

Statutory Licensing Committee

14 June 2023

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

Venue Committee Room 5, Ground Floor - Civic Centre

Membership

Chair Cllr Zee Russell (Lab)
Vice-chair Cllr Rashpal Kaur (Lab)

Labour

Cllr Greg Brackenridge
Cllr Asha Mattu
Cllr Gillian Wildman
Cllr Val Evans
Cllr Jane Francis
Cllr Tersaim Singh

Conservative

Cllr Jonathan Crofts
Cllr Bob Maddox

Quorum for this meeting is three Councillors.

Information for the Public

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

Contact Donna Cope, Democratic Services Officer
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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

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 | Minutes of previous meeting (Pages 3 - 4)
[To approve the minutes of the previous meeting held on 8 March 2023 as a correct record]. |
| 4 | Matters arising
[To discuss any matters arising from the minutes of the previous meeting]. |
| 5 | Minutes - 25 April 2023 - Statutory Licensing Sub-Committee (Pages 5 - 12)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 25 April 2023 as a correct record]. |
| 6 | Review of Decision Making in 2022 - 2023 and the Scheme of Delegation for 2023 - 2024 (Pages 13 - 40)
[To endorse and approve the proposed decision-making process and proposed delegations]. |

CITY OF WOLVERHAMPTON COUNCIL	Statutory Licensing Committee Minutes - 8 March 2023
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Attendance

Members of the Statutory Licensing Committee

Cllr Phil Page (Chair)
Cllr Rashpal Kaur (Vice-Chair)
Cllr Wendy Dalton
Cllr Jaspreet Jaspal
Cllr Asha Mattu
Cllr Anwen Muston
Cllr Rita Potter
Cllr Andrew Randle
Cllr Jonathan Crofts
Cllr Gillian Wildman

Employees

Chris Howell	Commercial Regulation Manager
Greg Bickerdike	Licensing Manager
Donna Cope	Democratic Services Officer
Mushtaq Ahmed-Khan	Lead Lawyer

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Apologies for absence**
Apologies were received from Councillor Brackenridge, Councillor Hibbert and David Abel.

- 2 **Declarations of interest**
There were no declarations of interest made.

- 3 **Minutes of previous meeting**
Resolved:
That the minutes of the meeting of the Statutory Licensing Committee held on 11 January 2023 be confirmed as a true record and signed by the Chair.

4 **Matters arising**

Item 14 – C Howell reported that the Home Office had announced that the government would be going ahead with the proposal to make a Licensing Hours Order under section 172 of the Licensing Act 2003 to relax licensing hours in England and Wales to mark His Majesty the King’s coronation.

Councillor Potter stated that a pub in her ward helped a vulnerable female get home safely as a result of the Ask Angela initiative. She praised the initiative and congratulated all who were involved.

5 **Minutes - 18 November 2022 - Statutory Licensing Sub-Committee**

Resolved:

That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 18 November 2022 be confirmed as a true record and signed by the Chair.

6 **Minutes - 5 January 2023 - Statutory Licensing Sub-Committee**

Resolved:

That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 5 January 2023 be confirmed as a true record and signed by the Chair.

7 **Minutes - 20 January 2023 - Statutory Licensing Sub-Committee**

Resolved:

That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 20 January 2023 be confirmed as a true record and signed by the Chair.

8 **Minutes - 30 January 2023 - Statutory Licensing Sub-Committee**

Resolved:

That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 30 January 2023 be confirmed as a true record and signed by the Chair.

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee

Minutes - 25 April 2023

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Phil Page (Chair)

Cllr Gillian Wildman

Cllr Rashpal Kaur

Applicant for Review

Dianne Slack

Gurdip Gill

Trading Standards

Trading Standards (observing)

Premises Licence Holder

Mr Gurdip Singh

Poonam Nehra

Interpreter

Responsible Authorities

Amitabh Singh

Kayley Nixon

Sgt Gemma Turner

Michelle Marie-Smith

Ryan Hollings

Licensing Authority

West Midlands Police

West Midlands Police (observing)

Public Health

Public Health (observing)

Employees

Elizabeth Gregg

David Abel

Bankole Thomas

Donna Cope

Senior Licensing & Compliance Officer

Solicitor

Solicitor (observing)

Democratic Services Officer

Item No. *Title*

1 Apologies for absence

There were no apologies for absence.

2 Declarations of interest

There were no declarations of interest.

3 Licensing Act 2003 - Application for a Review of a Premises Licence in respect of 3 Jyot Off Licence, 287 Willenhall Road, WV1 2HY

An application for a review of a Premises Licence in respect of 3 Jyot Off Licence, 287 Willenhall Road, WV1 2HY had been received from Trading Standards.

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so. He outlined the procedure to be followed and all parties confirmed that they understood the procedure.

The Sub-Committee's statutory duty was to consider the application and any representations, and to take such steps as contained in the Licensing Act 2003 as it considered appropriate for the promotion of the Licensing Objectives.

Elizabeth Gregg, Senior Licensing and Compliance Officer, provided an outline of the application. Dianne Slack, Tobacco Control Officer for Trading Standards (applicant), confirmed that the summary was accurate.

The Chair asked Mr Gurdip Singh, Premises Licence Holder, if he understood the application summary that had been presented, and via an interpreter, Poonam Nehra, it was established that Mr Singh could not understand anything that was being said.

The Chair then asked, via the interpreter, if Mr Singh knew why he was before the Sub-Committee today. Mr Singh confirmed that he did.

Dave Abel, Solicitor, suggested that Elizabeth Gregg read out the summary again and the interpreter could relay the details back to Mr Singh. It was agreed that the hearing would proceed in this manner to ensure Mr Singh could understand what was being said.

Elizabeth Gregg, Senior Licensing and Compliance Officer, provided an outline of the application again. Mr Singh, Premises Licence Holder, confirmed that he understood the summary.

