

# Minutes of Licensing Sub Committee 3

**Wednesday 9 November 2022 at 6.00pm  
in the Council Chamber**

**Present:** Councillor Allen (Chair)  
Councillor Gavan and J Giles

**Officers:** Makhan SinghGosal (Senior Licensing Officer)  
Geeta Bangerh (Licensing Officer)  
Mr Daljinder Sahota (applicant)  
Mr Burke (representing the applicant)  
David Elliott (SMBC Legal Advisor)  
Trisha Newton (Senior Democratic Services Officer)  
Connor Robinson (Democratic Services Officer)

## 16/22 **Apologies for Absence**

No apologies for absence were received

## 17/22 **Declarations of Interest**

There were no declarations of interest made at the meeting.

## 18/22 **Application for the grant of a variation to a premises licence in respect of The Clock House, 361 High Street, West Bromwich**

The Sub Committee considered the application for the grant of a variation to a premises licence under section 34 of the Licensing Act 2003 in respect of The Clock House, 316 High Street, West Bromwich.



The variation to the premises licence was the change in opening hours, which would result in the premise extending its opening hours, as well as its ability to sell alcohol and play live and recorded music by one hour from 01.00am to 02.00am.

The Sub Committee was advised that several objections had been received from local residents who had raised concerns around the variation of the opening hours, namely to extend the hours for the licensable activity and opening hours, stating undermining of the licensing objectives Prevention of Crime and Disorder, Public Safety and the Prevention of Public Nuisance.

No objectors were present at the hearing, however, their objections were presented to the Committee and the following points were highlighted:-

- anti-social behaviour was an ongoing concern for local residents, in particular the nearby car park;
- the Police had been called on numerous occasions to deal with violent behaviour;
- late night activity from the premises had had a negative impact on local residents;
- CCTV had been requested to address anti-social behaviour.

The Sub Committee noted the refence to a serious event that had occurred at the premises and were advised that the licence holder had not been held responsible. The premises had been in the family for many years.

No representation had been received from the Police or Environmental Health.

In response to the objections the applicant's representative stated that:-

- no objection had been received from the Police for the requested variation to a premises licence;
- the premises had been run without incident since 2018;



- the issues of anti-social behaviour on nearby car parks were not the responsibility of the premises and these were Council owned car parks;
- there were numerous bars/pubs/restaurants in the vicinity of the premises and anti-social behaviour could not be placed on the Clock House;
- the premises would support the additional introduction of CCTV to help reduce anti-social behaviour locally, however, it was noted that it was already in place across the property;
- the applicant had over 18 years of experience;
- the extension of opening hours was to provide the business with flexibility, if a party wanted to carry on for another hour, the applicant would be able to accommodate this.

The Sub Committee noted that the car park was approximately 100m from the premises and was Council-owned. The car park had only recently returned to its capacity following its use as a testing centre during the Covid-19 Pandemic, it was also a principal car park for other venues in the town as well as a supermarket.

The Sub Committee took advice from its Legal Advisor before adjourning to make a decision on the application.

Having taken into consideration representations made by all parties, the Sub Committee was minded to approve the variation of the premises licence. Members took into account the objections but also noted that the key responsible authorities had not made representations. Members also considered that much of the representations concerned a Council-owned car park some distance from the premises. The premises had been family run for a considerable number of years.

**Resolved** that the application for the grant of a variation to a premises licence in respect of The Clock House, 361 High Street, West Bromwich be approved.



In making its decision the Sub Committee took into account the Licensing Act 2003, the Section 182 guidance and noted that it must carry out all its functions under the Act with a view to promoting the licensing objectives. It also took into account the Human Rights Act 1998.

Meeting ended at 7.22pm

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