

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Committee

22 November 2023

Time 10.00 am **Public Meeting?** YES **Type of meeting** Licensing
Venue Committee Room 3 - 3rd 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 Sally Green
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
Tel/Email Tel: 01902 554452 Email: donna.cope@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 <http://wolverhampton.moderngov.co.uk>
Email democratic.services@wolverhampton.gov.uk
Tel 01902 555046

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 | Minutes of previous meeting (Pages 5 - 6)
[To approve the minutes of the previous meeting held on 14 June 2023 as a correct record]. |
| 4 | Matters arising
[To discuss any matters arising from the minutes of the previous meeting]. |
| 5 | Minutes of meeting Friday, 28 April 2023 of Statutory Licensing Sub-Committee (Pages 7 - 14)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 28 April 2023 as a correct record]. |
| 6 | Minutes of meeting Friday, 28 April 2023 of Statutory Licensing Sub-Committee (Pages 15 - 18)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 28 April 2023 as a correct record]. |
| 7 | Minutes of meeting Thursday, 25 May 2023 of Statutory Licensing Sub-Committee (Pages 19 - 28)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 25 May 2023 as a correct record]. |
| 8 | Minutes of meeting Monday, 12 June 2023 of Statutory Licensing Sub-Committee (Pages 29 - 38)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 12 June 2023 as a correct record]. |
| 9 | Minutes of meeting Thursday, 15 June 2023 of Statutory Licensing Sub-Committee (Pages 39 - 42)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 15 June 2023 as a correct record]. |
| 10 | Minutes of meeting Thursday, 29 June 2023 of Statutory Licensing Sub-Committee (Pages 43 - 50)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 29 June 2023 as a correct record]. |

- 11 **Minutes of meeting Monday, 3 July 2023 of Statutory Licensing Sub-Committee** (Pages 51 - 66)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 3 July 2023 as a correct record].
- 12 **Minutes of meeting Tuesday, 4 July 2023 of Statutory Licensing Sub-Committee** (Pages 67 - 72)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 4 July 2023 as a correct record].
- 13 **Minutes of meeting Thursday, 6 July 2023 of Statutory Licensing Sub-Committee** (Pages 73 - 78)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 6 July 2023 as a correct record].
- 14 **Minutes of meeting Monday, 10 July 2023 of Statutory Licensing Sub-Committee** (Pages 79 - 82)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 10 July 2023 as a correct record].
- 15 **Minutes of meeting Tuesday, 18 July 2023 of Statutory Licensing Sub-Committee** (Pages 83 - 88)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 18 July 2023 as a correct record].
- 16 **Minutes of meeting Thursday, 20 July 2023 of Statutory Licensing Sub-Committee** (Pages 89 - 102)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 20 July 2023 as a correct record].
- 17 **Minutes of meeting Monday, 31 July 2023 of Statutory Licensing Sub-Committee** (Pages 103 - 108)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 31 July 2023 as a correct record].
- 18 **Minutes of meeting Tuesday, 15 August 2023 of Statutory Licensing Sub-Committee** (Pages 109 - 114)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 15 August 2023 as a correct record].
- 19 **Minutes of meeting Wednesday, 30 August 2023 of Statutory Licensing Sub-Committee** (Pages 115 - 118)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 30 August 2023 as a correct record].
- 20 **Minutes of meeting Thursday, 31 August 2023 of Statutory Licensing Sub-Committee** (Pages 119 - 124)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 31 August 2023 as a correct record].

- 21 **Minutes of meeting Monday, 18 September 2023 of Statutory Licensing Sub-Committee** (Pages 125 - 128)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 18 September 2023 as a correct record].
- 22 **Minutes of meeting Tuesday, 26 September 2023 of Statutory Licensing Sub-Committee** (Pages 129 - 136)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 26 September 2023 as a correct record].
- 23 **Minutes of meeting Wednesday, 11 October 2023 of Statutory Licensing Sub-Committee** (Pages 137 - 142)
[To approve the minutes of the Statutory Licensing Sub-Committee held on 11 October 2023 as a correct record].
- 24 **Authorisation to Seek Consultation on Draft Statement of Licensing Policy**
(Pages 143 - 238)
[To approve a 12 week consultation on the draft Statement of Licensing Policy].
- 25 **Amendment to Scheme of Delegations** (Pages 239 - 250)
[To approve an amendment to the scheme of delegation 2023-2024].

Attendance

Members of the Statutory Licensing Committee

Cllr Zee Russell (Chair)
Cllr Rashpal Kaur (Vice-Chair)
Cllr Greg Brackenridge
Cllr Asha Mattu
Cllr Gillian Wildman
Cllr Jane Francis
Cllr Tersaim Singh
Cllr Jonathan Crofts
Cllr Bob Maddox

Employees

Chris Howell	Commercial Regulation Manager
Greg Bickerdike	Licensing Manager
Paul Dosanjh	Service Manager - Trading Standards and Licensing Act
Emma Caddick	Service Manager - Environmental Health
Joanne Till	Markets General Manager
Bankole Thomas	Solicitor
Donna Cope	Democratic Services Officer

Part 1 – items open to the press and public

Item No. *Title*

- 1 Apologies for absence**
Apologies were received from Councillor Val Evans.
- 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 8 March 2023 be confirmed as a true record and signed by the Chair.

4 **Matters arising**

Item 4 – In response to a question asked, Chris Howell, Commercial Regulation Manager, stated that Members of the Committee did not get notified every time the Ask Angela initiative had been successfully used.

5 **Minutes - 25 April 2023 - Statutory Licensing Sub-Committee**

Resolved:

That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 25 April 2023 be confirmed as a true record and signed by the Chair.

6 **Review of Decision Making in 2022 - 2023 and the Scheme of Delegation for 2023 - 2024**

Paul Dosanjh, Service Manager -Trading Standards and Licensing Act, presented the Review of Decision Making 2022 – 2023 and the Scheme of Delegation for 2023 - 2024 report, highlighting the key points. The annual report provided a review of the last municipal year and set out the proposed decision-making process and delegations for the coming municipal year.

The Vice Chair, Councillor Rashpal Kaur moved the recommendations and Councillor Greg Brackenridge seconded the recommendations.

Resolved:

That Members of the Statutory Licensing Committee:

1. Endorsed and approved the proposals in section 2 of the report relating to category 2 decisions.
2. Endorsed and approved the proposals in section 2 of the report relating to category 3 decisions.
3. Delegated category 3 decision making powers to the Director of Resident Services.
4. Agreed to receive further annual delegation update reports at the beginning of each municipal year.
5. Noted the schedule attached at Appendix 1 to the report which included further proposed delegations from the Director of Resident Services.
6. Noted the schedule of employee decisions for 2022 - 2023 attached at Appendix 2 to the report in relation to the Licensing Authority as a Responsible Authority.
7. Noted the schedule of decisions for 2022 - 2023 attached at Appendix 3 to the report in relation Magistrates and Crown Court appeals.

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Phil Page (Chair)

Cllr Rashpal Kaur

Cllr Rita Potter

Applicant for Review

Stefan Polatajko

Trading Standards

Premises Licence Holder

Mr Bhupinder Singh

Mr Patrick Burke

Agent

Responsible Authorities

Amitabh Singh

Kayley Nixon

Michelle Marie-Smith

Licensing Authority

West Midlands Police

Public Health

Employees

Elizabeth Gregg

David Abel

Jacob Stokes

Senior Licensing & Compliance Officer

Solicitor

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 Lloyd Hill Convenience Store, 2 Lloyd Hill, Wolverhampton, WV4 5NE

An application for a review of a Premises Licence in respect of Lloyd Hill Convenience Store, 2 Lloyd Hill, Wolverhampton, WV4 5NE 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. Stefan Polatajko, Senior Officer - Trading Standards and the Applicant for Review, confirmed that the summary was accurate.

The Chair asked the Premises Licence Holder, Mr Bhupinder Singh, if he understood the application summary that had been presented. Mr Patrick Burke, Agent for the Premises Licence Holder, confirmed that his client understood the summary.

The Chair invited Trading Standards to present their application. The Senior Officer - Trading Standards did so, as per Appendix 3 of the report. He stated the following:

1. On 31 March 2022, an elected member made a complaint on behalf of a resident that alcohol had been sold to their 13-year-old daughter by Lloyds Convenience Store.
2. On 8 December 2022 and 30 January 2023, information was received from West Midlands Police alleging that vapes had been sold to schoolchildren during school hours.
3. On 23 February 2023, an underage volunteer for the Council purchased two cans of 5% ABV alcohol. The sale was witnessed by a Trading Standards Officer; no attempt was made to ask for ID or to check the customer's age despite the store operating a Challenge 25 policy. The same volunteer had been refused at another shop that same day.
4. The store had engaged in activities that breached the Prevention of Crime and Disorder and Protection of Children from Harm Licensing Objectives.

5. He had been mediating with the Agent for the Premises Licence Holder in this matter and invited the Licensing Sub-Committee to consider modifying the licence by adding several conditions.

In the meantime, he recommended the Licensing Sub-Committee suspend the Premises Licence until all staff were trained by a registered trainer.

The Chair afforded all parties present the opportunity to question Trading Standards in relation to its submission. The Senior Officer - Trading Standards responded to questions asked.

The Chair invited the Premises Licence Holder to make representations. The Agent for the Premises Licence Holder did so. He stated the following:

1. He had been in conversation with Trading Standards and the Premises Licence Holder had agreed to the proposed conditions.
2. The Premises Licence Holder fully understood the issues that had been raised and accepted that mistakes had been made.
3. The staff training that had been carried out had been inadequate and several licensed training courses had been suggested to the Premises Licence Holder. The Agent for the Premises Licence Holder had also suggested to his client that the Designated Premises Supervisor update his certificate annually.
4. The Premises Licence Holder was happy to have an electronic till with the relevant till prompts installed.
5. There was no record in the sales record of vodka being sold in relation to the incident reported on 31 March 2022.
6. The Premises Licence Holder had become complacent.

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

1. He had provided the Premises Licence Holder with materials to help with staff training on age-related sales and expressed the importance of Challenge-25 to his client.
2. Training courses had been booked in for staff.
3. Staff will receive Personal Licence training before being allowed to sell age-related products and the Premises Licence Holder was satisfied to have a condition added to the licence that any new starter be fully trained before being allowed to serve these products.
4. The Premises Licence Holder does not own any other licensed premises.
5. The Premises Licence Holder was happy to take up a one-year membership to the Independent British Vape Trade Association.

The Chair invited the Licensing Authority to make representations. Amitabh Singh, Section Leader - Licensing, did so as per Appendix 4 of the report. He stated the following:

1. The Licensing Authority supported the application for review.
2. The evidence presented demonstrated failure to uphold the Licensing Objectives of the Prevention of Crime and Disorder and the Protection of Children from Harm and a lack of understanding of the necessary requirements to uphold the mandatory licensing conditions and Licensing Objectives.

3. The Licensing Authority supported the recommendations put forward by Trading Standards that the licence be suspended.

The Chair afforded all parties present the opportunity to question the Licensing Authority in relation to its submission. There were no questions asked.

