

CITY OF
WOLVERHAMPTON
C O U N C I L

Statutory Licensing Sub-Committee

20 May 2019

Time 10.00 am **Public Meeting?** YES **Type of meeting** Regulatory

Venue Committee Room 5, Ground Floor, Civic Centre

Membership

Quorum for this meeting is two Councillors.

Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

Contact Kirsty Tuffin, Democratic Services Officer
Tel/Email Tel: 01902 552873 Email: kirsty.tuffin@wolverhampton.gov.uk
Address Democratic Services, Civic Centre, 1st floor, St Peter's Square,
Wolverhampton WV1 1RL

Copies of other agendas and reports are available from:

Website www.wolverhampton.moderngov.co.uk1
Email democratic.services@wolverhampton.gov.uk
Tel 01902 550320

Please take note of the protocol for filming and recording of, and use of social media in, meetings, copies of which are displayed in the meeting room.

Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

If you are reading these papers on an electronic device you have saved the Council £11.33 and helped reduce the Council's carbon footprint.

Agenda

Part 1 – items open to the press and public

<i>Item No.</i>	<i>Title</i>
1	Apologies for absence
2	Declarations of interest
3	Licensing Act 2003 – Application for a Premises Licence in respect of Fresh Food & Drink Ltd, 43 Newhampton Road West, Wolverhampton, WV6 0RY (Pages 3 - 58)

NB. PLEASE NOTE THAT PRESS AND PUBLIC WILL BE EXCLUDED FOR THE DISCUSSION OF APPENDIX 4A - WEST MIDLANDS POLICE ADDITIONAL INFORMATION AND APPENDIX 5 - TRADING STANDARDS UNDER PARAGRAPH 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972, AS IT CONTAINS INFORMATION RELATING TO AN INDIVIDUAL.

CITY OF WOLVERHAMPTON COUNCIL	Statutory Licensing Sub - Committee 20 May 2019
--	---

Report title	Licensing Act 2003 –Application for a Premises Licence in respect of Fresh Food & Drink Ltd, 43 Newhampton Road West, Wolverhampton, WV6 0RY	
Wards affected	Park	
Accountable director	Ross Cook, City Environment	
Originating service	Licensing Services	
Accountable employee(s)	Michelle James	Licensing Policy Manager
	Tel	01902 556796
	Email	Michelle.James@wolverhampton.gov.uk

Recommendation for decision:

1. To submit for consideration by the Statutory Licensing Sub-Committee an application for a new premises licence.

1.0 Purpose

- 1.1 To submit for consideration by the Statutory Licensing Sub-Committee an application for a new premises licence.

2.0 Background

- 2.1 The application was received on 22 March 2019 from Pavel Slavon Hristov for a premises licence in respect of Fresh Food & Drink Ltd, 43 Newhampton Road West, Wolverhampton, WV6 0RY. A copy of the application is attached at Appendix 1.
- 2.2 The premises are in Park ward and a location plan is attached at Appendix 2.
- 2.3 The application is in respect of the sale of alcohol off the premises.
- 2.4 This premises is situated within the Cumulative Impact Zone. A copy of the policy and the area which it covers is attached at Appendix 3.
- 2.5 It is the understanding of the licensing authority that the application for this premises licence has been properly made. The statutory requirement to give notice of the application has also been complied with.
- 2.6 All responsible authorities have been consulted on this application.
- 2.7 Relevant representations have been received from:
 - West Midlands Police
 - Trading Standards
 - Public Health
 - Licensing Authority
 - Other Persons
- 2.8 Copies of the representations can be found at Appendices 4, 5, 6, 7 and 8.
- 2.9 Trading Standards representations have been made exempt under Paragraph 1 of Schedule 12A of the Local Government Act 1972, as it contains information relating to an individual.
- 2.10 West Midlands Police have submitted additional information and has been made exempt under Paragraph 1 of Schedule 12A of the Local Government Act 1972, as it contains information relating to an individual. This information is attached to the report as appendix 4a.
- 2.11 The applicant and all those who have submitted representations have been invited to attend the hearing.

3.0 Policy Implications

- 3.1 On 3 April 2015 the Statement of Licensing Policy was revised to give effect to the Cumulative Impact Policy (CIP) in four new areas of the City. This decision supported the view that the number, type and density of premises selling alcohol for consumption and/or Late Night Refreshment in areas within Wolverhampton City was causing problems of nuisance and disorder and therefore causing an adverse impact on the licensing objectives of prevention of crime and disorder and prevention of public nuisance.
- 3.2 The effect of this CIP is to create a rebuttable presumption that applications in respect of the sale or supply of alcohol and/or Late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates where the premises are situated in the City Centre Cumulative Impact Zone will be refused.
- 3.3 Essentially this means that applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. (This policy does not act as an absolute prohibition on granting new licences in the Cumulative Impact Zones).
- 3.4 To rebut the presumption, explained in 3.3 above, the applicant is expected to demonstrate through their operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced and not therefore have an adverse impact in the Licensing Objectives.