The Chair invited Trading Standards to present their application. Dianne Slack, Tobacco Control Officer, did so as per Appendix 3 of the report.

The Chair afforded all parties present the opportunity to question the Applicant in relation to her submission. Dianne Slack, Tobacco Control Officer, provided responses to questions asked.

The Chair invited the Premises Licence Holder to make representations. Mr Singh did so via the interpreter. He stated the following:

1. He had now installed a new CCTV system at the premises.
2. His wife had sold the cans of lager to the 15 year old girl.
3. The girl's father deleted the CCTV of the incident after Mr Singh paid him £45.00 whilst Mr Singh was present. He had done this to help the father pay the girls medical expenses and to prevent him from making a complaint.
4. He knew nothing about the sale of cans of Gin and Tonic to a sixteen year old child.
5. He had made mistakes but would not repeat them.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder in relation to his submission. Mr Singh responded to questions asked and stated the following:

1. The allegations made against the premises were correct.
2. He needed more training.
3. He gave the girl's father money to help with her medical costs and to delete the CCTV footage.
4. He owned another shop and was the DPS for both premises.
5. He completed his DPS training in 2011.
6. His wife also worked in the shop and he had given her training.
7. The sale of alcohol had been refused many times but there was no refusal log.
8. Following the first offence he had spoken to his wife and son, telling them not to do it again.
9. The second offence had been carried out by his 16/17 year old nephew who had been visiting at the time.
10. Mr Singh understood the seriousness of the matter and took responsibility.

The Chair invited the Licensing Authority to make representations. Amitabh Singh, Section Leader Licensing, did so as per Appendix 6 of the report. He stated that the Licensing Authority supported the application for review and believed that the actions at the premises had undermined the Licensing Objectives. He stated that the Premises Licence should therefore be suspended or revoked.

The Chair invited all parties present to question the Licensing Authority in relation to its submission. No questions were asked.

The Chair invited West Midlands Police to make representations. Kayley Nixon, Licensing Officer, did so as per Appendix 4 of the report. She stated that West Midlands Police supported the application for review and believed that the actions at the premises had undermined the Licensing Objectives. She stated that the Premises Licence should therefore be revoked.

The Chair invited all parties present to question West Midlands Police in relation to its submission. No questions were asked.

The Chair invited Public Health to make representations. Michelle Smith, Principal Public Health Specialist, did so as per Appendix 5 of the report. She stated that Public Health supported the application for review and believed that the actions at the premises had undermined the Licensing Objectives. She stated that the Premises Licence should therefore be revoked.

The Chair invited all parties present to question Public Health in relation to its submission. No questions were asked.

The Chair invited all parties present to make their final address.

No final statements were made.

David Abel, Solicitor, provided legal guidance to Members and reminded them of their available options.

All interested parties, with the exception of the Solicitor and the Democratic Services Officer, withdrew from the meeting to enable the Sub-Committee to determine the matter.

The Sub-Committee adjourned at 12.20 hours.

The Hearing reconvened at 13.12 hours.

All interested parties, with the exception of West Midlands Police, returned to the meeting.

The Chair advised all parties of the decision of the Sub-Committee, which was read out by the Solicitor.

Resolved:

An application had been made by The City of Wolverhampton Trading Standards Department as a Responsible Authority on 3rd March 2023 for a review of the Premises Licence in respect of 3 Jyot Off Licence (also known as AK Convenience Store and Off Licence) 287 Willenhall Road, Wolverhampton WV1 2HY, on the grounds that actions at the premises had undermined the Licensing Objectives. Representations had been received from the Licensing Authority, West Midlands Police and from Public Health as Responsible Authorities.

At the hearing on 25 April 2023 to review the Premises Licence, members of the Statutory Licensing Sub-Committee considered all written evidence and listened carefully to all representations made by persons who had spoken at the hearing. They considered all the evidence presented and found the following facts:

The Licensing Sub-Committee heard from Elizabeth Gregg (Licensing Services), Gurdip Gill and Dianne Slack for Trading Standards (applicant for review) that:

On 2 December 2022, information was received by City of Wolverhampton Council Customer Services alleging that alcohol had been sold to a vulnerable child by a

shop located opposite Mayfield Medical Centre on Willenhall Road, Wolverhampton. Subsequent enquiries established that the shop concerned was 3 Jyot Off Licence, 287 Willenhall Road, Wolverhampton, WV1 2HY. The complaint was made by the father of the child who stated that his daughter had been sold 5 cans of strong lager called Black Storm at 7.5% ABV, by the shop the previous evening. The father stated that his daughter had later collapsed in the street the same night and had been found by a member of the public. An ambulance had been called and she was taken to hospital and it was believed that she had suffered a cardiac arrest. Further details were later received that his daughter was 15 years of age, had learning difficulties and resided in assisted accommodation.

Officers from the City of Wolverhampton Council Licensing Section and Trading Standards Service visited the premises on 6 December 2022 and attempted to view the shop's CCTV footage of the alleged sale to the child, but the footage could not be accessed at the time. Forensic analysis of the CCTV was subsequently carried out, but it was found that footage of the incident was not available to view and that only footage after the alleged sale was available to be viewed. During the visit the shop owner, Gurdip Singh, told officers that his wife had made the sale. Information was also received that alluded to the shop owner paying £50 to the child's father on the basis that the incident would not be reported, but this had not been verified.

On 23 February 2023, 2 x 250ml cans of Gordons Gin & Tonic at 5%ABV were sold to a 16 year old authorised volunteer on behalf of the City of Wolverhampton Council. The sale was witnessed by a Trading Standards Officer. It was a criminal offence under section 146(1) of the Licensing Act 2003 to sell alcohol to a person under the age of 18. No attempt was made to ask for age or ask for identification. It was a mandatory condition under The Licensing Act 2003 that a business operates an Age Verification Policy. This volunteer was refused age restricted products at another shop that day. The sale was made by a young male sales assistant who was behind the counter.