The Chair invited West Midlands Police to make representations. Kayley Nixon did so as per Appendix 6 of the report. She stated the following:

1. West Midlands Police supported the application for review.
2. Actions taken at the premises had undermined the Licensing Objectives.
3. The Premises Licence Holder cannot afford to become complacent, and it is expected that any premises licensed to sell alcohol and vapes should always act responsibly.
4. A lack of training had taken place at the premises.
5. West Midlands Police supported suspension and a modification to the licence in line with the proposed conditions outlined by Trading Standards.

The Chair afforded all parties present the opportunity to question West Midlands Police in relation to its submission. Ms Nixon responded to questions asked.

The Chair invited Public Health to make representations. Michelle Marie-Smith, Principal Public Health Specialist, did so as per Appendix 5 of the report. She stated the following:

1. Public Health supported the application for review and the evidence presented was highly concerning.
2. Repeated non-compliance with the Licensing Conditions showed that the Premises Licence Holder had acted irresponsibly and had failed to uphold the Licensing Objectives.
3. Evidence showed that drinking at a young age could damage a child's health. Wolverhampton was a regional outlier for alcohol-related harm and had one of the highest rates of alcohol-related mortality and these issues were exacerbated by irresponsible Licence Holders.
4. Public Health believed that any Licence Holder who failed to uphold the four Licensing Objectives should be subjected to full revocation of their licence.

The Chair afforded all parties present the opportunity to question Public Health in relation to its submission. The Principal Public Health Specialist responded to questions asked.

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

The Agent for the Premises Licence Holder made a final statement.

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

Mr Bhupinder Singh, Mr Patrick Burke, Stefan Polatajko, Kayley Nixon, Amitabh Singh, Michelle Marie-Smith and Elizabeth Gregg withdrew from the meeting to enable the Sub-Committee to determine the matter.

The Sub-Committee adjourned at 11.21 hours.

The Hearing reconvened at 12.18 hours.

Mr Bhupinder Singh, Mr Patrick Burke, Stefan Polatajko, Amitabh Singh, and Elizabeth Gregg re-joined the meeting.

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

Resolved:

An application was made by The City of Wolverhampton Trading Standards Department as a Responsible Authority on 6 March 2023 for a review of the Premises Licence in respect of Lloyds Convenience Store (also known as Spar), 2 Lloyd Hill, Stourbridge Road, Wolverhampton WV4 5NE, on the grounds that actions at the premises undermined the Licensing Objectives.

Representations were received from the Licensing Authority, West Midlands Police and from Public Health as Responsible Authorities. The Committee also heard from the Premises Licence Holder Mr Bhupinder Singh and his Representative Mr Burke, on behalf of CMK Superstore Ltd.

At the hearing on the 28 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 Stefan Polatajko for Trading Standards, the Applicant for Review, that:

On 8 December 2022 information was received from West Midlands Police alleging vapes were being sold by Lloyd Convenience Store to school children in school uniform during school hours.

On 30 January 2023 further information was received from West Midlands Police again alleging that vapes were being sold by Lloyd Convenience Store to school children in school uniform during school hours.

On 23 February 2023 a volunteer under the age of 18 for the City of Wolverhampton Council purchased two 250ml cans of Gordons Gin & Tonic 5% ABV from Lloyds Convenience Store. The sale was witnessed by a Trading Standards Officer. No attempt was made to ask the young person their age or ask for identification.

It is a mandatory condition under the Licensing Act 2003 that a business operates an Age Verification Policy. The purchaser was not asked for identification to prove their age, despite Lloyds Convenience Store operating a Challenge 25 policy at the premises.

The 16-year-old volunteer had been asked for and refused age restricted products at another shop that day. Lloyds Hill Convenience Store, also known as Spar, has engaged in activities which have breached the Licensing Objectives namely 'the Prevention of Crime and Disorder' and 'the Protection of Children from Harm'.

Trading Standards believes that the Licensing Objectives of the Prevention of Crime and Disorder and the Protection of Children from Harm have been undermined by the way in which the premises operates and therefore the Premises Licence should have the licence conditions modified and the licence suspended for a short time in order to implement the proposed conditions which comprise of:

- Delivering adequate and appropriate staff training.
- Adopting a 'No ID No Sale' policy alongside the existing 'Challenge 25' age verification policy.
- Only photographic ID to be accepted as proof of identification.
- The existing Refusals book to be monitored by the Licensee or a senior member of staff and signed off accordingly that it has been done.
- Installing till prompts.
- That such conditions include a requirement for the relevant records to be maintained and made available for inspection when requested by an Officer of a Responsible Authority.
- In addition, in order for Lloyds Convenience Store to be able to fully implement and become comprehensively acquainted with the new conditions, Trading Standards recommend that the Sub-Committee suspend their licence for such a period until all staff are trained by an accredited trainer.

The Licensing Sub-Committee heard from Amitabh Singh for the Licensing Authority that they support the application for review and believe that the actions at the premises undermine the Licensing Objectives and therefore that the Premises Licence should be modified and suspended. The Licensing Authority support the review brought by Trading Standards.

The Licensing Sub-Committee heard from Kayley Nixon for West Midlands Police that they support the application for review and believe that the actions at the premises undermine the Licensing Objectives of the Prevention of Crime and Disorder and the Protection of Children from Harm and therefore that the Premises Licence should be modified and suspended. West Midlands Police provided an Intelligence Report that Lloyds Convenience Store is selling vapes to children in school uniform during school hours. It is illegal to sell vapes to anyone who is under 18 years of age.

The Licensing Sub-Committee heard from Michelle Smith for Public Health at Wolverhampton Council that they support the application for review and believe that the actions at the premises undermine the Licensing Objectives.

The Licensing Sub-Committee heard from the Premises Licence Holder Mr Bhupinder Singh and his Representative, Mr Patrick Burke, that Mr Singh has accepted the conditions proposed by Trading Standards and by the Committee today. His client had put training in place but this was inadequate and he had become complacent. Staff training has been organised for next Wednesday by an external provider. His client now understands the issues and their consequences. An employee had made the sale to the test purchaser. He denied the sale of vodka to a child. He will take up a one year membership of the Independent British Vape Trade Association which will provide him with guidance and training on the sale of vapes.

The options open to the Sub-Committee today are 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 have 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 have, on the balance of probabilities, found that in order to promote the Licensing Objectives the Premises Licence of Lloyd Hill Convenience Store should be modified as follows:

1. All persons selling alcohol must be properly trained by an accredited Licensing Trainer before they are allowed to sell any alcohol to the public. Records of training must be kept by the Designated Premises Supervisor or Premises Licence Holder. Persons selling alcohol must be authorised in writing by the Designated Premises Supervisor following successful completion of training. The records must be kept on the premises during opening hours and must be made available on request to an Officer of a Responsible Authority or West Midlands Police.
2. Refresher training must be carried out Quarterly and records maintained. The records must be kept on the premises during opening hours and must be made available on request to an Officer of a Responsible Authority or West Midlands Police.
3. A 'Challenge 25' policy and 'No ID No Sale' policy, which is supported with signage at all entrances and in the serving areas, must be implemented.
4. Only documents which include a photograph of the purchaser should be used to prove that person's age, e.g. passport, new style driving licence, 'PASS' approved age card e.g. Validate, Card or Citizens card.
5. A 'Refusals Log' must be maintained, which documents the date and time a refusal of sale is made, the reason for the refusal and the member of staff refusing the sale. The Premises Licence Holder or the Designated Premises Supervisor must monitor the Log on a weekly basis and sign it to show it has been done. The Log must be kept on the premises during opening hours and must be made available on request to an Officer of a Responsible Authority or West Midlands Police.
6. A notice must be secured to the till at eye level to remind staff that they must ask for ID if a customer looks under 25. An electronic till prompt must be used preventing staff from authorising a sale of alcohol until the age of the purchaser has been entered.
7. CCTV must be installed, and recordings kept at the Licensed Premises for a period of 30 days, whilst maintaining adequate picture quality to identify shoppers. Recordings must be made available on request to an Officer of a Responsible Authority or West Midlands Police.

8. Signage will be displayed on the door of the premises and prominently within the shop clearly stating that sales of vapes and e-cigarettes are banned to under 18's.

9. The premises will immediately obtain a one-year membership of the Independent British Vape Trade Association which will allow for the provision of an agreed guidance plan to assist with the premises understanding and fulfilling its responsibilities and legal regulations in relation to the sale of vapes and e-cigarettes.

10. Any new staff members must be fully trained before being allowed to sell alcohol or age-related products.

The Licensing Sub-Committee felt that it was necessary to impose a period of suspension on the premises of 3 Months or until all staff training has been completed and accepted by the Licensing Authority in order to satisfy the Licensing Objectives of the Protection of Children from Harm and the Prevention of Crime and Disorder and to allow the proposed conditions to be implemented. The Sub-Committee have taken these actions to ensure that complacency in relation to the sale of alcohol and age restricted products does not result in harm to the public.

These actions are considered appropriate and proportionate actions for the promotion of the four Licensing Objectives. Written notice of the determination will 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.

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Phil Page (Chair)
Cllr Rashpal Kaur
Cllr Rita Potter

Applicant for Review

Kayley Nixon	West Midlands Police
Sgt Gemma Turner	West Midlands Police

Premises Licence Holder

Mr Sanjeev Parbhakar	
Mr Earl Simpson	Friend and Customer

Employees

Donna Cope	Democratic Services Officer
Debra Craner	Section Leader – Licensing
David Abel	Senior Solicitor

Observers

Jacob Stokes	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 Exclusion of press and public

Resolved:

That, in accordance with section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information falling within paragraph 7 of Schedule 12A to the Act relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

4 Licensing Act 2003- Application for an Expedited Summary Review in respect of Whitmore Reans Club, Whitmore Reans Working Mens Club, Bitterne Drive, Wolverhampton, WV6 0QN

An application for an expedited summary review of a Premises Licence in respect of Whitmore Reans Club, Whitmore Reans Working Mens Club, Bitterne Drive, Wolverhampton, WV6 0QN, had been received from West Midlands Police.

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.

Debra Craner, Section Leader Licensing, provided an outline of the application. Kayley Nixon, West Midlands Police (Applicant), confirmed that the summary was accurate.

The Chair invited West Midlands Police to present their application. Ms Nixon outlined the application as per Appendix 3 of the restricted report and requested that the premises licence be suspended.

The Chair afforded all parties present the opportunity to question West Midlands Police in relation to their submission. Ms Nixon responded to questions asked.

The Chair invited the Premises Licence Holder to make representations. Mr Sanjeev Parbhakar did so. He outlined the circumstances of the incident and emphasised that it was an isolated incident which was not within the control of the club's staff.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder in relation to his submission. Mr Parbhakar responded to questions asked.

The Chair invited all parties to make their final address.

The Premises Licence Holder made a final address.

David Abel, Senior Solicitor, provided legal guidance to the Sub-Committee and reminded them of their available options.

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

The Sub-Committee adjourned at 15.05 hours.

The Hearing reconvened at 15.41 hours.

All interested parties were invited back to the meeting and the Chair advised them of the decision of the Sub-Committee, which was read out in full by the Senior Solicitor.

Resolved:

An application was received from the West Midlands Police on 27 April 2023 for an expedited review of the Premises Licence in respect of Whitmore Reans Club Limited, Whitmore Reans Working Men's Club, Bitterne Drive, Wolverhampton, WV6 0QN.