4.0 Financial implications

- 4.1 The fee for the application of a premises Licence Application is £190 and is non-refundable. The fees and charges in relation to the Licensing Act 2003 are set by the Secretary of State. This was noted by the Licensing Committee on 20 March 2019. [MK/17042019/D]

5.0 Legal implications

- 5.1 Part 4(1) of the Licensing Act 2003 states that a Licensing Authority must carry out its function under the Act with a view to promoting the Licensing Objectives, namely:-
- (a) The prevention of crime and disorder;
 - (b) Public safety;
 - (c) The prevention of public nuisance;
 - (d) The protection of children from harm.

- 5.2 The general duties imposed on Licensing Authorities means proper consideration must be given to the Licensing Objectives when determining a premises licence application.
- 5.3 Regard shall be had to guidance issued by the Secretary of State under Section 182 and Wolverhampton City Council's Licensing Policy statement which includes a cumulative impact policy
- 5.4 Section 18 of the Licensing Act 2003 provides the Licensing Authority with the power to grant an application, subject to conditions, where appropriate
- 5.5 In order for the Cumulative Impact Policy to be relevant to this application the Sub-Committee

I. Should be satisfied it applies due to:

- (a) Premises being located within the Cumulative Impact Zone;
- (b) Licensable activity applied for at the premises is to include sale of alcohol or late night refreshment and is;
- (c) The likelihood that the activity will have an impact on the crime and disorder or prevention of public nuisance licensing objectives.

And where the Cumulative Impact Policy is deemed to apply:

II. Should refuse an application based upon the Cumulative Impact Policy unless sufficient evidence is produced, by the applicant, to rebut the presumption that a licence will not be granted or varied.

- 5.6 If the Sub-Committee are satisfied sufficient evidence has been produced to show the premises will not add to the Cumulative Impact already being experienced, the application should not be refused based upon Cumulative Impact Policy
[SH/10052019/A]

6.0 Equalities implications

- 6.1 This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in Section 4 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.
- 6.2 Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the Council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest

and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

7.0 Environmental implications

7.1 There are no environmental Implications in relation to this report.

8.0 Human resources implications

8.1 There are no human resource implications in relation to this report.

9.0 Corporate landlord implications

9.1 There are no corporate landlord implications in relation to this report.

10.0 Schedule of background papers

10.1 None.

11.0 Appendices

11.1 Appendix 1 – Application

11.2 Appendix 2 – Location Plan

11.3 Appendix 3 - Cumulative Impact Zone Policy

11.4 Appendix 4 – West Midlands Police Representations

11.5 Appendix 4a - West Midlands Police Additional Information (Exempt)

11.6 Appendix 5 – Trading Standards Representations (Exempt)

11.7 Appendix 6 – Public Health Representations

11.8 Appendix 7 – Licensing Authority Representations

11.9 Appendix 8 – Other Persons Representations

This page is intentionally left blank



Wolverhampton
Application for a premises licence
Licensing Act 2003

For help contact
city.direct@wolverhampton.gov.uk
 Telephone: 01902 551155

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- ☐ Applying as a business or organisation, including as a sole trader
- ☒ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name	<input type="text" value="32"/>
* Street	<input type="text" value="Sparrows Nest"/>
District	<input type="text" value="Wergs Hall"/>
* City or town	<input type="text" value="The Wergs"/>
County or administrative area	<input type="text" value="South Staffs"/>
* Postcode	<input type="text" value="WV8 2HR"/>
* Country	<input type="text" value="United Kingdom"/>

Agent Details

* First name	<input type="text" value="Patrick"/>
* Family name	<input type="text" value="Burke"/>
* E-mail	<input type="text" value="pmblicensing@yahoo.com"/>
Main telephone number	<input type="text" value=""/>
Other telephone number	<input type="text" value=""/>

Include country code.

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
- ☐ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? ☐ Yes ☒ No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK? ☐ Yes ☒ No

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Your position in the business

Home country

The country where the headquarters of your business is located.

Continued from previous page...

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name	<input type="text" value="The Clock House"/>
Street	<input type="text" value="361 High St"/>
District	<input type="text"/>
City or town	<input type="text" value="Wrst Bromwich"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="B70 9QG"/>
Country	<input type="text" value="United Kingdom"/>

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name	<input type="text" value="Fresh Food & Drink Ltd"/>
Street	<input type="text" value="43 Newhampton Road West"/>
District	<input type="text"/>
City or town	<input type="text" value="Wolverhampton"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="WV6 0RY"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text" value="REDACTED"/>
Non-domestic rateable value of premises (£)	<input type="text" value="4,850"/>

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

☒ Yes ☐ No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

* Date of birth

* Nationality

Right to work share code

Documents that demonstrate entitlement to work in the UK

Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

This is currently trading as a European Shop we wish to specialize in selling Bulgarian goods and selling Bulgarian Alcohol alongside other specialized products

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes ☒ No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing recorded music?

☐ Yes ☒ No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes ☒ No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes ☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

FRIDAY

Start 05:00

End 23:00

Start

End

SATURDAY

Start 05:00

End 23:00

Start

End

SUNDAY

Start 05:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises ☒ Off the premises ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Pavel Slavon

Family name

Hristov

Date of birth



Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text" value="WN/PER2860"/>
Issuing licensing authority (if known)	<input type="text" value="Wolverhampton"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="05:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="05:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="05:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="05:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="05:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="05:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 18 of 21

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

No alcohol or tobacco will ever be purchased from sellers calling at the premise. Exceptions to the condition would be purchases made from authorised representatives who have made prior appointments to visit the store.