On 24 February 2023 officers from City of Wolverhampton Council Trading Standards and Licensing visited 3 Jyot Off Licence to conduct an inspection. The shop's CCTV, which showed footage of the sale to the underage volunteer on 23 February 2023, was viewed and an advisory letter was left with the shop owner. The following contraventions were also noted during the inspection: There was no refusals book available to inspect. There was no Licence Summary on display, contrary to Section 57(4) Licensing Act 2003. However, it should be noted that it was available for inspection. There was no statutory tobacco notice on display, contrary to Section 4 Children and Young Persons (Protection from Tobacco) Act 1991. The cigarette gantry was open leaving tobacco products on display, contrary to the Tobacco Advertising and Promotion (Display)(England) Regulations 2010. It was suspected that staff training about age restricted sales legislation was not being provided in relation to age verification and challenging customers attempting to purchase alcohol. The shop owner stated that CCTV recordings were only being retained for 15 days and the timer on the CCTV was found to be out by 75 minutes. It was established that details had not been notified to the Licensing Authority in relation to a change of name of the business and change of address of the premises licence holder and it was suspected that the shop owner's 16 year old son was making sales of alcohol. Non-compliant single use vape products (eleven IVG Max

Bar 3000 e-cigarettes) were found behind the counter. The stated capacity was 800 puffs and 40mg nicotine dose which exceeds the legally permitted levels, namely 600 puffs and maximum 20mg nicotine dose. The shop owner was agreeable to the products being taken for destruction by Trading Standards. Accordingly, they were seized by a Trading Standards Officer. The products had subsequently been verified as non-compliant by a Trading Standards Officer checking the Independent British Trade Vape Association's database of non-compliant products. A trader's notice was left.

Gurdip Singh trading as 3 Jyot Off Licence also known as AK Convenience Store and Off Licence, had engaged in activities which had breached the Licensing Objectives namely 'the prevention of crime and disorder' and 'the protection of children from harm'.

The Home Office published guidance under section 182 of the Licensing Act 2003, with the following paragraphs being particularly relevant:

2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives.

2.23 The Government believes that it is completely unacceptable to sell alcohol to children.

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. This includes the use of the licensed premises for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people.

The guidance goes on to say that:

11.28Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that suspension or revocation of the licence - even in the first instance - should be seriously considered.

With regards to vapes, Part 6 of the Tobacco and Related Products Regulations 2016:

- sets minimum standards for the safety and quality of all e-cigarettes and refill containers (otherwise known as e-liquids)
- ensures that information is provided to consumers so they can make informed choices
- promotes an environment that protects children from starting to use these products

These Regulations were not complied with.

Trading Standards believed that the Licensing Objectives of the Prevention of Crime and Disorder and The Protection of Children from Harm had been undermined by the way in which the Premises operated and therefore the Premises Licence should be revoked.

The Licensing Sub-Committee heard from Amitabh Sigh for the Licensing Authority that they supported the Application for Review and believed that the actions at the Premises undermined the Licensing Objectives and therefore that the Premises Licence should be suspended or revoked.

The Licensing Sub-Committee heard from Kayley Nixon for West Midlands Police that they supported the Application for Review and believed that the actions at the Premises undermined the Licensing Objectives of the Prevention of Crime and Disorder and the Protection of Children from Harm. West Midlands Police supported the representation made by Trading Standards as it was unlawful to sell alcohol to children and recommended revocation of the Licence.

The Licensing Sub-Committee heard from Michelle Smith for Public Health at Wolverhampton Council that they supported the Application for Review and believed that the actions at the Premises undermined the Licensing Objectives. Public Health recommended that the Licence be revoked given that a child had been hospitalised, staff were not trained, and Mr Singh's actions completely undermined the Licensing Objectives.

The Licensing Sub-Committee heard from the Premises Licence Holder Mr Gurdip Singh, that he had now installed a new CCTV System at the Premises and that his wife had sold the cans of lager to the 15 year old girl. The girl's father had deleted the CCTV of the incident after Mr Singh paid him £45.00 whilst Mr Singh was present. He allowed this to help the father pay the girls medical expenses and to prevent him from making a complaint. Mr Singh knew nothing about the sale of cans of Gin and Tonic to a sixteen year old child. He had made mistakes but would not repeat them, and he apologised to the Committee for his mistakes.

The options open to the Sub-Committee today were as follows:-

- modify the conditions
- exclude a licensable activity from the licence
- remove the designated premises supervisor
- suspend the licence for up to 3 months
- revoke the licence

The Sub-Committee had considered the evidence presented and had regard to the application, representations made, guidance issued under section 182 of the Licensing Act 2003 and the Council's own Licensing Policy. The Sub-Committee had on the balance of probabilities, found that in order to promote the Licensing Objectives the Premises Licence of Joyt Off-licence should be Revoked.

The Licensing Sub-Committee felt that they had no option but to revoke the licence given the serious harm caused to a vulnerable fifteen year old girl by the underage sale of alcohol, the sale of which was repeated soon afterwards to a child in a Test Purchase operation. Mr Singh had deliberately allowed the deletion of evidence from the CCTV and tried to bribe the father of the hospitalised child not to make a

complaint. The Sub-Committee felt that a period of suspension or the imposition of conditions would be a redundant approach given the seriousness of the incidents and the admitted criminality of Mr Singh's actions.

The actions of the Sub-Committee were considered appropriate and proportionate actions for the promotion of the four Licensing Objectives and in particular the Prevention of Crime and the Protection of Children from harm.

Written notice of the determination would be given to the holder of the licence, the applicant, and any other person who made relevant representations.