The Chief of Police has given a certificate under Section 53A (1) (b) of the Licensing Act 2003 (the Act), stating that in their opinion the premises are associated with serious crime and disorder and have requested that interim steps be applied to the Premises Licence pending a full review hearing.

The Sub-Committee heard from the applicant (West Midlands Police) that:

1. On Sunday 23 April 2023 at 0103 hours a 999 call was made to Police reporting that multiple gunshots had been fired at this licensed premises. This incident is now being investigated and it has been confirmed that at least one person received a gunshot injury. West Midlands Police are also aware of bullets hitting residential windows and vehicles causing damage. West Midlands Police received five emergency 999 calls in relation to this incident and a significant number of police resources including firearms were dispatched.
2. Officers in attendance reported their concerns around the large number of customers at the venue and their fears for their own and public safety.
3. Police Licensing Officers attended the location on 25 April 2023 to speak with the Licence Holder. A licensing compliance check was completed where a number of breaches were observed, which include failures to adhere to CCTV and signage conditions.

4. Whitmore Reans Working Men's Club do not currently have any licence conditions, which stipulate that they must notify West Midlands Police of up-and-coming events being held at this venue. Therefore, the Police are unable to identify any potential risks, which may undermine the Licensing Objectives.
5. The above incident constitutes both serious crime and disorder.
6. The investigation is on-going.

The Sub-Committee heard from Sanjeev Parbhakar, the Premises Licence Holder that:

1. The Premises caters to the older generation of the community and is usually trouble free.
2. He follows all rules and procedures and views the club as the best club in Whitmore Reans.
3. The club has a capacity of 390 people.
4. On the night of the incident a memorial was being held. A scuffle occurred between a female and two males and the lights were put on and the DJ informed patrons that the night was over. The fire exits were opened and customers left the club.
5. The shooting incident happened outside the club and the incident was not within the control of the Club's staff.
6. He will accept the Sub-Committee's decision.

The Act and Home Office guidance state that the tests to determine the kinds of conduct that amount to serious crime are set out in section 81(2) and (3) (a) and (b) of the Regulation of Investigatory Powers Act 2000. These tests include conduct which constitutes an offence for which a person who is 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more; and which involves the use of violence.

The Sub-Committee have received the Certificate from the West Midlands Police and they have received confirmation at the hearing today that serious crime and/or disorder have occurred on the premises.

The Sub-Committee are satisfied that a serious crime has occurred at the premises. They are further satisfied that serious disorder has occurred on the premises. Serious disorder is to be given its plain ordinary meaning.

Based upon the evidence presented, consideration has been given as to whether it is necessary to take interim steps pending determination of the review (s53C LA 2003). The Sub-Committee are satisfied that interim steps are necessary. In accordance with Section 53B (3) (d) of the Licensing Act 2003, the decision of the Licensing Sub-Committee is to suspend the Premises Licence pending the full review hearing.

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee
Agenda Item No: 7
Minutes - 25 May 2023

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Zee Russell (Chair)
Cllr Gillian Wildman
Cllr Rashpal Kaur

Applicant for Review - West Midlands Police

Kayley Nixon
Sergeant Gemma Turner

Premises Licence Holder

Mr Sanjeev Parbhakar	
Michelle Hazlewood	Solicitor
Nadia Ganeva	Head door supervisor

Employees

Anita Chonk	Senior Licensing Officer
Bankole Thomas	Solicitor
Dave Abel	Solicitor (observing)
Donna Cope	Democratic Services

Item No. *Title*

1 Apologies for absence

There were no apologies for absence.

2 Declarations of interest

There were no declarations of interest.

3 Exclusion of press and public

Michelle Hazlewood, Solicitor representing the Premises Licence Holder, introduced three members of the public who were present in the room. She requested that they be given the opportunity to speak in support of the Premises before the hearing went into an exempt session.

Bankole Thomas, Solicitor and Legal Advisor to the Licensing Sub-Committee, suggested that Ms Hazlewood could speak on their behalf and as the hearing was exempt, all members of the public should leave.

All parties agreed, and all members of the public withdrew from the hearing.

Resolved:

That, in accordance with section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information falling within paragraph 7 of Schedule 12A to the Act.

4 Licensing Act 2003 - Application for a Review of a Premises Licence in respect of Whitmore Reans Club Limited, Bitterne Drive, Wolverhampton, West Midlands, WV6 0QN

An application for a review of a Premises Licence in respect of Whitmore Reans Club Limited, Bitterne Drive, Wolverhampton, West Midlands, WV6 0QN had been received from West Midlands Police.

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so. She 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.

Anita Chonk, Senior Licensing and Compliance Officer provided an outline of the application. Kayley Nixon, West Midlands Police (Applicant), confirmed that the summary was accurate.

The Chair invited West Midlands Police to present their application.

Kayley Nixon, West Midlands Police, stated the grounds for review as per Appendix 3 of the report and supplementary agenda packs. She gave a detailed account of the incident and highlighted a number of licensing conditions that had been breached. She stated that the Premises Licence Holder had been complacent, and she requested on behalf of West Midlands Police, that the Premises Licence Operating Schedule be modified. She confirmed that West Midlands Police had mediated with the Premises Licence Holder and agreed a new Operating Schedule which could be found in Supplementary Agenda Pack 2.

The Chair afforded all parties present the opportunity to question West Midlands Police in relation to their submission. Kayley Nixon responded to questions asked.

The Chair invited the Premises Licence Holder to make representations. Michelle Hazlewood, Legal Representative for the Premises Licence Holder, Mr Sanjeev Parbhakar, did so. She stated that:

- Her client understood the enormity of what had happened and wanted to work with the police to ensure the promotion of the Licensing Objectives.
- Additional measures had been implemented on the night of the incident despite not being a condition of the licence.
- The event had been stopped when the disorder broke out.
- The broken CCTV camera had been repaired.
- The obscured camera had been relocated.
- A new experienced head door supervisor had been recruited.
- Appropriate clothing for the door staff had been purchased.
- Better exit signage had been installed.
- A new training document had been produced.
- The current set of licence conditions were not fit for purpose and a new replacement set had been produced and agreed with the police.
- The premises was not a problem venue. It was an asset to the community.

On behalf of her client, Ms Hazlewood asked that the interim steps be lifted, and the Premises Licence modified.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder in relation to his submission. Ms Hazlewood and her client, Mr Parbhakar, responded to questions asked.

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

Ms Hazlewood made a final statement.

Bankole Thomas, Solicitor, provided legal guidance to the Sub-Committee 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 11.54 hours.

The Hearing reconvened at 14.40 hours.

All interested parties were invited back to the meeting and the Solicitor advised them of the decision of the Sub-Committee.

Resolved:

An application had been received for a review of the Premises Licence in respect of Whitmore Reans Club Limited, Bitterne Drive, Wolverhampton, WV6 0UQ from West Midlands Police on the grounds that actions at the premises had undermined the Licensing Objectives.

An expedited review hearing had taken place on 28 April 2023 when the Licensing Sub-Committee were satisfied that a serious crime had occurred at the premises and found that interim steps were necessary. The Licensing Sub-Committee suspended the Premises Licence pending a full review hearing.

At the hearing on 25 May 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 and found the following facts:

They heard and read from the applicant (West Midlands Police) that:

1. On Sunday 23rd April 2023 at 0103 hours a 999 call was made to Police reporting that multiple gunshots had been fired at this licenced premises, where a wake was being held.
2. The incident was currently being investigated and it had been confirmed that at least one person received a gunshot injury. West Midlands Police are also aware of bullets hitting residential windows and vehicles, causing damage. West Midlands Police also stated that they received 5 emergency 999 calls in relation to this incident and a significant number of police resources including firearms had been dispatched to the venue and crime scene.
3. Officers in attendance reported their concerns around the large number of customers at the venue and their fears for their own and public safety.
4. Police Licensing Officers attended the location on the 25 April 2023 to speak with the licence holder Sanjeev Parbhakar. A licensing compliance check was completed where a number of breaches were observed, which included failures to adhere to CCTV and signage conditions, lack of adequate Security (SIA) conditions, and door staff searches of patrons attending events
5. Whitmore Reans Working Men's Club did not currently have any licence conditions which stipulate that they must notify West Midlands Police in advance of any up and coming events being held at this venue.
6. It was their priority to ensure the safety of the public, and to prevent crime and disorder.

7. They believed that the Licensing Objectives of the Prevention of Crime and Disorder and Public Safety had been undermined by the way in which the premises operated and therefore wanted appropriate licensing conditions imposed.
8. In Summary West Midlands Police stated:
 - There was no quality control or supervision at these premises.
 - There was no appropriate search policy in place.
 - There was no policy on the search of females.
 - There was no appropriate monitoring of what the door staff are doing.
 - There appeared to be no use of link radios by the door security staff.
 - The Premises Licence Holder appeared not to understand the distinction between the Licensing objectives, a responsible authority and the implications of Data Protection Disclosure following a serious incident.
 - There was a failure of management to effectively risk assess the venue before the start of the event.

The Committee also heard from the Premises Licence Holder's representative and the Premise Licence Holder, Mr Sanjeev Parbhakar, who stated that:

1. The Premises catered to the older generation of the community and was usually trouble free.
2. They tended to follow all rules and procedures and have had a very successful run with the events undertaken so far, but they accepted that this incident was an opportunity to start off on a clean slate.
3. The club has a capacity of 390 people, but there had been 281 people in the club during the incident of 23/04/23.

The Licensing Sub-Committee, having listened to all the representations put forward by the police and the Premises Licence Holder, believed that a number of further options must be fully considered.

The options open to the Sub-Committee 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 Licensing Sub-Committee have applied The Act and Home Office Guidance to determine the kinds of conduct that amount to serious crime as set out in Regulation of Investigatory Powers Act 2000 and were satisfied that a serious crime has occurred at the premises.

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 Licensing Sub-Committee were of the opinion that the review had arrested a dangerous situation in respect of the Licensing Objective of Crime and Disorder, and thus determined that it should be discharged with immediate effect.

The Licensing Sub-Committee had, on the balance of probabilities, found that in order to promote the Licensing Objectives, and the options open to it in under S52(4) Licensing Act 2003, the premises licence of Whitmore Reans Club Limited should be suspended for a period of 28 days to allow the following conditions be implemented to the satisfaction of the Councils Licensing Officer, in light of the fact that there had been no loss of life on this occasion.

In the event that the Premises Licence Holder was able to implement the following conditions earlier than 28 days, he must notify the Council's Licensing officer so that the premises could be inspected in person.

The following conditions shall therefore be implemented within the next 28 days:

1. A digital CCTV system will be put in place which covers all entry/exit points of the premises and all areas where alcohol/money is served/taken, all areas where the public have access, to include the immediate vicinity outside the premises (and any area where searches are conducted). The system must be installed and maintained in working order at the premises at all times when the premises is open for business. The system's recorded images and video must be in high definition, in colour, have the correct date and time stamp and be kept for at least 31 days unedited. The footage must enable frontal facial identification of every person entering the premises, in any light condition. At least one designated member of staff must be trained to use the CCTV system and be available to provide downloads upon request or in any case, within 24 hours of any request made. Images and video will be downloadable in a suitable format and provided to any officer of a Responsible Authority upon Immediate request.
2. An incident log shall be kept at the premises, and made immediately available on request to any authorised person of a responsible Authority which must record the following:
 - all crimes reported to the venue
 - all ejections from the premises
 - all complaints received
 - all incidents of disorder
 - all refusal of the sale of alcohol
 - all visits by a relevant authority or emergency service
 - any faults detected with the CCTV system
3. A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the venue manager/manageress. The refusals log must be kept and maintained at the premises and will be available for inspection immediately upon request by an authorised officer of a responsible Authority upon request.