☑ All alcohol and tobacco products sold at the premises shall have the relevant UK duty paid.

☑ Foreign tobacco, which does not comply with relevant UK legislation, shall not be stored and/or sold at the premise.

☑ Invoices, or copies of invoices, for all alcohol and tobacco purchases for the sale at the premises, will be retained and kept at the premises, and made available to officers from Trading Standards, the Police or HMRC, upon request

☑ A stock control system will be maintained, to enable the licensee and designated premises supervisor to quickly identify where and when alcoholic and tobacco product have been purchased

☑ If any spirits purchased for or on behalf of the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee and/or designated premises supervisor shall notify the supplier to Wolverhampton City Council trading Standard as soon as possible.

☑ If any tobacco products purchased for or on behalf of the business does not have UK Duty Paid fiscal mark or are otherwise suspicious, the licensee and/or designated premises supervisor shall notify the supplier to Hereford Council Trading Standards and HMRC as soon as possible.

Protecting Children from Harm

b) The prevention of crime and disorder

1. The CCTV system must be installed and operate internally to cover all areas that licensable activities take place and where alcohol is displayed within any public area.

2. The CCTV unit shall be positioned in a secure part of the licensed premise. Access to the system should be allowed immediately to the Police upon request.

3. A competent trained person in the use of and operation of the CCTV will be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system to be able to down load in a recognised format any information requested by the Police.

4. The CCTV system clock should be set correctly and maintained (taking account of GMT and BST).

5. A facility will be available for the Police to remove from the CCTV system a copy of any material relevant to any ongoing Police investigation.

6. All CCTV images will be retained for a period of not less than 31 day

7. An incident register of all occurrences and ejections from the premises will be maintained at the premises and all details of public order offences will be recorded.

8. All persons involved in the sale of alcohol, who are not personal licence holders, will receive initial and subsequent 6 monthly refresher training by the Designated Premises Supervisor or an appropriately accredited training provider with regards to the law in relation to the sale of alcohol. This will be recorded in a staff training register and will include, signature of the member of staff, the DPS or an appropriately accredited training provider together with the date.

9. At any time when there is no Personal License holder on the premises there must be at least one member of staff on duty inside the premise who has been authorised by the DPS. Any such person should have seen, read and be fully aware of the conditions of the premise licence and take all steps to ensure that such conditions are adhered to whilst they have responsibility for the premise.

10. A record should be kept detailing, the name and address relative to the person left in charge of the premise and the times and dates when the authority to cover exists, in writing.

11. These should be individual entries covering short periods of time only and should not exceed more than a three week period.

12. The authorised person should also sign on each occasion that he/she has physically seen inspected and is fully aware of all the conditions attached to the premise licence. The DPS should sign to acknowledge that they agree to the authorised person being in charge of the premise for any times specified. The records of these matters should be kept fully updated at all times.

All Records shall be retained at the premises for a period of no less than 12 months and made available to responsible authorities on request.

c) Public safety

PROMINENT SIGNS WILL BE DISPLAYED REQUESTING CUSTOMERS TO HAVE REGARD FOR LOCAL RESIDENTS WHEN LEAVING

Continued from previous page...

THE PREMISES

d) The prevention of public nuisance

☒ A Challenge 25 policy will be adopted in order to reduce the potential for underage sales of age restricted products including alcohol. If a customer appears to be under 25 years of age and cannot prove that they are eligible to purchase the age restricted item with a valid UK or Ireland Photocard Driving Licence, a valid Passport or PASS accredited proof of age scheme card, they will be refused service.

☒ Challenge 25 posters will be displayed at the premises to reinforce this policy. Posters will be placed at; each till, each area alcohol is stocked and at the point of entry into the store. The posters will be displayed prominently and in sight of customers and staff.

☒ A Refusals Register is to be used to record all incidents when a sale is refused. The register is to be kept in the store at all times unless it is requested by authorised officers of responsible authorities. The Refusal/Challenge Register is to be checked and signed off by the Designated Premises Supervisor every two weeks.

☒ All staff ,WHO ARE NOT PERSONAL LICENSE HOLDERS ,working at the premises involved in the sale of age restricted products including alcohol will receive on-going training and will be refreshed at least every 6 months. This will be recorded in a staff training register and will also include a written test of knowledge. The Training records must be made available to authorised officers of responsible authorities on request. Records shall be retained at the premises.

e) The protection of children from harm

we will operate challenge 25 policy

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

THE INFORMATION GIVEN MAY BE HELD IN MANUAL OR COMPUTERISED FORM AND WILL BE SUBJECT TO THE PROVISIONS OF THE DATA PROTECTION ACT 1998

* This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text" value="REDACTED"/>
* Capacity	<input type="text" value="Agent For the APP"/>
Date (dd/mm/yyyy)	<input type="text" value="22-03-19"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/wolverhampton/apply-1> to upload this file and continue with your application.