An appeal may be made to the Magistrates' Court against the decision, by the applicant, the holder of the premises licence, or any other person who made a relevant representation, within 21 days from the date of receipt of written notice of this decision.

<p>CITY OF WOLVERHAMPTON COUNCIL</p>	<h1>Statutory Licensing Committee</h1> <p>14 June 2023</p>
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Report title	Review of decision making in 2022 - 2023 and the scheme of delegation for 2023 - 2024	
Wards affected	All	
Accountable director	John Roseblade, Director of Resident Services	
Originating service	Licensing	
Accountable employee	Paul Dosanjh	Service Manager; Trading Standards and Licensing Act
	Tel	01902 556056
	Email	Paul.Dosanjh@wolverhampton.gov.uk
Report to be/has been considered by	None	

Recommendations for decision:

The Statutory Licensing Committee is recommended to:

1. Endorse and approve the proposals in section 2 of this report relating to category 2 decisions.
2. Endorse and approve the proposals in section 2 of this report relating to category 3 decisions.
3. Delegate category 3 decision making powers to the Director of Resident Services.
4. Agree to receive further annual delegation update reports at the beginning of each municipal year.

Recommendations for noting:

The Statutory Licensing Committee is asked to note:

1. The schedule attached at Appendix 1 to this report which includes further proposed delegations from the Director of Resident Services.
2. The schedule of employee decisions for 2022 - 2023 attached at Appendix 2 to this report in relation to the Licensing Authority as a Responsible Authority.
3. The schedule of decisions for 2022 - 2023 attached at Appendix 3 to this report in relation Magistrates and Crown Court appeals

1.0 Purpose

- 1.1 To seek the endorsement and approval of a proposed decision-making process and the proposed delegations in relation to category 3 decision making powers to the Director of Resident Services (formally the Director for City Housing and Environment.)
- 1.2 To draw Councillors' attention to the delegations document attached at Appendix 1 which includes proposed delegations from the Director of Resident Services to employees within -Commercial Regulation.

2.0 Background

- 2.1 The Statutory Licensing Committee has responsibility for a range of licensing functions. These relate principally to the issue of licences in relation to the Licensing Act and the Gambling Act, and their enforcement.
- 2.2 Councillors will be most familiar with premises applications made under the Licensing Act 2003. However, there are other matters that are only occasionally brought to Councillors' attention for consideration e.g., applications under the Gambling Act 2005.
- 2.3 The licensing system is configured to allow the proper discharge of functions and operates through the Statutory Licensing Committee either taking decisions themselves or through the delegation of decisions to officers.
- 2.4 The aim of the delegation scheme is the achievement of a proper balance of responsibilities to enable the service to be delivered in an efficient and effective manner.
- 2.5 The current Statutory Licensing Committee approval arrangements categorise decisions into three categories. See table below

Current decision-making process

Category	Decision maker	Type of decision
1	Full Committee	Policy matters and those which have significant political, financial implications including fees and charges or service delivery issues
2	Sub Committee	Contentious applications for new and existing permissions/consents and licences to include suspensions and licence revocations, where appropriate and in accordance with agreed policy/criteria responsibility for any function as prescribed by statute
3	Delegated to officers	Delegated to Officers Determination of consents, permits, registrations, licence applications and reviews, to include contentious applications for new and existing permissions/consents and licences, where relevant and in accordance with agreed policies/criteria

3.0 Delegation of category 2 and 3 decisions

- 3.1 On 30 May 2012 the Licensing Committee considered a report on the review of decision making.
- 3.2 This report sets out a review process for officer delegations.
- 3.3 Licensing Services produced a policy document which included a list of current and proposed delegation to officers for a range of decisions
- 3.4 The Statutory Licensing Committee confirmed and endorsed category 2 and category 3 decisions and the continuation of the existing regime of officer delegations and approved delegation of category 3 decisions, to the Strategic Director for Education and Enterprise (Director of Resident Services). This ensured the ongoing delivery of routine, non-contentious licensing functions in accordance with agreed policies and procedures.
- 3.5 Councillors agreed that an updated delegation report be presented to the Statutory Licensing Committee on an annual basis to the first meeting of the municipal year.
- 3.6 The Statutory Licensing Committee are asked to endorse and approve the delegation of category 3 decision making to the Director of Resident Services.
- 3.7 The delegations document attached at Appendix 1 has been updated throughout the year and includes proposed delegations from the Director of Resident Services to officers within the directorate.
- 3.8 Should Councillors agree with recommendations within this report the proposed delegations document will be authorised by the Director of Resident Services.

4.0 Legal implications

- 4.1 The Licensing Authorities (Functions and Responsibilities) (England) Regulations 2000 Schedule 1 specifies a range of functions which are not to be an executive responsibility and this includes licensing and registration functions.
- 4.2 The Licensing Authorities (Functions and Responsibilities) (England) Regulations 2000 Schedule 1 specifies a range of functions which are not to be an executive responsibility and this includes licensing and registration functions.
- 4.3 One of the main principles of the constitution is the need to be able to ascertain who is responsible for any decision made by or on behalf of the Council and this is particularly so for officer delegations which must be comprehensive.
- 4.4 Advice will often be taken from legal colleagues but accountability for appreciating and detailing the legal implications remains with the accountable officer(s).

[BT/05/06/2023/3]

5.0 Financial implications

- 5.1 The recommendations in the report are designed to enable efficient and effective decision making processes. There are no direct financial implications arising from this report.

[SB/31052023/R]

6.0 Equalities implications

- 6.1 The agreement of criteria relating to officer decisions will be subject to equality analysis to ensure the proposals are in accordance with the Council's Equal Opportunities Policy and the requirements of the Human Rights Act 1998.

7.0 All other Implications

- 7.1 There are no direct implications arising from climate change and environmental, Digital, Human Resources, Corporate Landlord, Health and Wellbeing and any implications that have arisen from the Covid-19 Pandemic.