4. The Licence Holder must notify West Midlands Police of the details of all pre booked events in writing at least 21 clear days before the event to include the names, contact telephone number, address, date of birth and date of the intended event in question, with details of all entertainment to be provided.
5. The Licence Holder and their staff shall co-operate with West Midlands Police to provide any further information required by the police to enable the police to arrive at an informed risk assessment and decision regarding any anticipated event to be held in the premises.
6. Any objection raised and communicated by West Midlands Police to any proposed event shall mean that the event cannot hold, so long as its decision is communicated to the Premises License holder 36 clear hours in advance by email or such other means of instantaneous communication it deems fitting.
7. SIA door supervisors, will be engaged at a ratio of 1:100 customers for all and any events including Temporary Event Notices (tens) held in the premises and must;
 - Risk assess the appropriate number of door supervisors required for all events held in the premises.
 - Ensure that all door supervisors on duty wear a uniform which clearly identifies them to the public as door supervisors, with high visibility jackets, vests, head gear and luminescent SIA Identification holder armbands.
 - Must be equipped with individual radio link communication equipment.
 - Maintain a register for all engaged door supervisors which must be signed at the start and end of any shift to include details of names, telephone numbers and badge number for all engaged staff.
 - Ensure that all door supervisors are briefed in advance of any scheduled events to include details of the event, record start and finish times, and all resources and equipment to be deployed.
 - Ensure that door supervisors are equipped with body worn videos at all scheduled events held.
 - Ensure that clear visible notices are placed at each entrance and exit of the premises advising those attending that it is a condition of entry that customers agree to being searched and that the police will be informed if anyone is found in possession of any controlled substances or weapons.
8. The Designated Premises Supervisor or Premises Licence Holder must instruct a suitably qualified Health and Safety Risk Assessor to carry out an annual risk assessment of the premises which must of necessity cover an evacuation plan, first aid providers and kits and the said report which shall be kept on record and produced on request to any authorised officer of a responsible authority.
9. The Premises Licence Holder or nominated person shall provide a written drugs policy detailing the actions to be undertaken to minimize the opportunity to use or supply illegal substances within the premises. The Premises Licence Holder or nominated person shall ensure that security arrangements are in place where toilet areas and other similar areas are regularly checked for evidence of drugs. The date and times of all checks are to be recorded and

made available on request from an authorised officer of a responsible authority.

10. Signage shall also be placed in the toilet areas advising patrons that checks are conducted regularly.
11. No customer carrying open bottles shall be allowed to exist or access the premises at any time they are open to the public.
12. The collection of glasses and bottles shall be undertaken at regular intervals to ensure there is no build-up of empties in and around the premises.
13. All external windows and doors shall be kept closed after 22:30 hours when regulated entertainment is being provided, except in the event of an emergency and for access and egress. All exterior windows and doors shall be maintained in a good state of repair and working order.
14. The Licence Holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises is used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause disturbance to local residents.
15. A written record shall be made of those noise assessments in a logbook kept for that purpose and shall include the time and date of the checks, the name of the person making them, and the results indicating any remedial action to be taken. This record shall be made available immediately upon request by an Authorised Officer of a responsible authority.
16. There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, (or member and their guests) notices requiring customers to leave the premises and the area quietly.
17. The Licence Holder or his representative shall conduct regular checks of the premises curtilage and keep the area clean. A written record shall be made of those assessments in a logbook kept for that purpose and shall include the time and date of the checks, the name of the person making them, and the results indicating any remedial action taken. This record shall be made available immediately upon request by an Authorised Officer of a responsible Authority.
18. No alcohol shall be taken into or consumed in the smoking area after 22:30 hours.
19. On evenings when a DJ is employed at the premises he/she will make an announcement to remind customers that the venue is situated in a residential area and request that they treat neighbours with respect by leaving the venue as quietly as possible.
20. No bottles shall be taken outside the premises between the hours of 22.30 and 08:00 hours daily.

21. Occupancy of the building must be assessed by virtue of the fire risk assessment which will be reviewed from time to time.
22. When events are undertaken door supervisors must monitor occupancy and exit levels by use of a clicker system.
23. Challenge 25 shall be implemented, and a proof of age policy is to be applied with the accepted means of proof of age being:
 - Passport
 - Photo Driving Licence
 - A recognised valid photo-id card bearing the PASS hologram
 - Any future accredited and accepted proof of age Signs shall be displayed stating that the premises operates a Challenge 25 Policy.
24. No child under the age of 16 will be admitted to the premises after 22:00 hours unless attending a pre-booked function, where they must be accompanied and supervised by a responsible adult.
25. All staff employed in the premises must attend a Licensing Act 2003 course provided by a suitably qualified external provider with evidence of the same kept and produced upon request to any authorised officer of a responsible Authority.
26. Such training shall be documented and recorded. It will record the date and names of those trained and the person providing it. The training shall cover all aspects of the responsible sale of alcohol - Licensing objectives, age verification, how to detect proxy sales, consequences of underage sales, serving to drunks and conflict management. The records will be available to be viewed on demand by an authorised officer of a Responsible Authority.

The Premises Licence Holder has a right of Appeal to the Magistrates Court against this determination on review, which must be filed no later than 21 days following its receipt.

This page is intentionally left blank

Statutory Licensing Sub-Committee
Minutes - 12 June 2023

Attendance

Members of the Statutory Licensing Sub-Committee

Councillor Zee Russell (Chair)

Councillor Rashpal Kaur

Applicant

Oisin Daly

Jas Singh

Sukhvinder Kaur

Agent for the Applicant

Responsible Authorities

Amitabh Singh

Ryan Hollings

Emily Fellows

Sgt Gemma Turner

Licensing Authority

Public Health

Environmental Health

West Midlands Police

Other Persons

Martin Cartwright

Ken Wordley

Employees

Debra Craner

Bankole Thomas

David Abel

Jacob Stokes

Licensing Section Leader

Licensing Solicitor

Senior Solicitor (Observer)

Democratic Services Officer

Item No. *Title*

1 Apologies for absence

Apologies for absence were received from Councillor Gillian Wildman, Councillor Craig Collingswood and Neil Aston-Baugh, West Midlands Fire Service.

2 Declarations of interest

There were no declarations of interest.

3 Licensing Act 2003 - Application for a new Premises Licence in respect of The Connaught Hotel, 44-50 Tettenhall Road, Wolverhampton, WV1 4SW

An application for a Premises Licence in respect of The Connaught Hotel, 44-50 Tettenhall Road, Wolverhampton, WV1 4SW was considered following representations received from the Licensing Authority, Environmental Health, Public Health, West Midlands Police, West Midlands Fire Service and Other Persons.

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so.

The Chair 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 representations, and to take such steps as contained in the Licensing Act 2003, as it considered appropriate for the promotion of the Licensing Objectives.

Debra Craner, Section Leader – Licensing and Compliance, provided an outline of the application. Mr Oisin Daly, Agent for the Applicant, confirmed that the summary was accurate.

The Chair invited the Applicant to present the application. Mr Daly did so, as per Appendix 1 of the report. He stated the following:

1. There was already an existing Premises Licence at the premises, but the Premises Licence Holder felt that a new application was more appropriate to amend and add conditions.
2. The primary concerns from residents were related to noise but the conditions agreed with Environmental Health would help to alleviate any issues.
3. Doors and windows at the back of the Hotel would be closed at all times when regulated entertainment took place.
4. The Applicant was confident that they can get customers to leave through the proper exits once regulated entertainment had concluded.
5. There would be no new entry after 23.00hrs.
6. Any anti-social behaviour would not be tolerated.
7. The Applicant hoped that, through these conditions, a situation can be created where the Hotel and residents can co-exist.

The Chair afforded all parties present the opportunity to question the Applicant in relation to his submission. Mr Daly and Mr Jas Singh, Applicant, responded to questions asked and stated the following:

1. The Hotel had installed a new CCTV system and will work with West Midlands Police closely.
2. During functions, the Hotel had someone on the door to ensure no drinks were allowed in the car park.
3. The Hotel ran a strict policy regarding which events could be held on the premises and have declined bookings that may have caused trouble.
4. The Applicant was always happy to cooperate with the residents regarding their concerns.
5. The Applicant was happy to propose another condition to the licence that for any private function, a parking attendant would be present on site.
6. The Hotel was updating their fire alarm system and removing potential fire hazards.
7. The Hotel had 60 rooms and most bookings were made via the internet.
8. The Hotel had strict policies that aimed to keep noise to a minimum.
9. The Hotel had a no-tolerance approach to drug use.

The Chair invited the Licensing Authority to make representations. Amitabh Singh, Licensing Section Leader, did so, as per Appendices 3 and 10 of the report. He stated that the Licensing Authority had mediated with the Applicant and licence conditions had been agreed. He outlined the conditions for the Sub-Committee.

The Chair afforded all parties present the opportunity to question the Licensing Authority in relation to its submission. There were no questions asked.

The Chair invited Environmental Health to make representations. Emily Fellows, Team Leader – Environmental Health, did so as per Appendices 4 and 12 of the report. She stated that Environmental Health had undertaken a site visit and had mediated with the Applicant. She outlined the licence conditions for the Sub-Committee.

The Chair afforded all parties present the opportunity to question Environmental Health in relation to its submission. The Team Leader – Environmental Health responded to questions asked.

The Chair invited Public Health to make representations. Ryan Hollings, Health Improvement Officer, did so as per Appendices 5 and 11 of the report. He stated that Public Health had mediated with the Applicant and licence conditions had been agreed.

The Chair afforded all parties present the opportunity to question Public Health in relation to its submission. The Health Improvement Officer responded to questions asked.

The Chair invited West Midlands Police to make representations. Sgt Gemma Turner did so, as per Appendix 6 of the report and the Supplementary Agenda Pack. She stated that West Midlands Police had mediated with the Applicant and licence conditions had been agreed. She outlined the licence conditions for the Sub-Committee.

The Chair afforded all parties present the opportunity to question West Midlands Police in relation to its submission. There were no questions asked.

The Chair invited other interested parties to make representations. Mr Martin Cartwright did so. He stated that the residents living nearby were concerned about potential events at the premises. However, he stated that a lot of his concerns had been addressed by the Applicant who had given assurances that events would be vetted.

The Chair afforded all parties present the opportunity to question Mr Cartwright in relation to his submission. There were no questions asked.

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

The Applicant made a final statement.

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

The Sub-Committee adjourned at 11.59 hours.

The Hearing reconvened at 13.59 hours.

All parties re-joined the meeting.

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

Resolved:

The Licensing Sub-Committee has taken note of all the representations made both in writing and given orally by those attending the hearing regarding the concerns raised in respect of the application for a new Premises Licence made by Lodging Investments Limited (Company Registration Number 12612160) who are the owners of The Connaught Hotel, 44-50 Tettenhall Road, Wolverhampton, WV1 4SW.