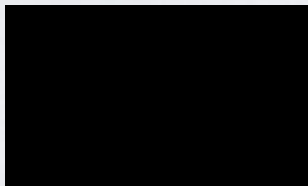
Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

Consent of individual to being specified as premises supervisor

I Pavel Slavon Hristov


hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

New Premise License

By Pavel Slavon Hristov

relating to a premises licence TBA
for

Fresh Food & Drink Ltd
43 Newhampton Road West
Wolverhampton
WV6 0RY

and any premises licence to be granted or varied in respect of this application made
by

Pavel Slavon Hristov

concerning the supply of alcohol at

Fresh Food & Drink Ltd
43 Newhampton Road West
Wolverhampton
WV6 0RY

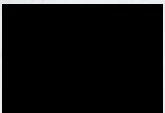
I also confirm that I am entitled to work in the United Kingdom and am applying for,
intend to apply for or currently hold a personal licence, details of which I set out
below.

Personal licence number WN/PER2860

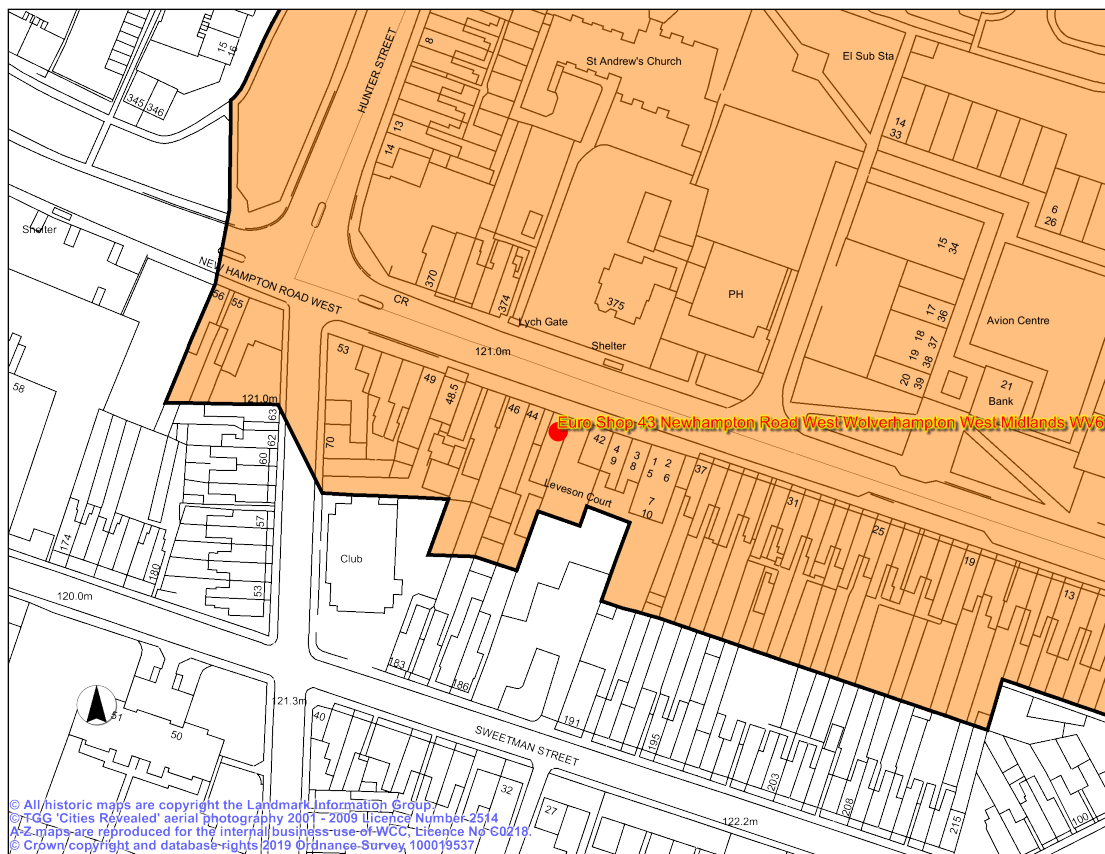
Personal licence issuing authority

Wolverhampton City Council

Signed


Name Pavel Slavon Hristov
Date 13/03/19

This page is intentionally left blank



CITY OF
WOLVERHAMPTON
COUNCIL

*Fresh Food & Drink Ltd,
43 Newhampton Road
West, Wolverhampton,
WV6 0RY*

Wolverhampton City Council
Asset Management
Civic Centre
St Peters Square
Wolverhampton
WV1 1RL

Plan Produced
23.4.2019
Scale 1:1,250

BAGGIS - Powered by

This page is intentionally left blank

CUMULATIVE IMPACT POLICY

It is not proposed to set quotas for particular types of licences. Applications will be considered on their individual merit thus ensuring that the characteristics of the many different types of licensed activity are fully considered. If crime and disorder or general disturbance/nuisance does prove to be linked to the concentration of customers of licensed premises or activities in these or any other particular areas, then it may be necessary to seek controls over the issue of new licences through a 'Cumulative Impact Policy'.

It would first be necessary to establish that, because of the number and density of licensed premises in a particular area, there are exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect. Where particular premises are identifiable as being responsible for the problems, action will be taken against them.

Before deciding whether to adopt a Cumulative Impact Policy, the Council must be sure that the imposition of individual conditions to particular premises would not solve the problem. The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder.