8.0 Schedule of background papers

- 8.1 Licensing Committee – 30 May 2012, 22 May 2013, 18 June 2014, 3 June 2015, 15 June 2016, 6 June 2017, 6 June 2018, 10 July 2019, 27 May 2020 - Review of decision making. 9 June 2021 and 13 June 2022 -Review of decision making.

9.0 Appendices

- 9.1 Appendix 1 - Statutory Licensing Committee – Committee/Sub-Committee/Officer Delegations

Appendix 2 –Licensing Authority as a Responsible Authority employee decisions 2022-2023

Appendix 3 – Licensing Act 2003 appeals to the courts during 2022-2023

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Statutory Licensing Committee – Committee/Sub-Committee/Officer Delegations

Licence/Consent/Permit Type	Current Delegations	Date of Committee Authorisation	Proposed Changes to Delegations 2023 - 2024
Licensing Act 2003			
Premises Licence/Club Premises Certificate – New/Variation Application/ Provisional Statement	No representations - Licensing and Compliance Officer, Licensing Representations resolved by conditions added to Licence – Statutory Licensing Sub-Committee, endorse to negate hearing Representations Not Resolved – Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019 Statutory Licensing Committee 10/07/2019 Statutory Licensing Committee 10/07/2019	none
Premises Licence/Club Premises Certificate – Review Application	Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019	none
Temporary Event Notice – Standard	Acknowledge Receipt – Licensing and Compliance Officer Representations/Service of Counter Notice – Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019 Statutory Licensing Committee 10/07/2019	none
Temporary Event Notice - Standard Agree hearing is not required where TEN modified	Section Leader Licensing, in consultation with Chair or Vice Chair of Statutory Licensing Committee	Statutory Licensing Committee 10/07/2019	none

Appendix1

Licence/Consent/Permit Type	Current Delegations	Date of Committee Authorisation	Proposed Changes to Delegations 2023 - 2024
Temporary Event Notice – Late	Section Leader Licensing	Licensing Committee 30/05/2012	none
Minor Variations – Grant/Reject Applications in accordance with Legislative Reform Orders 2009	Section Leader, Senior Licensing and Compliance Officer, Licensing	Statutory Licensing Committee 10/07/2019	none
Personal Licence - Application	No Representations - Licensing and Compliance Officer, Licensing Representations – Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019 Statutory Licensing Committee 10/07/2019	none
Designated Premises Supervisor – Variation	No Representations - Licensing and Compliance Officer, Licensing Representations - Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019 Statutory Licensing Committee 10/07/2019	none
Application Transfer Premises Licence/ Club Premises Certificate	No Representations - Licensing and Compliance Officer, Licensing Representations - Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019 Statutory Licensing Committee 10/07/2019	none

Appendix1

Licence/Consent/Permit Type	Current Delegations	Date of Committee Authorisation	Proposed Changes to Delegations 2023 - 2024
Application for Interim Authority	<p>No Representations - Licensing and Compliance Officer, Licensing</p> <p>Representations – Statutory Licensing Sub-Committee</p>	<p>Statutory Licensing Committee 10/07/2019</p> <p>Statutory Licensing Committee 10/07/2019</p>	none
Decision to object when Local Authority is a Consultee and not the relevant authority considering the application	Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019	none
Licensing Act 2003 Fees and Charges	Secretary of State (Subject to revisions resulting from the Police Reform and Social Responsibility Act 2011)	Licensing Committee 30/05/2012	none
Statement of Licensing Policy	Full Council	Licensing Committee 30/05/2012	none
Decision on whether a complaint is Irrelevant, Frivolous, Vexatious etc	Section Leader, Licensing	Licensing Committee 30/05/2012	none
Power to suspend Premises Licence/Club Premises Certificate for non-payment of annual fee	Section Leader, Licensing	Licensing Committee 30/05/2012	none
To authorise Licensing Authority as a Responsible Authority	Commercial Regulation Manager	Statutory Licensing Committee 09/06/2021	none

Appendix1

Licence/Consent/Permit Type	Current Delegations	Date of Committee Authorisation	Proposed Changes to Delegations 2023 - 2024
Mediate outcome of Appeal	Commercial Regulation Manager – Recommendation to Chair	Statutory Licensing Committee 27/05/2020	none
Authority to inspect premises to evaluate compliance with the requirements of the Act	Section Leader, Senior Licensing and Compliance Officer, Licensing and Compliance Officer, Licensing Senior Environmental Health Officer/ Environmental Health Officer, Senior Officer/District Officer, Commercial Regulation	Statutory Licensing Committee 09/06/2021	none
Authority to act as a Responsible Authority and apply to the relevant Licensing Authority for a review of a Premises Licence or Club Premises Certificate	Licensing Manager/Section Leader, Licensing	Statutory Licensing Committee 09/06/2021	none
Right of entry to investigate licensable activities under the Licensing Act 2003	Section Leader, Senior Licensing and Compliance Officer, Licensing and Compliance Officer, Licensing Senior Environmental Health Officer/Environmental Health Officer, Senior Officer/District Officer, Commercial Regulation	Statutory Licensing Committee 09/06/2021	none

Appendix1

Licence/Consent/Permit Type	Current Delegations	Date of Committee Authorisation	Proposed Changes to Delegations 2023 - 2024
Gambling Act 2005			
New/Variations/Provisional Statements Applications	No Representations – Licensing and Compliance Officer, Licensing Representations Not Withdrawn – Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019 Statutory Licensing Committee 10/07/2019	none
Transfer of Premises Licence	No Representations - Licensing and Compliance Officer Representations from Gambling Commission – Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019 Statutory Licensing Committee 10/07/2019	none
Premises Licence/Suspension/Revocation	Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019	none
Temporary Use Notice	No Representations – Section Leader Licensing Representations - Statutory Licensing Sub-Committee	Licensing Committee 30/05/2012 Statutory Licensing Committee 10/07/2019	none