The Sub-Committee has heard representations from the applicant's agent stating that:

The Connaught Hotel is a 60 roomed hotel with a public bar and attached conference and function rooms which proposes to provide live music performances, recorded music, late night refreshments and the sale and supply of alcohol on and off the Premises in accordance with a proposed operating schedule.

The Licensing Sub-Committee have heard representation from the Licensing Authority as Responsible Authority that:

There was initially insufficient information in the operating schedule to address how the applicant intended to address the Licensing Objectives. This was addressed in due course by way of further representations, and mediation between the applicant

and the Licensing Authority concluded with appropriate conditions that addressed their concerns.

The Licensing Sub-Committee heard from Environmental Health as Responsible Authority who stated that:

There was insufficient information within the operating schedule to show how the applicant will address the Licensing Objectives of Public Safety and the Prevention of Public Nuisance. However, after entering into mediation with the applicant, their concerns were resolved, and appropriate conditions agreed in this respect.

The Licensing Sub-Committee heard from Public Health as Responsible Authority who stated that:

It would be making representations to this application on the grounds of the Prevention of Crime and Disorder, Public Nuisance, Public Safety and the Protection of Children from Harm as they have concerns around the operating schedule and timings of selling alcohol both on and off the Premises. However, after entering into mediation with the applicant, their concerns were resolved, and appropriate conditions agreed in this respect.

The Licensing Sub-Committee heard from West Midlands Police as Responsible Authority who stated that:

It will be making representations in relation to this application under the Licensing Objective of the Prevention of Crime and Disorder because there was insufficient detail as to how this was to be achieved from the application and the operating schedule. However, after entering into mediation with the applicant, and proposing conditions of their own which were accepted, their concerns were resolved in this respect.

The Licensing Sub-Committee was not able to hear directly from the Fire Authority as a Responsible Authority but noted that they had made written representations in respect of the application with regard to the Licensing Objective of Public Safety due to a number of fire safety issues it had noted following an inspection. These are as follows:

1. The fire risk assessment requires updating to include Safe capacity numbers within the new assessment.
2. The emergency lighting needs upgrading in some areas.
3. The artificial plastic plants are a serious fire hazard.

They had however entered into mediation with the applicant following their site inspection in respect of which an undertaking had been provided by the applicant in writing prior to today's hearing that resolved their concerns.

Lastly the Licensing Sub-Committee also received written representations from Councillor Craig Collingswood and heard in person from Ken Wordley and Martin Cartwright of the Vauxhall Residents Association who stated that the Vauxhall Estate backs directly onto the Connaught Hotel and that the residents were extremely concerned with the proposals made in this application as:

1. The advertising of the application had not been done appropriately because no one in the estate knew about the application until he mentioned it to a few residents.
2. That the applicant's hotel is located beside the Solace community, which is a residential hostel/lodge for adult men with alcohol addiction issues.
3. There has previously been alcohol related Anti-Social Behaviour in this area, and it is anticipated that if the licence is granted, there will be an increase in Anti-Social Behaviour which will affect residents and place additional pressure on the Police.
4. Noise is already a major concern.
5. Car parking is already a big problem on the Vauxhall estate, which will be made much worse should the licence be granted.
6. He also presented a signed 74-person objection by members of the Vauxhall Residents Association, objecting to the application under the Licensing Objectives stating that there is a major fear amongst residents that the grant of the application will see a major increase in Anti-Social Behaviour which will have a detrimental impact on their lives.

The Licensing Sub-Committee have had regard to both the written and oral evidence that has been presented by all the attending parties today and has attached appropriate weight in its deliberations to all the facts and responses provided.

Having considered the views of all concerned, the Licensing Sub-Committee have decided that the application for a Premises Licence should be **granted**, subject to the following conditions, which have been proposed by the applicant, and all the Responsible Authorities present which are detailed below in accordance with section 18 of the Licensing Act 2003.

For the purposes of interpretation, where there is any conflict between the existing licence and the licence granted by this Licensing Sub Committee, today's licence shall take precedence.

It is considered by the Licensing Sub Committee that the proposed Operating Schedule and additional conditions should be attached in support of the Licensing Objectives as follows.

Amendment to the Operating Schedule

1. Sale and Supply of alcohol

Sunday to Thursday 10.00 hours to 23.00 hours.
Friday and Saturday 10.00AM hours to 01.00AM

2. No access shall be granted to new patrons seeking to enter the Premises or purchase alcohol from 23.00 hours till closing time on any given day of the week.

The Prevention of Crime and Disorder

3. The supply of alcohol is only to be permitted on the Premises or accompanied when a substantial meal is ordered.

4. Alcohol shall only be delivered to a domestic or commercial address, and must not be delivered to any person in a public place e.g., a car park, a street corner, a bus stop etc.

5. Customers who are permitted to temporarily leave and re-enter the Premises, e.g., to smoke, shall not be permitted to take drinks, bottles and glass containers with them.

6. An electronic or written incident log will be maintained at the Premises with a record of all incidents of crime and disorder reported to or by the Premises; to include all ejections of patrons; complaints received; the use of fraudulent Identification or other items; any faults reported or found in the CCTV system; any visits made by a relevant authority or emergency service.

7. The incident log must be produced immediately upon request of any authorised officer of a Responsible Authority. Where a crime is believed to have been committed, the incident must be reported to West Midlands Police within 48 hours of its occurrence.

8. Any supply of alcohol for consumption off the Premises must be within a sealed container.

Public Safety

9. A daily incident log shall be kept at the Premises for a period of at least 12 months from the date of last entry, which will record the following:

- (i) all crimes reported to the venue
- (ii) all ejections of patrons
- (iii) all and any complaints received
- (iv) details of any incidents of disorder
- (v) all and any faults in the CCTV which must be repaired within 24hrs
- (vi) any refusal of the sale of alcohol
- (vii) any visits made by authorised officers of any relevant authority or from any of the emergency services.
- (viii) any lost property found or handed to staff at the Premises.
- (ix) any other relevant incidents that occur in the Premises.

10. Contact numbers for Local Taxi companies shall be kept and made available to all patrons requiring a taxi.

The Prevention of Public Nuisance

11. All staff responsible for selling alcohol shall receive regular training on the Licensing Act 2003 from an independent approved trainer in terms of the Licensing Objectives, offences committed under the Act and conditions of the Premises Licence.

(a) Written records of all staff training provided under the Licensing Act 2003 shall be retained and made immediately available to police and authorised officers of responsible authorities upon request.

(b) Staff shall receive refresher training under the Licensing Act 2003 at intervals of no more than 6 months.

(c) Signed and dated records shall be kept of all staff training and made immediately available for inspection at the Premises for a period of at least one calendar year from the last date of entry.

(d) There shall be CCTV in operation at the Premises and;

(i) a member of staff who has been nominated in writing and who is conversant with the operation of the CCTV system shall be on the Premises at all times when the Premises are open to the public.

(ii) if the Premises are not open, and subject to the tests set out by virtue of the Data Protection Act, within 24 hours of a request for access to the CCTV system recordings from either the Police or any authorised officers of a Licensing Authority, this staff member must be able to show the Police, HMRC or authorised council officer recent data or footage with the absolute minimum of delay when requested.

(iii) CCTV shall record continuously and be retained for not less than 31 days.

12. Motorised vehicles engaged in the delivery of alcohol which are waiting at the Premises shall ensure that their engines are switched off during the preparation of their order. The Premises Licence Holder shall ensure that all individuals engaged in delivering food to customers shall arrive and depart the Premises and/or delivery point with a minimum of noise.

13. Alcohol shall be delivered to a residential or business address only and shall not be delivered to a person in a public place, e.g., a car park, a street corner, a bus stop etc.

14. Signage will be visible at all Premises exits to request that customers leave the Premises and the area quietly.

15. All windows that lead directly off rooms/spaces where regulated entertainment is provided shall be kept closed at all times when regulated entertainment takes place.

16. All doors that lead directly off rooms/spaces where regulated entertainment is provided shall always be kept closed when regulated entertainment takes place except for the egress of persons in the case of an emergency.

17. No noise shall emanate from the Premises, nor shall there be detected any vibrations transmitted through the structure of the Premises that gives rise to a nuisance detectable by the nearest noise sensitive receptor.

18. During periods of regulated entertainment, the Licensee, management or some delegated member of staff shall undertake regular noise monitoring at the nearest noise sensitive locations.

19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents when leaving the Premises and when using the smoking areas.

20. Staff shall monitor the customer smoking area on a regular basis to ensure patrons and residents do not cause/create a Public Nuisance.

21. No rubbish, including bottles, shall be moved, removed or placed in outside areas between the hours of 21.00 hours and 07.00 hours.

The Protection of Children from Harm

22. A "Challenge 25" age verification policy shall be operated at the Premises during the permitted hours for the sale of alcohol and "all" staff shall be trained in respect of the policy. Staff shall ask for proof of age from anyone they suspect of being less than 25 years of age. The only acceptable forms of identification shall be a photo style driving licence, a passport, a photo identification card bearing the PASS logo in a hologram format, military ID or recognised national photographic identity cards from member countries of the European Union. Posters shall be displayed in prominent positions around the Premises advising customers of the Challenge 25 policy in force at the Premises. A record shall be maintained recording every occasion when the sale of alcohol has been refused.

23. The record shall;

- (i) give the date and time of the occasion,
- (ii) a brief description of the customer and the name of the member of staff who refused to sell the alcohol,
- (iii) be kept at the Premises and available for inspection by authorised officers of the Licensing Authority and the Police at all times the Premises are open.

24. All delivery drivers must undertake Challenge 25 verification at the point of delivery for all and any goods at the point of delivery. All transactions are to be documented electronically, detailing the order number, recipient and delivery address. This record is to be made immediately available upon the request of any authorised officer of a Responsible Authority.

25. When age restricted goods are delivered to a customer's address, the person who takes receipt of the goods must be subject to a Challenge 25 verification. Where age verification is required, it must consist of an original valid photographic identity document such as a driving licence, a military identification card or a proof of age card carrying a PASS hologram.

26. The Premises Licence Holder shall maintain an accurate and up to date record of all sales of alcohol made via remotes means. This information shall be made immediately available to the Police and authorised officers when requested.

27. All staff shall be trained in how to spot child sexual exploitation indicators and how to report any concerns which arise.

28. The Premises Licence Holder shall maintain training records which must be produced immediately upon request by an authorised officer of a Responsible Authority.

29. All staff must report suspicious activity to local Police as soon as possible but no later than 48 hours and record information in an activity log including credit details, physical descriptions, retain CCTV recordings, vehicle registration numbers, times of arrivals/departures, and finding/natures of concern.

It is also noted that the applicant's agent voluntarily proposed a further condition to allay the concerns of affected neighbours with regards to the Premises car park and noise nuisance from patrons during the course of events as follows;

30. The Premises Licence Holder shall ensure that the Premises car park is patrolled by appropriately licensed security staff on an hourly basis at "all" events held on the Premises between 18.00 hours and the closure of the Premises.

A written copy of the decision will be forwarded to all parties forthwith.

All parties have a right of appeal to the Magistrates Court within 21 days of receipt of this decision.