In the Guidance issued under the Act there are four steps specified to be followed in considering whether to adopt a Cumulative Impact Policy:

- Identification of serious and chronic concern from a responsible Authority or representatives of residents about nuisance or disorder.
- Assessment of causes.
- Where it can be demonstrated that disorder and nuisance is arising as a result of customers of licensed premises, identifying the area from which problems are arising and the boundaries of that area.
- Adopting a policy about future licence applications from that area.

The Licensing Committee will keep any Cumulative Impact Policy under review and modify or remove it, as considered appropriate.

As detailed above the Council recognises that because of the number of and density of licensed premises selling alcohol and/or Late Night Refreshment in particular areas there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect. In these cases it may be necessary to seek controls over the issue of new licences through a 'Cumulative Impact Policy'.

The Licensing Authority is now of the view that in these areas this is causing cumulative impact and designates these areas as Cumulative Impact Zones. The details of the policy specific to each area are described below.

The effect of the Cumulative Impact Policy is to create a **rebuttable** presumption that applications in respect the licensable activities detailed below for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity) where the premises are situated in one of the Cumulative Impact Zones will be refused.

To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting new licences in the Cumulative Impact Zones.

The Cumulative Impact Policy will not be used to revoke an existing licence or certificate and will not be applicable to the review of existing licences.

Avion Centre CLZ



This page is intentionally left blank

[REDACTED]

From: WV Licensing <wv_licensing@west-midlands.pnn.police.uk>

Sent: 04 April 2019 13:59

To: Licensing <Licensing@wolverhampton.gov.uk>

Cc: WV Licensing <wv_licensing@west-midlands.pnn.police.uk>

Subject: RE: New Premises Application - PRE1382 Fresh Food & Drink Ltd, 43 Newhampton Road West, Wolverhampton, WV6 0RY

WMP submit representations to this new premise licence application based upon the prevention of crime and disorder objective.

There are a number of concerns that WMP have about this application.

- The applicant has a history of being involved in the supply of illegal tobacco, dating back as far as 2015. The address he has provided is not habited by himself and has been confirmed by Police Officers as recent as March 2019.
- The application has requested the sale of alcohol between 05.00 and 23.00hrs 7 days a week, with no justification as to why these excessive hours are required.
- In the list of steps the applicant will take to promote the licensing objectives the applicant refers to only selling UK duty paid goods, and that foreign tobacco that does not comply with UK legislation will not be stored/sold at premises. These are already stated in law and should not be duplicated as conditions.
- Giving consideration to the shops previous history (when called the Euro Shop) of selling a significant amount of illegal tobacco and the concerns regarding this applicant WMP have concerns as to how this applicant would uphold the licensing objectives.
- The premises is also situated in a CIZ and the applicant has not explained or justified how they will not impact on the cumulative impact in this area.

Regards,

Steph Reynolds

PS 6222

Licensing

Partnerships Team

WV NPU

External Tel 01902 649 085

Internal Tel 871 3196

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

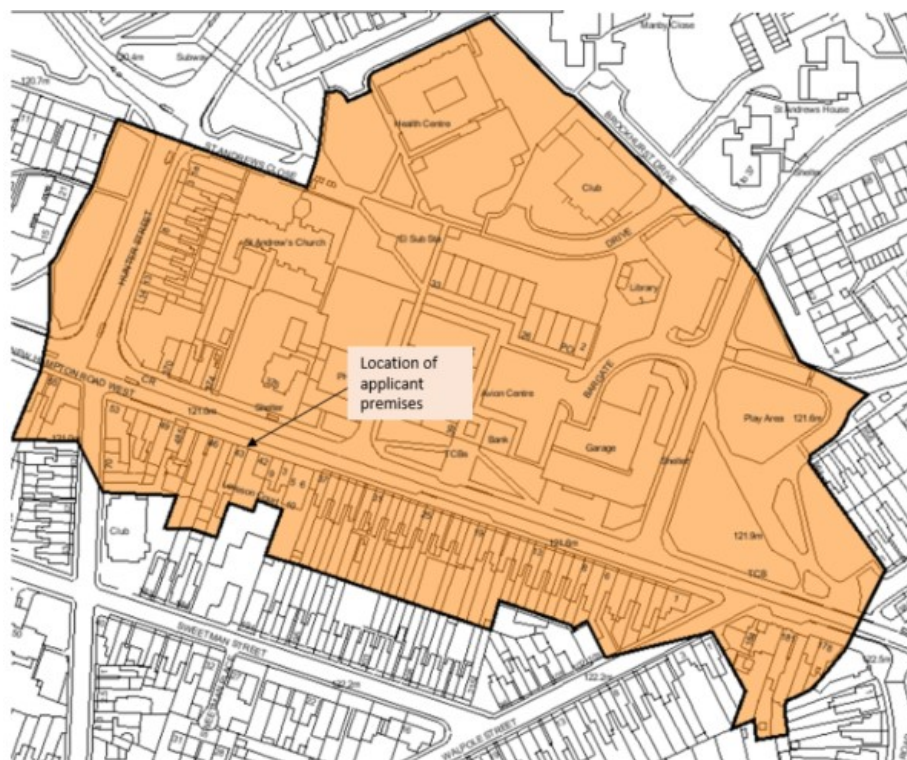
Public Health representation to the licence application, submitted to the City of Wolverhampton Council, by Fresh Food & Drink Ltd, 43 Newhampton Road West, Wolverhampton, WV6 0RY

- 1.0** Public Health is one of the Responsible Authorities as stipulated in the Licensing Act 2003. Section 182 guidance at paragraph 9.22 states 'health bodies are encouraged to make representations in respect of any of the four licensing objectives'.
- 1.1** Public Health object against the licence application made by Fresh Food & Drink Ltd, 43 Newhampton Road West, Wolverhampton, WV6 0RY, on the basis it falls within a Cumulative Impact Zone and undermines the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. In the opinion of Public Health, the applicant has not provided evidence which rebuts the presumption of refusal.