Appendix1

Licence/Consent/Permit Type	Current Delegations	Date of Committee Authorisation	Proposed Changes to Delegations 2023 - 2024
Occasional Use Notice	No Representations - Licensing and Compliance Officer, Licensing	Statutory Licensing Committee 10/07/2019	none
Authority to inspect premises to evaluate compliance with the requirements of the Act	Licensing and Compliance Officer, Licensing Environmental Health Officer/District Officer, Commercial Regulation	Statutory Licensing Committee 09/06/2021	none
Application Club Gaming/Club Machine Permit	No representations - Licensing and Compliance Officer, Licensing Representations Not Withdrawn – Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019 Statutory Licensing Committee 10/07/2019	none
Cancellation of Club Gaming/ Club Machine Permit	Section Leader/Senior Licensing and Compliance Officer/Licensing and Compliance Officer, Licensing	Statutory Licensing Committee 10/07/2019	none
Alcohol Licensed Premises Gaming Machine Permit – Notification	Licensing and Compliance Officer, Licensing	Statutory Licensing Committee 10/07/2019	none
Cancellation Licensed Premises Gaming Machine Permits	Section Leader/Senior Licensing and Compliance Officer/Licensing and Compliance Officer, Licensing	Statutory Licensing Committee 10/07/2019	none

Appendix1

Licence/Consent/Permit Type	Current Delegations	Date of Committee Authorisation	Proposed Changes to Delegations 2023 - 2024
Small Society Lotteries New/Renewal	Licensing and Compliance Officer, Licensing	Statutory Licensing Committee 10/07/2019	none
Gambling Act Fees and Charges	Statutory Licensing Committee up to maximum set by Secretary of State	Statutory Licensing Committee 10/07/2019	none
Statement of Gambling Policy	Full Council	Licensing Committee 30/05/2012	none
To authorise the Local Authority as a Responsible Authority	Commercial Regulation Manager	Statutory Licensing Committee 09/06/2021	none
Authority to act as a Responsible Authority	Licensing Manager/Section Leader, Licensing	Statutory Licensing Committee 09/06/2021	none

Appendix1

Requires Delegation from the Head of Paid Service

.....
Tim Johnson
Chief Executive

Date:

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The proposed delegation to officers is subject to an administrative process by working through checklists of approved policy/criteria prior to the issue of Licence/Registration/Permit/Notice etc.

I delegate authority for the decision making processes within the functions detailed above to the posts named in the proposed delegation column.

.....
John Roseblade
Director of Resident Services

Date:

**LICENSING ACT 2003
LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY**

File Ref	Name of Premises	Address of Premises	New/ Variation/Review	Last Date For Reps	CIZ	Reps Made	Date of Hearing/ Mediation
PRE1479	Papa John's	268 Penn Road Wolverhampton WV4 4AD	New	01/04/2022	N	N	Granted with mediation from Police & Fire Voluntary Undertaking
PRE374	The Hollybush	494 Penn Road Penn Wolverhampton WV4 4HU	Variation	05/04/2022	N	Y	Statutory Licensing Sub-Committee 29.04.2022 Granted with conditions
Page 27 PRE1480	Bank	9 Lichfield Street City Centre Wolverhampton WV1 1EA	New	05/04/2022	Y	Y	Granted with Environmental Health & Licensing Mediation & Fire Voluntary Undertaking
PRE1434	Purity Venue & Bar	3 Pitt Street Wolverhampton WV3 0NF	Variation	07/04/2022	N	Y	Granted with Police & Licensing Mediation
PRE1481	Old Ash Tree Inn	Old Ash Tree Inn 269 Dudley Road Wolverhampton WV2 3JU	New	03.05.2022	Y	N	Granted with mediation from Police, Public Health & Fire Voluntary Undertaking
PRE1119	Jack's Cafe and Bar	Jacks Cafe Frederick Street Wolverhampton	Variation	10.05.2022	N	N	Granted with Fire Voluntary Undertaking

LICENSING ACT 2003

LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY

		WV2 4DU					
PRE1439	The Pendulum	Blaydon Road Wolverhampton WV9 5NP	Review	11.05.2022	N/A	Y	Statutory Licensing Sub-committee 23.06.2022 Revoked
PRE1385	North Street Social	7 North Street Wolverhampton WV1 1RE	Variation	19.05.2022	Y	Y	Granted with Police and Licensing Mediation
PRE330	Roma Wines	55 Pendeford Avenue Claregate Wolverhampton WV6 9EH	Review	26.05.2022	N/A	Y	Statutory Licensing Sub-Committee 27.06.2022 Revocation
PRE1482	Civic And Wulfrun Halls	North Street Wolverhampton WV1 1RQ	New	31.05.2022	N	N	Granted with Police Mediation
PRE339	Tettenhall Supermarket Limited	1E Clark Road Wolverhampton WV3 9NW	Review	06.06.2022	N/A	Y	Statutory Licensing Sub-Committee 30.06.2022 Granted with conditions
PRE1483	Bantock Park	Finchfield Road Wolverhampton WV3 9LQ	New	10.06.2022	N	N	Statutory Licensing Sub-Committee 07.07.2022 Granted as applied
PRE584	Jandu Newsagents & Stores	1 Gorsebrook Road Whitmore Reans Wolverhampton WV6 0PD	Variation	16.06.2022	N	Y	Application Withdrawn