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee
Minutes - 15 June 2023

Agenda Item No: 9

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Zee Russell (Chair)

Cllr Gillian Wildman

Cllr Rashpal Kaur

Responsible Authorities

Sgt Gemma Turner – West Midlands Police

Employees

Debra Craner – Licensing Section Leader

Bankole Thomas – Solicitor

Donna Cope - 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 Exclusion of press and public

Resolved: That, in accordance with section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information falling within paragraph 1 of Schedule 12A to the Act relating to any individual.

4 Licensing Act 2003 - Application for a Personal Licence

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so. She 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.

Debra Craner, Section Leader Licensing, outlined the report regarding an application for a Personal Licence, which had been circulated to all parties in advance of the meeting. The Applicant confirmed that the information contained within the report was accurate.

The Chair invited the Applicant to make her submission.

The Applicant did so. She detailed the circumstances that led to her convictions and explained how she had turned her life around. She stated that she deeply regretted what she had done and was not a bad person.

The Applicant requested that the Sub-Committee received a character reference. The Sub-Committee agreed to the request (copy filed with these minutes).

The Chair afforded all parties present the opportunity to question the Applicant in relation to her submission. The Applicant responded to questions asked and elaborated further on how her life had changed since the offence. She acknowledged the severity of what she had done and stated that she wanted to better herself.

The Chair invited West Midlands Police (WMP) to make representations. Sgt Gemma Turner did so as per Appendix 5 of the private report and supplementary documents. She stated that the Applicant had relevant

offences for which the rehabilitation period had not been completed and that to grant the application would undermine the Licensing Objectives. She stated that West Midlands Police had no confidence in the Applicant and requested that the application be refused.

The Chair afforded all parties present the opportunity to question West Midlands Police 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.

Bankole Thomas, Solicitor, provided legal guidance to Members and reminded them of their available options.

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

The Sub-Committee adjourned at 11.00 hours.

The Hearing reconvened at 12.24 hours.

All parties were invited back to the meeting.

The Chair advised them of the decision of the Sub-Committee, which was read out in full by the Solicitor.

Resolved:

The Licensing Sub-Committee had considered the evidence presented and had regard to the application, the representations made, guidance issued under Sections 120 (4) 5 (a), (6), 7(a), 7 (b) & 182 of the Licensing Act 2003 along with the Council's own licensing policy and received detailed counsel from its Legal Adviser.

In the circumstances and in accordance with Section 120 of the Licensing Act 2003 the Licensing Sub-Committee decided to refuse the application for a Personal Licence as it was not considered appropriate for the promotion of the Prevention of Crime and Disorder Licensing Objective.

The decision can be appealed to the Magistrates Court within 21 days from receipt of the decision. In the event an appeal is lodged and dismissed by the Court the Council will apply for its incurred legal costs arising from its defence of the decision being appealed.

This page is intentionally left blank

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Zee Russell (Chair)
Cllr Gillian Wildman
Cllr Rashpal Kaur

Applicant for Review - West Midlands Police

Kayley Nixon
Sergeant Gemma Turner

Premises Licence Holder

Piers Warne
Amrit Uppal

Solicitor
Designated Premises Supervisor

Employees

Elizabeth Gregg
Bankole Thomas
Dave Abel
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 Exclusion of press and public

Resolved: That, in accordance with section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information falling within paragraph 7 of Schedule 12A to the Act.

4 Licensing Act 2003 - Application for a Expedited Summary Review in respect of The Winning Post, 346 Glentworth Gardens, Wolverhampton, WV6 0SN

An application for an expedited summary review of a Premises Licence in respect of The Winning Post, 346 Glentworth Gardens, Wolverhampton, WV6 0SN, had been received from West Midlands Police.

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so. She 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. Kayley Nixon, West Midlands Police, (Applicant), confirmed that the summary was accurate.

The Chair invited West Midlands Police to present their application.

Kayley Nixon, West Midlands Police, outlined the application as per Appendix 3 of the restricted report and requested that the premises licence be suspended pending a full review hearing.

The Chair afforded all parties present the opportunity to question West Midlands Police in relation to their submission. Kayley Nixon responded to questions asked.

The Chair invited the Premises Licence Holder to make representations. Mr Piers Warne, representing the Premises, did so. He explained the history of the Premises; the three previous incidents that had occurred; and how the Designated Premises

Supervisor (DPS) had co-operated with the Police with their enquiries. He further stated that:

1. There were issues in the area and the DPS had previously barred troublesome customers.
2. None of the incidents had occurred inside the premises. They had only occurred outside at night time during the weekend. Therefore, any suspension need not cover daytime trading, only night times during weekends.
3. The premises had initially had door staff despite it not being a condition of licence. Following disagreements these door staff had left and the DPS was currently looking for a replacement.
4. The police visited the premises regularly and the DPS was happy to work with them.

Mr Warne proposed the following Interim Measures until a final review hearing had taken place:

1. Voluntary closure to allow for the following to be implemented, opening only on confirmation from the Police that all matters have been complied with:
 - a. 2 door supervisors to be on duty from 9pm until 30 minutes after the last person has left the premises on Friday and Saturday nights.
 - b. An Incident avoidance and management policy to be drawn up and implemented. All staff to be trained.
 - c. A crime scene preservation policy to be drawn up and implemented. All staff to be trained.
 - d. A dispersal policy to be drawn up and implemented. All staff to be trained.
 - e. An incident log to be kept and maintained on site and all incidents to be logged. The log to be available to officers from the council/ police on request.
 - f. CCTV to be installed to cover all entrances and exits and the car park. Recordings to be kept for a minimum 28 days and be made available to police on request (subject to data protection laws). Notices to be displayed at each entrance and prominently in the car park to remind customers of CCTV on the premises.
2. Steps a to f to be added to the premises licence as interim steps.
3. Meeting with the police on site prior to re-opening to go through documents and confirm all staff trained.
4. Re-opening date to be notified to the licensing team 24 hours in advance of opening.
5. Searches to be carried out and search wands to be used on entry to the Premises.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder in relation to his submission. Mr Warne responded to questions asked.

The Chair invited all parties to make their final address.

Piers Warne, representing the Premises made a final statement.

Kayley Nixon, West Midlands Police, made a final statement.

Bankole Thomas, Solicitor, provided legal guidance to the Sub-Committee 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 10.48 hours.

The Hearing reconvened at 12.15 hours.

All parties were invited back to the meeting.

The Chair advised them of the decision of the Sub-Committee, which was read out in full by the Solicitor.

Resolved:

An application was received from the West Midlands Police on 27 June 2023 for an expedited review of the Premises Licence in respect of the Winning Post, 346 Glentworth Gardens, Dunstall, Wolverhampton, WV6 0SN.

The Chief of Police had given a certificate under Section 53A (1) (b) of the Licensing Act 2003 (the Act), stating that in their opinion the premises were associated with serious crime and disorder and had requested that interim steps be applied to the premises licence pending a full review hearing.

The Sub-Committee considered all information presented both written and oral.

The Sub-Committee heard from the applicant (West Midlands Police) that:

1. At 02:48 hours on Sunday 25th June 2023 West Midlands Police were contacted by colleagues from the Ambulance Service to report a stabbing outside the location of The Winning Post, 346 Glenworth Gardens, Dunstall, Wolverhampton, WV6 OSN.
2. At 02:52 hours police officers arrived at The Winning Post.
3. Initial investigation showed that the injured person left the garden area of the premises at 02:40 hours on Sunday 25th June 2023.
4. There were a number of people stood around, and as the victim walked past the group, they became engaged in what appeared to be a verbal exchange. Seconds later the victim was attacked, receiving injuries to their arm that were later confirmed with hospital staff as slash wounds. The injured person was subject to further violence from others within the group. At this time West Midlands Police believe a knife/ large blade has been used as a weapon, this was based on CCTV, and initial accounts from police officers at the scene which corroborate the injuries sustained.
5. The injured person was transported to hospital by unknown means.
6. There were no calls to West Midlands Police from the Designated Premises Supervisor or any staff member who were on duty working at the premises.
7. West Midlands Police were due to hold a meeting surrounding the crimes that had been committed at this location in recent weeks with Admiral Taverns, the premise licence holders, on 27th June 2023.

8. This incident alone was a serious crime which undermined the licensing objective of The Prevention of Crime and Disorder. In the month of June 2023 The Winning Post, Glentworth Gardens, Wolverhampton, WV6 OSN had seen two other serious incidents at the location crimed as assault by wounding, section 20 offence's against person.
9. The Winning Post, 346 Glentworth Garden has a premises licence which stipulates the sale of alcohol on a Saturday is until 0200hours and the premises opening hours are until 0230hours. At 0259 hours a West Midlands Police Officer entered The Winning Post and a customer left the premises drinking from a plastic cup. When entering the bar area of the premises there were a number of individuals stood and sat around the bar area.
10. It is West Midland Police's priority to ensure the safety of the public. The premises have remained open after licensing hours. There have been no calls to West Midlands Police to report any of the incidents that have been mentioned.
11. West Midlands Police have serious and grave concerns that a serious incident has taken place with the significant likelihood of another taking place. West Midlands Police do not hold confidence in the Designated Premises Supervisor to uphold the licensing objectives or follow licensing conditions set out on Premises Licence.

The Sub-Committee heard from Piers Warne for Admiral Taverns, the Premises Licence Holder, that he proposed the following Interim Measures in respect of the Premises until a final review hearing takes place:

1. Voluntary closure to allow for the following to be implemented. Opening only on confirmation from the Police that all matters have been complied with:
 - a. 2 door supervisors to be on duty from 9pm until 30 minutes after the last person has left the premises on Friday and Saturday nights.
 - b. An Incident avoidance and management policy to be drawn up and implemented. All staff to be trained
 - c. A crime scene preservation policy to be drawn up and implemented. All staff to be trained
 - d. A dispersal policy to be drawn up and implemented. All staff to be trained
 - e. An incident log to be kept and maintained on site and all incidents to be logged. The log to be available to officers from the council/ police on request
 - f. CCTV to be installed to cover all entrances and exits and the car park. Recordings to be kept for a minimum 28 days and be made available to police on request (subject to data protection laws). Notices at each entrance and prominently in the car park to remind customers of CCTV on the premises.
2. Steps a to f to be added to the premises licence as interim steps.
3. Meeting with the police on site prior to re-opening to go through documents and confirm all staff trained.
4. Re-opening date to be notified to the licensing team 24 hours in advance of opening.
5. Searches to be carried out and search wands to be used on entry to the Premises.

The Licensing Act and Home office Guidance state that the tests to determine the kinds of conduct that amount to serious crime are set out in section 81(2) and (3) (a) and (b) of the Regulation of Investigatory Powers Act 2000. These tests include conduct which constitutes an offence for which a person who is 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more; and which involves the use of violence.

The Licensing Sub-Committee had received the Certificate from the West Midlands Police and they had received confirmation at the hearing that serious crime and or disorder had occurred on the premises.

The Sub-Committee were satisfied that a serious crime had occurred at the premises. An incident occurred at the premises on the 25th June 2023 resulting in a customer being slashed on the arm with a knife. There were two previous incidents where injuries occurred to patrons. The Police investigation was ongoing.