2.0 Cumulative Impact Zone

The premises in question falls under a Cumulative Impact Zone (CIZ). Figure 1 provides an outline of the said CIZ and the location of the proposed premises.

Fig 1: Avion CIZ



© All historic maps are copyright the Landmark Information Group
 © TGG 'Cities Revealed' aerial photography 2001-2009 Licence Number 2514
 A-Z maps are reproduced for the internal business use of WCC; Licence No G0218
 © Crown copyright and database rights 2019 Ordnance Survey 100019537

2.1 Wolverhampton's Statement of Licensing Policy¹ section 13 outlines the process for designating an CIZ. This process being:

- Identification of serious and chronic concern from a Responsible Authority or representatives of residents about nuisance or disorder
- Assessment of causes
- Where it can be demonstrated that disorder and nuisance is arising as a result of customers of licensed premises, identifying the area from which problems are arising and the boundaries of that area
- Adopting a policy about future licence applications from that area

This process demonstrates the robustness of designating an CIZ. Paragraphs 13.10 and 13.11 of this policy states:

*13.10 The effect of the Cumulative Impact Policy is to create a **rebuttable** presumption that applications in respect the licensable activities detailed below for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity) where the premises are situated in one of the Cumulative Impact Zones will be refused.*

13.11 To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting new licences in the Cumulative Impact Zones.

2.2 The Avion CIZ was agreed by the Statutory Licencing Committee on 25 March 2015². This policy was further revised on 06 June 2018³. The Statutory Licensing Committee agreed the CIZ policy remains an important part of reducing alcohol related harm and issues identified in the CIZ during inception are still of concern and relevant.

2.3 Public Health, in conjunction with Licensing, has recently launched an interactive tool⁴ which plots various data onto a spatial map. When considering an application that falls within a CIZ it is useful to view the density of outlets currently in operation within the CIZ boundary. Figure 2 provides a view of current outlets within the Avion CIZ.

¹ <https://www.wolverhampton.gov.uk/licences/alcohol-licences/licensing-act-2003>

² <http://wolverhampton.moderngov.co.uk/ieListDocuments.aspx?CId=153&MId=4131&Ver=4>

³ <http://wolverhampton.moderngov.co.uk/ieListDocuments.aspx?CId=153&MId=9100&Ver=4>

⁴ <https://www.wolverhampton.gov.uk/licences/gambling-and-gaming/gambling-premises-licence>

Fig 2: Outlets within Avion CIZ



3.0 Considering the application falls within the CIZ, and the applicant does not in the view of Public Health rebut the presumption of refusal, it is the view of Public Health that granting another licence within the area will exacerbate the concerning issues already identified.

Parpinder Singh
Senior Public Health Specialist
City of Wolverhampton Council

This page is intentionally left blank

**CITY OF
WOLVERHAMPTON
COUNCIL**

Ms Debra Craner
Licensing Services
City of Wolverhampton Council
St Peter's Square
Wolverhampton
WV1 1SH



18 April 2019

Dear Ms Craner,

**New application for premises licence under Licensing Act 2003
Fresh Food & Drink Ltd, 43 Newhampton Road West, Wolverhampton WV6 0RY**

I write on behalf of the Licensing Authority as a responsible authority to submit formal representations to the above application. Representations are made in relation to the prevention of crime and disorder; public safety; prevention of public nuisance and protection of children from harm licensing objectives.

The premises are situated within the Avion Centre C.I.Z and as there is a rebuttable presumption that the new application will be refused. The application will therefore be subject to determination by the Statutory Licensing Sub-Committee.

In addition to this the premises have previously held a premises licence for a number of years and during this time there have been a number of changes to the management along with one premises licence review where the Licensing Sub-Committee resolved to revoke the premises licence.

There is insufficient information within the current operating schedule to show how the applicant/DPS will promote all four licensing objectives considering the previous history of the premises and its location.




