undertake a professional assessment.

The Police indicated that they would wish to see conditions related to a dispersal policy, a capacity door staff ratio, CCTV coverage, refusal register and booking logs. While the Police appreciated the willingness of the applicants to address concerns, the venue, because of its history, was a real concern.

The applicants explained that a risk assessment would be in place for all uses of the venue, only approved suppliers would be used including any music/DJ providers. The applicants indicated they would be very active at the venue and would ensure all users met their requirements.

The Sub Committee took advice from its legal advisor and it was determined that any decision be deferred until the applicants had undertaken a noise/acoustics assessment.

Resolved that the application for the grant of a Premises Licence at Luxor Events, 152 Reddal Hill Road, Cradley Heath, be deferred to the 18 July 2023 to allow for the applicants to undertake a noise/acoustics assessment.

(meeting adjourned 12.36pm to 1.31pm and 2.30 to 2.52pm)
Meeting adjourned until 18 July 2023

Contact: democratic_services@sandwell.gov.uk