They were further satisfied that serious disorder had occurred on the premises. Serious disorder is to be given its plain ordinary meaning.

Based upon the evidence presented, consideration had been given as to whether it was necessary to take interim steps pending determination of the review (s53C LA 2003). The Sub-Committee were satisfied that interim steps were necessary. In accordance with Section 53B (3) (d) of the Licensing Act 2003, the decision of the Licensing Sub-Committee was to suspend the premises licence pending the full review hearing. The reasons for this were that there was still an ongoing Police investigation and to date the actions of the DPS have been inadequate in relation to the seriousness of the incidents and have undermined the licensing objectives. The decision was made in accordance with the Provisions of the Violent Crime Reduction Act 2006 and Section 3.7 of the Guidance on Expedited /Summary Licence Reviews as immediate suspension is necessary to prevent further serious crime and disorder from occurring and it is better to impose a suspension of the licence rather than impose a range of costly conditions and permanent adjustments to the licence as an interim measure which may be altered upon a full review. There has been no explanation of the costs and timescales necessary to implement the proposed conditions and the Sub-Committee are of the view that suspension is the only viable option to protect the public in the interim period pending full review. The proposed voluntary closure for limited hours does not prevent violent crime from reoccurring as there is potential for this to occur at anytime given the current admitted problems with the area, lack of implementation of policies, training of staff and security and the insufficient actions taken by the DPS.

The decision of the Sub-Committee was considered reasonable and proportionate to uphold the licensing objective of the Prevention of Crime and Disorder as an interim step pending a full review.

A full and Final Review Hearing must take place within 28 days.

The Premises Licence Holder may make representations against the imposition of the Interim Steps and a Hearing will take place within 48 hours of receipt of such representations to determine whether the interim steps imposed are appropriate.

This page is intentionally left blank

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee

Minutes - 3 July 2023

Agenda Item No: 11

Attendance

Members of the Statutory Licensing Sub-Committee

Councillor Zee Russell
Councillor Rashpal Kaur
Councillor Gillian Wildman

Applicant for Review - West Midlands Police

Sgt Steph Reynolds
Kim Wilson
Kayley Nixon
Sgt Gemma Turner

Barrister

Premises Licence Holder

Sarah Clover
Nathan Thaker
Samuel Evans
Eileen Wallace

Barrister
Designated Premises Supervisor
Premises Licence Holder
Assistant

Responsible Authorities

Amitabh Singh
Licensing Authority

Other Persons

Oliver Merrick

Employees

Elizabeth Gregg
Dave 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 The Hangar, Pountney Street, Wolverhampton, West Midlands, WV2 4HX

An application for a review of a Premises Licence in respect of The Hangar, Pountney Street, Wolverhampton, WV2 4HX had been received from West Midlands Police (WMP).

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so. She 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. Kim Wilson, Legal Representative for West Midlands Police (Applicant), confirmed that the summary was accurate.

The Chair invited West Midlands Police to present their application.

Kim Wilson, Legal Representative for West Midlands Police, stated the grounds for review as per Appendix 3 of the report and supplementary agenda packs. He stated that West Midlands Police were not seeking revocation of the licence, they were seeking a variation of the existing licence and the imposition of conditions which would allow them greater oversight of the premises. The conditions proposed by WMP included:

- West Midlands Police to have the authority to veto all events.
- The venue to be over 18s only.
- The premises to give West Midlands Police 21 days advance notice of Acts that are booked by the venue, and associated Risk Assessment to be submitted 14 days in advance of the event taking place.

Sarah Clover, Legal Representative for the Premises, stated that the proposed conditions regarding the police vetoing all events and the premises being for 18s only had never been mentioned before. She therefore did not consent to them being proposed during the hearing and asked that they be rejected by the Sub-Committee.

Following the request, it was agreed that the hearing would adjourn for ten minutes to allow Members and their legal representative, Dave Abel, consider the matter.

All interested parties, with the exception of the Solicitor and the Democratic Services Officer, withdrew from the meeting.

Hearing adjourned 10.46

Hearing reconvened 10.56

All parties were invited back to the meeting and due to the nature of the discussion, it was agreed that the hearing would go into private session.

Mr Merrick withdrew from the meeting.

Further discussion took place on the matter and members were advised to disregard the first two proposed conditions.

Kim Wilson continued his submission and reiterated that West Midlands Police required sufficient notice of all events taking place at the premises to enable them to complete a thorough risk assessment and ensure public safety. It was noted that some of the events held at the premises were high risk and that despite voluntarily agreeing to conditions in the past, the premises had not adhered to them.

The Chair afforded all parties present the opportunity to question West Midlands Police in relation to their submission. Kim Wilson, Sgt Steph Reynolds and Kayley Nixon responded to questions asked.

The Chair invited the Premises Licence Holder to make representations.

Sarah Clover, Legal Representative for the Premises, did so. She stated that:

1. There was no reason to review the premises licence as nothing had actually happened.
2. The Premises had been trading for five years and was a large capacity venue providing a range of events for all ages including Comedy, Mixed Martial Arts and Music.
3. No condition was required in respect of Steve Simpson as he was no longer a concern to the police.
4. The Premises had made an offer to the Police in mediation proposing that the venue should Risk Assess all events and notify the Police at least 14 days before the Event except where the Event was deemed to be High Risk when 21 days prior notice would be given. Where alterations to the event occurred at short notice for an Event not deemed to be High Risk, then the Risk Assessment would be provided to the Police as soon as reasonably practicable.
5. There had been no major incidents at the premises.
6. The Partnership between the venue and the Police had been deteriorating.
7. The Existing Operating Schedule was not fit for purpose and required updating.
8. Other venues did not have a condition regarding the submission of Risk Assessments imposed upon them.

9. The Representations from the Licensing Authority simply repeated the Police Representations as the Licensing Authority had not visited the venue or engaged in mediation.
10. Mr Merrick's evidence and petition should be disregarded as it was not relevant to the review application.

The Chair afforded all parties present the opportunity to question the Premises in relation to their submission. Sarah Clover and her clients responded to questions asked.

Hearing adjourned for lunch 12.52

Hearing reconvened 13.31

The Chair afforded all remaining parties the opportunity to question the Premises in relation to their submission. Sarah Clover and her clients responded to questions asked.

Discussions between parties became tense so the hearing was adjourned.

Hearing adjourned 14.08

Hearing reconvened 14.20

The Chair afforded all remaining parties the opportunity to question the Premises in relation to their submission. Sarah Clover responded to questions asked.

The Chair invited the Licensing Authority to make representations. Amitabh Singh, Section Leader Licensing, did so as per Appendix 4 of the report. He stated that there had been a breakdown of communication between the premises and police and that improved conditions were needed.

The Chair invited all parties present to question the Licensing Authority in relation to its submission. Amitabh Singh responded to questions asked.

Mr Merrick was invited back into the room.

The Chair invited Mr Merrick to make representations. Mr Merrick did so as per Appendix 5 of the report. He stated that the premises had caused a number of issues for neighbouring businesses including noise, litter, parking, large crowds of people, damage to property, and customers urinating.

The Chair invited all parties present to question Mr Merrick in relation to his submission. Mr Merrick responded to questions asked.

Mr Merrick left the room.

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

Sarah Clover made a final statement.

Kim Wilson made a final statement.

David Abel, Solicitor, provided legal guidance to Members and it was agreed that the decision would be sent out in writing.

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.

Resolved:

An application was received from the West Midlands Police (WMP) on 26 April for a review of the Premises Licence in respect of the Hangar Poutney Street, Wolverhampton, WV2 4HX on the grounds of Prevention of Crime and Disorder and Public Safety. The application was made pursuant to s51 Licensing Act 2003 (as amended.)

The Sub-Committee heard and read from the applicant West Midlands Police (WMP), Sgt Steph Reynolds, Kayley Nixon, Sgt Gemma Turner and Kim Wilson, Counsel for West Midlands Police that:

1. WMP submitted the review papers due to the repeated breaches of the licence conditions and failure of the premises to follow through on voluntary agreed conditions and mediation with WMP.

The current licence conditions referred to are:

- Mr Steven Simpson is not permitted to have any dealings in the running of the premises, the business or hold any authority in day to day decisions.
 - WMP Licensing to be notified in advance of any events that are being held, in order to risk assess the event.
2. The Hangar is a large event space with a recently reduced capacity of 870. It provides a wide variety of events to a mixed age group including Bingo, Comedy Events, Music Events, Boxing, Wrestling and Mixed Martial Arts events. The venue is outside the City's Night-time Economy area. When violent incidents have occurred at the Premises, these have not been reported to the Police.
 3. WMP seek a variation of the existing licence to allow them to have greater oversight to ensure Public Safety and to Prevent Crime and Disorder. To do this they require 21 days advance notice of Acts that are booked by the venue, to enable the Police to conduct a Risk Assessment 14 days in advance of the event taking place. Where events need to be booked within 14 days the Police need notice of these Events.
 4. The venue agreed to voluntary conditions with West Midlands Police, including notification 30 days before an Event, but have not complied with their own proposed conditions.

5. The Hangar advertises events well in advance but fails to inform the Police that the event is taking place. Despite Police requests, Risk Assessments are not sent to them.
6. The venue has never assessed any Event to be High Risk even when this has been the view of West Midlands Police. For fighting Events taking place at the Hangar the Police consider the Crowd to pose a High Risk as many of those booked to fight are known to the Police, have criminal records and Gang involvement and attract a following. There have been no risk assessments for Mixed Martial Arts fights sent to the Police and there has been violence taking place within the crowd at the Premises. The venue has CCTV in place but footage needs to be provided to the Police upon request.
7. Incidents at the Premises have not been reported to the Police. An example of this was where a Doorman was assaulted and hospitalised and the Police were notified by A&E but not by the venue. No complaint was made by the Doorman.
8. The Police have had concerns over a Comedy Act booked at the venue where the Comedian is Transphobic, and which may attract protesters. The venue has taken his word that he is a low risk act.
9. The Police are of the view that the Licensing Objectives are not being upheld and whilst the sensible approach would be for early liaison with the Police to take place, the relationship with the venue has broken down and become unnecessarily confrontational.
10. A disproportionate amount of Police time and resources are taken up in dealing with the venue as it refuses to co-operate with the Police and Mediation has been ineffective. The DPS does not sufficiently engage with West Midlands Police and regards the commercial concerns of his business as his priority and does not provide risk assessments when requested.
11. The condition around notification of any event was previously placed on the licence to ensure that events can be suitably risk assessed by WMP, and this includes the names/dates of birth/addresses of all persons involved in the event. An example of this would be a Boxing/MMA/Wrestling event, WMP would require a list of all the fighters so that police checks could be run and any concerns that may be found could be highlighted.
12. WMP have had a multitude of conversations and meetings over the last few years regarding this particular condition with both the DPS and the PLH. The reason for this is because WMP have either not been informed of events at all or have not had sufficient notice in order to carry out the risk assessment. Further to that there are regularly insufficient details provided, with part names, nicknames, no dates of birth, or spelling errors.
13. WMP have provided specific details of these ranging from May 2022 right up until 22nd April 2023, where either no notice has been provided, or insufficient notice to complete risk assessments prior to the event. Many of these notifications were also missing significant details, contain spelling errors or

nicknames, making it difficult to ensure that the Police risk assessment is thorough and complete.