LICENSING ACT 2003

LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY

PRE1484	Medicine Bakery	Unit 6 & The Indoor Courtyard Chubb Buildings Fryer Street Wolverhampton WV1 1HT	New	17.06.2022	Y	Y	Granted with Police & Licensing Mediation
PRE1257	Sunbeam	Land Opposite 3 To 7 Victoria Square Wolverhampton	Variation	21.06.2022	N	N	-
PRE1485	West Park	Park Road West Wolverhampton WV1 4PN	New	22.06.2022	N	N	-
PRE1486	Gourmet Coffee Bar And Kitchen	Wolverhampton Railway Station Railway Drive City Centre Wolverhampton WV1 1LE	New	06.07.2022	N	Y	Granted with Licensing Mediation
PRE1391	Crazy Gin LTD	Unit 41 4 Victoria Street Wolverhampton WV1 3NP	Variation	11.07.2022	Y	N	Granted with Police Mediation
PRE1491	Central England Co-operative	Unit 2 Wolverhampton Railway Station Railway Drive City Centre Wolverhampton WV1 1LE	New	14.07.2022	N	Y	Granted with Licensing Mediation

LICENSING ACT 2003

LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY

PRE396	The Wheatsheaf	Wheatsheaf Hotel Market Street Wolverhampton WV1 3AE	Variation	19.07.2022	N	N	-
PRE1462	The Blakenhall Service Station	Texaco Blakenhall Service Station 327 Dudley Road Wolverhampton WV2 3JY	Variation	29.07.2022	Y	Y	Statutory Licensing Sub-Committee 18.08.2022 Granted with amended operating schedule and for a limited duration
PRE313	The Old Still	14 King Street Town Centre Wolverhampton, WV1 1ST	Variation	29.07.2022	Y	N	Granted with Environmental Health Mediation
PRE1393	B & M Retail Limited	Unit 223A 44 - 45 Dudley Street Mander Centre City Centre Wolverhampton WV1 3ER	Variation	02.08.2022	Y	N	-
PRE1489	Butchers Backyard	18 High Street Tettenhall Wolverhampton WV6 8QT	New	11.08.2022	N	N	Granted with Public Health, Environmental Health & Fire Voluntary Undertaking

LICENSING ACT 2003

LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY

PRE630	Penn Fields Club	Pennfields Bowling Club 60 Coalway Road Wolverhampton WV3 7LZ	Variation	11.08.2022	N	N	Granted with Public Health Mediation
PRE27	Indigo Restaurant	Claverley Drive Wolverhampton WV4 4QL	Variation	17.08.2022	N	N	-
PRE374	The Hollybush	494 Penn Road Penn Wolverhampton WV4 4HU	Variation	05.09.2022	N	N	-
PRE1490	Pendeford Bar & Grill	Blaydon Road Wolverhampton WV9 5NP	New	07.09.2022	N	N/A	Application Withdrawn
PRE1492	Snappy Tomato Pizza	12 Worcester Street Wolverhampton WV2 4LD	New	14.09.2022	N	Y	Statutory Licensing Sub-Committee 11.10.2022 Granted with conditions
PRE1337	Shell Wolverhampton	Birmingham Road Wolverhampton WV2 3LH	Variation	14.09.2022	N	N	Granted with Police Mediation
PRE720	Two Greens	7 Old Hill Wolverhampton WV6 8QB	Variation	14.09.2022	N	N	-

LICENSING ACT 2003

LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY

PRE1326	Shell Triton	Shell Triton Petrol Filling Station 95 Tettenhall Road Wolverhampton WV3 9NQ	Variation	14.09.2022	N	N	Granted with Police Mediation
PRE1057	Shell Willenhall Road	Willenhall Road Wolverhampton WV13 3LP	Variation	14.09.2022	N	N	Granted with Police Mediation
PRE1493	W H Smith	Unit RU06 Wolverhampton Railway Station Railway Drive City Centre Wolverhampton WV1 1LE	New	16.09.2022	N	Y	Granted with Licensing Mediation
PRE801	New Desi Yew Tree Ltd	The Yew Tree 44 Pool Street Blakenhall Wolverhampton WV2 4HN	Variation	23.09.2022	N	N	Granted with Fire Voluntary Undertaking
PRE517	Centre Spot Sports Bar	30-32 Broad Street City Centre Wolverhampton WV1 1HP	Variation	27.09.2022	Y	N	Granted with Environmental Health Mediation
PRE1495	Wolves FanZone	The Wanderer Car Park Molineux Street Wolverhampton WV1 1RX	New	29.09.2022	N	N/A	Application Withdrawn

LICENSING ACT 2003

LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY

PRE1358	Sunny's Superstore	14 Cleveland Street Wolverhampton WV1 3HH	Review	03.10.2022	N/A	Y	Statutory Licensing Sub-Committee 27.10.2022 Revoked
PRE669	Newsagent	49 School Street City Centre Wolverhampton WV1 4LR	Review	03.10.2022	N/A	Y	Statutory Licensing Sub-Committee 25.10.2022 Granted with Conditions
PRE1360	Heron Foods	5 Raynor Parade Raynor Road Wolverhampton WV10 9QY	Variation	12.10.2022	N	N	-
PRE1496	Heron Foods	Heron Foods 108 - 110 Church Street Bilston Wolverhampton WV14 0BJ	New	25.10.2022	Y	N	Granted with Public Health Mediation
PRE1498	Diamond	Diamond Banqueting Suite Skinner Street Wolverhampton WV1 4LD	New	25.10.2022	Y	Y	Statutory Licensing Sub-Committee 17.12.2022 granted with amended operating schedule
PRE1990	Family Shop	34 Birchwood Road Wolverhampton WV4 5UH	New	25.10.2022	N	Y	Granted with Licensing and Environmental Health Mediation