Yours sincerely, 

**Mrs Elaine Moreton
Section Leader
Licensing**

Direct: 01902 552772
Email: elaine.moreton@wolverhampton.gov.uk

City of Wolverhampton Council
Councillor Support Office, Civic Centre,
St Peter's Square, WV1 1SH

Page 47

 wolverhampton.gov.uk
 @WolvesCouncil
 WolverhamptonToday

This page is intentionally left blank

[REDACTED]

From: [REDACTED]
Sent: 05 April 2019 17:06
To: Licensing
Cc: Councillor Claire Darke; Councillor Craig Collingswood
Subject: Fresh Food & Drink Ltd, 43 Newhampton Road West, WV6 0RY

Dear Licensing Services

I am writing in response to the application by **Fresh Food & Drink Ltd, 43 Newhampton Road West, WV6 0RY** for a licence to sell alcohol 7 days a week from 5am – 11.00pm. This shop is in an area that experiences high levels of Anti- Social Behaviour which includes street drinking, rowdiness and littering, drug use and dealing. The shop is near a busy pedestrian crossing point and close to residential properties. It is also close to the Avion Centre which has many problems as outlined above. This is my local high street & shopping centre and I am appreciative of the work by many agencies including the Council and Police, with local people to improve the area by tackling these problems. Providing a licence which would allow the sale and purchase of alcohol all the time in this area is a retrograde step and would contribute to the problems experienced by local people and businesses. This property is in the Cumulative Impact Zone in recognition of the problems in the area associated with the misuse of alcohol and increased availability & the threat to public safety, increase in crime, ASB and public nuisance. For all these reasons I would ask you not to grant this licence.

Kind regards,

Amanda Bevan
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 17 April 2019 16:52
To: Licensing <Licensing@wolverhampton.gov.uk>
Subject: Premises licence application objection.

Re Application for Licence to sell alcohol at Fresh Food & Drink Ltd, 43 Newhampton Rd West.

As a local resident, I object to this licence. The area in and around the Avion Centre currently has a serious problem with alcohol consumption, drug dealing, fights and people begging to support these habits. Local people would like less access to alcohol not more. I object to an extra sales point for alcohol which will draw people to the area, especially from 5am for which there is no justification or need. I very much hope this application will be rejected.

Yours faithfully

Christine Collings

[REDACTED]

[REDACTED]

From: Councillor Craig Collingswood

Sent: 08 April 2019 19:20

To: Licensing <Licensing@wolverhampton.gov.uk>

Subject: Re: New Premises Application - PRE1382 Fresh Food & Drink Ltd, 43 Newhampton Road West, Wolverhampton, WV6 0RY

Dear Licensing,

I would like to formally object to a license being granted, at the above establishment, to sell alcohol on the grounds of Crime and Disorder and Public Nuisance.

Unfortunately, there are already an abundance of shops selling alcohol in this local area.

Anti Social Behaviour is problematic here, so much so that much work has been put in by both Officers and Councillors here in trying to reduce street drinking and improve public safety.

There is also a residential establishment / hostel for people with drink problems nearby and additional shops in which to purchase alcohol does not help them or indeed local residents who experience drink fuelled related ASB.

Please ensure that my objections are submitted.

Kind Regards.

Councillor Craig Collingswood.

Park Ward. Wolverhampton City Council.

Tel. [01902 551218](tel:01902551218)

Mobile. [07880 175071](tel:07880175071)

Email. craig.collingswood@wolverhampton.gov.uk

Twitter. @CJCollingswood

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Councillor Claire Darke
Sent: 05 April 2019 17:59
To: Licensing <Licensing@wolverhampton.gov.uk>
Subject: Fwd: Fresh Food & Drink Ltd, 43 Newhampton Road West, WV6 0RY

Dear Licensing services
I share the concerns expressed in the email below.
Please keep me informed.
Regards
Cllr Darke

----- Forwarded message -----

From: [REDACTED]
Date: 5 Apr 2019 17:06
Subject: Fresh Food & Drink Ltd, 43 Newhampton Road West, WV6 0RY
To: Licensing <Licensing@wolverhampton.gov.uk>
Cc: Councillor Claire Darke <Claire.Darke@wolverhampton.gov.uk>, Councillor Craig Collingswood <CouncillorCraig.Collingswood@wolverhampton.gov.uk>

Dear Licensing Services

I am writing in response to the application by **Fresh Food & Drink Ltd, 43 Newhampton Road West, WV6 0RY** for a licence to sell alcohol 7 days a week from 5am – 11.00pm. This shop is in an area that experiences high levels of Anti- Social Behaviour which includes street drinking, rowdiness and littering, drug use and dealing. The shop is near a busy pedestrian crossing point and close to residential properties. It is also close to the Avion Centre which has many problems as outlined above. This is my local high street & shopping centre and I am appreciative of the work by many agencies including the Council and Police, with local people to improve the area by tackling these problems. Providing a licence which would allow the sale and purchase of alcohol all the time in this area is a retrograde step and would contribute to the problems experienced by local people and businesses. This property is in the Cumulative Impact Zone in recognition of the problems in the area associated with the misuse of alcohol and increased availability & the threat to public safety, increase in crime, ASB and public nuisance. For all these reasons I would ask you not to grant this licence.

Kind regards,

[REDACTED]

The basis upon which we object is first and foremost that this area is designated a Cumulative Impact Zone - the Avion Centre is nearby. The applicant will therefore need to demonstrate that the proposed sale of alcohol 18 hours daily will not contribute to the current level of crime and disorder in the area related to the use of alcohol. Furthermore that public safety in and around the Avion Centre will not be compromised still further if the application is approved.

The current Task and Finish Group working within Public Health on the social and community impact of nuisance and criminal behaviour on the Avion Centre would want to hear the applicant explain, as we would, that yet another outlet selling alcohol would not contribute to the current levels of public nuisance.

Safeguarding children and vulnerable people is more difficult as I am not privy to specific cases in this respect. However, given what we and the police know about the impact excess alcohol use and substance misuse/drug dealing, generally in the Avion Centre, there is a risk that children and vulnerable people will be exposed to negative influences. Extra supplies of alcohol over and above those already present are unlikely to reduce this risk.

Regards

Councillors Lynne Moran and Obaida Ahmed St Peter's Ward

Sent from my iPad

[<https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.wolverhampton.gov.uk%2Fmedia%2Fimage%2F6%2Fj%2Fsocialmedia.png&data=02%7C01%7CElizabeth.Gregg%40wolverhampton.gov.uk%7C171d4b2943fe4e1fd08908d6b9c6ad1a%7C07ebc6c370744387a625b9d918ba4a97%7C0%7C0%7C636900660294630364&data=UPsMDIv3v9gDnnY443EY4dzwEjPo0W03VJedZsM2vN4%3D&reserved=0>]<https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.wolverhampton.gov.uk%2Fsocial-media&data=02%7C01%7CElizabeth.Gregg%40wolverhampton.gov.uk%7C171d4b2943fe4e1fd08908d6b9c6ad1a%7C07ebc6c370744387a625b9d918ba4a97%7C0%7C0%7C636900660294630364&data=09Zz4lXGqXiDinnAL8Bw2MkKclO%2B%2Baul%2BNaID0JUlvQ%3D&reserved=0>]

DISCLAIMER: This email and any enclosures are intended solely for the use of the named recipient. If this email has a protective marking of PROTECT or RESTRICT in its title or contents, the information within must be subject to appropriate safeguards to protect against unauthorised or unlawful processing and against accidental loss or destruction or damage. PROTECT and RESTRICTED information should only be further shared where there is a legitimate need. If you are not the intended recipient, or responsible for delivering it to the intended recipient, you may not copy, disclose, distribute or use it without the authorisation of City of Wolverhampton Council. If you have received this email in error please notify us by email to postmaster@wolverhampton.gov.uk and then delete it and any attachments accompanying it. Please note that City of Wolverhampton Council do not guarantee that this message or attachments are virus free or reach you in their original form and accept no liability arising from this. Any views or opinions expressed within this email are those of the writer and may not necessarily reflect those of City of Wolverhampton Council. No contractual commitment is intended to arise from this email or attachments.

[REDACTED]

From: [REDACTED]
Sent: 04 April 2019 23:06
To: Licensing <Licensing@wolverhampton.gov.uk>
Subject: Euro Shop (New alcohol license)

Dear Sir/Madam,

This email is with regards a new alcohol license application to council. I believe Euro Shop on Newhampton Road Wolverhampton have applied for a new license to be able to sell alcohol from 5am to 11pm. With all the problems we have had with Avion Centre we just don't need this round the corner from the premises.

Also I believe with all the good work currently going on by council and partners at the Avion Centre we don't want to go backwards with this license. I feel it would create more trouble in the area and I strongly object to this license. There is already a lot of alcohol related problems in the area.

My details are as follows:

Qaiser Azeem
[REDACTED]

I would like Cllr Obaida Ahmed of St Peters ward to represent me in-case of any appeals. Please keep me updated with the developments and if you require any further information, do not hesitate to contact me.

Thank you very much.

Kind regards

Qaiser Azeem
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 06 April 2019 16:42
To: Licensing <Licensing@wolverhampton.gov.uk>
Subject: Objection to Euro Shop Alcohol Licence

Whom it may concern,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

I would like to object to the Euro Shop obtaining an extended alcohol licence as this will cause more anti social behaviour within the area. It is a Cumulative Impact Zone and it would be a step backwards in trying to make the area a safer community for families and other businesses. I don't wish to attend any appeal and I am happy for Councillor Obaida Ahmed to represent me.

Kind regards
Shafiq

[REDACTED]

From: [REDACTED]
Sent: 12 April 2019 08:53
To: Licensing <Licensing@wolverhampton.gov.uk>
Subject: Objection to licensing application

Dear Sir/Madam

I am writing to you with regards to the Premises Licence Application on your website (<https://www.wolverhampton.gov.uk/licences/current-applications>) submitted under the Licensing Act 2003 by Fresh Food & Drink Ltd, 43 Newhampton Road West, WV6 0RY for a licence to sell alcohol Monday to Sunday 0500 to 2300 hours.

I would like to object to this application on the grounds of significant risk of negative externalities likely to be caused by sale of alcohol in this location. The area already suffers from several examples of anti-social behaviour (many of which have alcohol as a contributory and complicating factor) and one can only imagine these existing issues will be exacerbated if this application is permitted.

Given the work being done by residents, community groups, Police and Council to improve the area I believe it will be a major retrograde step and a kick in the teeth for these hardworking community-minded people.

Furthermore given the premises is in a CIZ I would ask you as a resident of Whitmore-Reans and regular frequenter of this area to refuse this licence.

If I am available when this matter is discussed I am happy to attend in person to voice my objections. If I am unable to attend I would like to nominate my Councillor Obaida Ahmed to represent me.

yours sincerely

Zahid Ali
[REDACTED]
[REDACTED]
[REDACTED]

This page is intentionally left blank