LICENSING ACT 2003

LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY

PRE1306	Phoenix Express And International Food	715 Parkfield Road Wolverhampton WV4 6EE	Review	27.10.2022	N/A	Y	Statutory Licensing Sub-Committee 18.11.2022 Revoked
PRE1499	Wolves Fun Zone	The Wanderer Carpark Molineux Street Wolverhampton WV1 1RX	New	14.11.2022	Y	N	Granted with Police & Environmental Health Mediation
PRE716	White Hart	The White Hart 66 Worcester Street Town Centre Wolverhampton, WV2 4LQ	Variation	23.11.2022	N	Y	Granted with Police & Licensing Mediation & Fire Voluntary Undertaking
PRE1500	Flat 2 Magnolia Court	Flat 2 Magnolia Court Muchall Road Wolverhampton WV4 5TR	New	01.12.2022	N	N/A	Application Rejected
PRE1501	A ·& J Coffee And Pizzeria Ltd	46 Lichfield Street City Centre Wolverhampton WV1 1DG	New	24.11.2022	Y	Y	Granted with Environmental Health, Licensing & Police Mediation & Fire Voluntary Undertaking
PRE1502	Sitara Hall	Mander Street Wolverhampton WV3 0JZ	New	09.12.2022	N	Y	Granted with mediation from Environmental Health, Licensing & Police Mediation & Fire Voluntary

LICENSING ACT 2003

LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY

							Undertaking
PRE1504	Morrisons Store And Petrol Filling Station	Black Country Route Wolverhampton WV14 0DZ	New	09.12.2022	N	Y	Application Withdrawn
PRE1505	Moet	30 Queen Street City Centre Wolverhampton WV1 3JW	New	13.12.2022	Y	N	Granted with Police Mediation & Fire Voluntary Undertaking
PRE1506	Darshan Lounge	Darshan Lounge 35 - 37 School Street Wolverhampton WV1 4LR	New	15.12.2022	Y	N	Granted with Police Mediation & Fire Voluntary Undertaking
PRE1507	One Stop	25, 27, 29 Silverton Way Wolverhampton WV11 3LL	New	15.12.2022	N	N	-
PRE1508	Bantock Park	Finchfield Road Wolverhampton WV3 9LQ	New	21.12.2022	N	Y	Statutory Licensing Sub-Committee Granted with conditions
PRE79	The Mount Tavern	Mount Tavern 245 Penn Road Wolverhampton WV4 5SF	Variation	29.12.2022	N	Y	Granted with Police & Licensing Mediation
PRE1510	Flat 2 Magnolia Court	Flat 2 Magnolia Court Muchall Road	New	02.01.2023	N	Y	Application Withdrawn

LICENSING ACT 2003

LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY

		Wolverhampton WV4 5TR					
PRE1511	Cheezibite Matka Chai	26 High Street Bilston Wolverhampton WV14 0EP	New	04.01.2023	Y	Y	Granted with Public Health, Licensing & Police Mediation & Fire Voluntary Undertaking
PRE1512	Chai Galli	316 Dudley Road Wolverhampton WV2 3JY	New	17.01.2023	Y	Y	Granted with Environmental Health, Public Health & Licensing Mediation & Fire Voluntary Undertaking
PRE1513	Frasers	Unit DS1 Mander Centre Wolverhampton WV1 3NN	New	18.01.2023	N	Y	Granted with Licensing & Police Mediation
PRE457	Chicago Rock Cafe	Chicago Rock Cafe 36 Pipers Row Town Centre Wolverhampton WV1 3JY	Expedited Summary Review	17.01.2023	N/A	Y	Statutory Licensing Sub-Committee 30 January 2023 Full Review Revocation with interim steps remaining (Suspension)
PRE1514	The South Staffordshire Golf Club	South Staffordshire Golf Club Danescourt Road Wolverhampton	New	13.02.2023	N	N	Granted with Police & Environmental

LICENSING ACT 2003

LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY

		WV6 9BQ					Health Mediation
PRE1529	Springvale Cricket Club	Millfields Road, Wolverhampton, WV14 0QR	New	22.02.2023	N	N	-
PRE1462	The Blakenhall Service Station	Texaco Blakenhall Service Station 327 Dudley Road Wolverhampton WV2 3JY	Variation	22.02.2023	Y	N	-
Page 37 PRE1515	The Millions Kitchen	17 Showell Road Wolverhampton WV10 9LU	New	27.02.2023	N	Y	Granted with Police, Environmental Health & Licensing Mediation & Fire Voluntary Undertaking
PRE1516	SG Imports And Exports Ltd	43 Gatis Street Wolverhampton WV6 0ES	New	23.03.2023	N	Y	Granted with Environmental Health, Licensing & Police Mediation
PRE1517	Bondi	159 Dudley Road Wolverhampton WV2 3DN	New	30.03.2023	Y	Y	Granted with Environmental Health, Police & Licensing Mediation

LICENSING ACT 2003

LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY

PRE144	3 Jyot Off Licence	287 Willenhall Road Wolverhampton WV1 2HY	Review	31.03.2023	N/A	Y	Statutory Licensing Sub-Committee 25.04.2023 Revoked
PRE301	La Cucina	40a Bath Road Whitmore Reans Wolverhampton WV1 4EP	Variation	31.03.2023	N	N	Granted with Police Mediation

LICENSING ACT 2003 APPEALS TO THE COURTS

Date of Appeal	Name	Licence Type	Council Decision	Outcome	Action by
27/04/2023	Pendulum, Blaydon Road, Wolverhampton, WV9 5NP	PRE1439	Revocation of licence	Appeal rejected	Statutory L.S.C.
25/11/2022	Roma Wines, 55 Pendeford Avenue Claregate Wolverhampton WV6 9EH	PRE330	Revocation of licence	Consent Order Agreed	Statutory L.S.C.
22/09/2023	Sunny's Superstore, 14 Cleveland Street, Wolverhampton, WV1 3HH	PRE1358	Revocation of licence	Adjourned	Statutory L.S.C.
28/04/2023	Newsagents, 49 School Street, City Centre, Wolverhampton, WV1 4LR	PRE669	Conditions Added	Partially upheld Conditions Amended	Statutory L.S.C.

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