14. WMP are also aware that Steven Simpson the former PLH, is currently working and involved in the running of events at the premises, again breaching licence conditions.
15. WMP have attempted to work with the DPS and also the PLH to address the issue about notification. The DPS states that the condition does not state a time frame and therefore is not breaching his condition. The DPS feels that 2-3 hours' notice of an event is sufficient as it is in advance and claims he will win if it goes to a hearing. WMP have explained the reasons why sufficient notice is required, as it is time consuming researching lots of people, there are often missing details, and they have to arrange suitable police resources in advance depending on the event.
16. There have been many verbal agreements from the premises regarding giving sufficient notice, with one being given in December 2022 by the DPS to the Police confirming he will give at least 2 weeks' notice of all events. This has failed to happen and conversations then escalated to the PLH and Sgt Reynolds of WMP. A number of meeting dates were proposed and arranged, all of which have failed.
17. The PLH sent an email confirming several agreements on 29th March 2023, but there was NO compliance with those proposed voluntary conditions.
18. There have been previous incidents involving The Hangar, including:
 1. On the 01/04/23 a 20 year old male working as a Doorman, had been assaulted by 2 people at the premises and had his head stamped on resulting in hospital treatment.
 2. On 02/04/23 at 00.36AM there was an incident at the Hangar where knife crime and guns were mentioned. Allegedly, threats to kill were made and the perpetrator had a weapon, a large pole, and was threatening to put car windows through. The incident concerned a mobile phone kept by the Manager inside the premises and belonging to the Perpetrator. CCTV was operational but did not cover the area of the altercation. The offender was heavily intoxicated and hit a car with a plank of wood causing damage.
 3. On 13/05/22 an Off-duty Police Officer reported disorder at a Boxing Event at The Hangar which was not reported or dealt with by the Venue's Security.
 4. On 23/04/23 a video was posted on YouTube and subsequently watched by Sgt Reynolds of West Midlands Police. It showed a video of an interview with a Comedian whose act was considered to be Transphobic but had been booked to play at The Hangar
19. WMP seek the review to ensure that this premises have sufficient conditions in place, that are enforceable and adhered to, so that the licensing objectives of prevention of crime and disorder and public safety are upheld.
20. The former DPS, Mr Steve Simpson is subject to a Condition on the Premises Licence that "Mr Steven Simpson is not permitted to have any dealings in the

running of the Premises, the business or hold any authority in day to day decisions” but:

1. In response to an email of 02/04/23, the same day as an incident had taken place earlier at the premises in which Steven Simpson was a witness, Sam Evans the Premises Licence Holder, requested that the Police allow Steven Simpson to be employed at the Premises as a Bar Manager. Sgt Reynolds agreed to this in her emailed reply.
2. On 02/08/23 Steve Simpson was seen working at the premises by Deb Craner, a Licensing Officer who was visiting the premises on a compliance visit. She was told that his presence had been authorised by Sgt Steph Reynolds.
3. On the 28/03/23 Deb Craner observed Steve Simpson doing a walk-about of the Premises with West Midlands Fire Service and discussing matters regarding the building with them.
4. Neil Aston-Bough of West Midlands Fire Service confirms that he met on site with someone introduced as Steve who he was told was an owner.
5. The Hangar maintain that the Condition in regard to Steve Simpson is outdated and should be removed as the Police have no problem with him being involved in the Premises.
6. Sam Evans confirms that they hire the Till System from Steve Simpson. Steve Simpson’s email is listed on the contact details for the Hangar.
7. Sam Evans also confirms that Steve Simpson has not been working behind the Bar but has been working adjacent to the Bars selling food at their Events. He states that he has worked with Steve for 4 years.

West Midlands Police confirmed to the Committee that they had emailed the venue on 02/04/22 in reply to a request that Steve Simpson be employed as Bar Manager stating that they did not object to Steve Simpson working in that position as it did not, in their opinion breach the condition in his being involved with the venue. The Police agreed with the venue that Steve Simpson ‘s matters were historic and that he did not pose a current risk. The Police agreed with the venue that the Condition regarding Steve Simpson should be removed from the licence.

The Sub-Committee heard from Amitabh Singh, Licensing Authority, that:

1. The Licensing Authority as a Responsible Authority submit formal representations in support of the review applied for by West Midlands Police, due to the premises licence holder and management having failed to uphold the licensing objective of the Prevention of Crime and Disorder and the failure of the current management of the premises to promote and uphold this objective.
2. The Licensing Authority has concerns over the Premises Licence Holder, Samuel Evans and Designated Premises Supervisor, Nathan Thaker, as the evidence provided by West Midlands Police within their application indicates that the licensing objective of ‘Prevention of Crime and Disorder is not being upheld and therefore putting the public at risk.
3. The review shows a disregard for conditions attached to the premises licence by the Premises Licence Holder, Designated Premises Supervisor and the management, which has the potential to compromise public safety.

The Sub-Committee heard from Mr Oliver Merrick proprietor of a neighbouring business that:

1. Several fights have broken out after events that the hangar have put on, one which resulted in premises having a window broken.
2. Several acts of drunken behaviour have been witnessed from people attending events at the hangar, such as urinating in the fire escape of property.
3. Broken glass bottles and generic rubbish left by people attending events at the Hangar along Pountney Street and Gate.
4. A Petition has been submitted.

The Sub-Committee heard from Sarah Clover, Counsel for the Premises, from Mr Nathan Thaker, the Designated Premises Supervisor and from Mr Samuel Evans the Premises Licence Holder that:

1. There was no reason to bring the venue to Review as nothing had actually happened. The Premises had been trading for five years and was a large capacity venue providing a range of events for all ages including Comedy, Mixed Martial Arts and Music.
2. The Partnership between the venue and the Police has been deteriorating.
3. What the Police consider to be High Risk Events, the Venue considers to be low Risk.
4. The Premises had made an offer to the Police in Mediation proposing that the venue shall Risk Assess all events and notify the Police at least 14 days before the Event except where the Event is deemed to be High Risk when 21 days prior notice would be given. Where alterations to the event occur at short notice for an Event is not deemed to be High Risk, then the Risk Assessment will be provided to the Police as soon as reasonably practicable.
5. The PLH Sam Evans, had been dealing with the Police although the Police have no issue with the DPS Nathan Thacker.
6. The Existing Operating Schedule is not fit for purpose and requires updating.
7. The Police have not prosecuted for any Breach of Conditions.
8. It is not possible for the Venue to give 30 days' notice to the Police of upcoming events. Artists will not provide the information required and it is not commercially viable.
9. No condition is required in respect of Steve Simpson as he was no longer a concern to the police.
10. Acts will not provide details such as their names, addresses and dates of birth for the venue to pass onto the Police so it would be unfair to the venue to make the requirement to do so a condition of the licence.
11. The Premises would cancel any Event that they deemed to be high Risk and have cancelled Events when requested to do so by the Police.
12. The Premises do not want an artificially high time frame for Risk Assessments.
13. There was an incident at the Venue on 02/904/23 but the venue disputes the details.
14. The Police have a small Licensing team with limited resources and the venue are in a better position via their security Team to access information about performers and events.

15. Other venues do not have a Condition regarding the submission of Risk Assessments imposed upon them.
16. The Representations from the Licensing Authority simply repeat the Police Representations as the Licensing Authority have not visited the venue or engaged in mediation.
17. Mr Merrick's evidence and Petition should be disregarded as there is no lack of compliance.

The Decision of the Licensing Sub-Committee is to Modify the Conditions of the Licence and to Remove the Designated Premises Supervisor. The Modifications to the Licence are stated below and replace the existing conditions stated on the Operating Schedule.

Both the venue and West Midlands Police agree that the existing Conditions are not fit for purpose and require revision. The Licensing Sub-Committee concur, and the Conditions have been revised accordingly to uphold the licensing objectives.

It is apparent to the Sub-Committee that there is no working relationship between the police and the current DPS. The statutory guidance indicates that the DPS will provide a single point of accountability in the event of problems occurring at the Premises. Mr Thacker's relationship with both the Sub-Committee and Police Licensing is confrontational. The Committee note that whilst the issue of Steve Simpson's involvement with the Premises has been agreed with West Midlands Police, the Condition on the Licence preventing his involvement with the Premises was deliberately ignored by the DPS who allowed him to work at the Premises before the request to the Police that he be allowed to do so on 02/04/23.

The Sub-Committee are concerned that the arguments put forward by the DPS would, if agreed, mean that the Police would not be able to Risk Assess fighters who have criminal records or involvement in gang related activities. Such fighters may also have followings at their matches which give concern to the Police. Mr Thacker places Public Safety and the Prevention of Crime and Disorder secondary to his commercial interests and seeks to prevent the Police from Risk Assessing certain individuals. He has provided no evidence of artists who have actually refused to provide their details and the Committee see no reason why they should not provide their details directly to the Police if required to do so. The Committee note that the venue was prepared to provide 30 days' notice of an event to the Police but failed to do so. The DPS failed to provide an answer to the Committee as to why such short notice of events was given to the Police or as to why he ignored Police requests. Consequently, the Committee are of the view that for the Licensing Objectives to be upheld the DPS should be removed.

It is considered by the Sub-Committee that the aforementioned conditions should be attached in support of the prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm Licensing Objectives.

The Sub-Committee believes that the decision taken is reasonable and proportionate and necessary to uphold the Licensing Objectives.

All parties have a right of appeal to the Magistrates Court within 21 days of receipt of this decision.

A copy of the written decision will be forwarded to all parties.

CONDITIONS TO BE ADDED TO THE LICENCE

REVISED CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE
REPLACING THE EXISTING CONDITIONS ON THE PREMISES LICENCE

GENERAL

The DPS or a Personal Licence Holder will be present at all times when licensable activities are taking place.

There will be Policies and Procedures in place to ensure that the Premises are fully compliant with all four licensing objectives and these will be immediately available to all Responsible Authorities on request.

On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00 hours.

PREVENTION OF CRIME AND DISORDER

SIA DOOR SUPERVISORS

1. SIA licensed door supervisors shall be on duty at the premises at all times when an Event is Held after 9.00 pm and they must correctly display their SIA licence(s) when on duty so as to be visible.
2. The Premises Licence holder is to maintain door staff profiles for all door staff working at the premises, and for any door staff that have worked on the premises during the last 3 months.
3. The door staff profile will consist of identification for the member of staff, namely a copy of his/her SIA badge, Passport or Driving Licence. If the proof of identification is anything other than the photo driving licence, then the member of staff will need proof of address, which must be a copy of a utility bill and be dated within the last six months.
4. SIA Registered Door Supervisors shall be employed at the ratio of 2 for every 100 customers (or part thereof.)
5. At least 1 female door Supervisor(s) shall be on duty at the premises at such times as door supervisors are required to be provided.

REFUSALS

A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by

the police or an authorised officer of the City Council at all times whilst the premises is open.

SAFETY ADVISORY GROUP

The premises Licence Holder will ensure that they request a Safety Advisory Group referral if it is deemed necessary for a specific event.

CCTV

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Wolverhampton Police Licensing Team.
2. All entry and exit points, queuing points and the Car parking areas will be covered enabling frontal identification of every person entering in any light condition.
3. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
4. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
5. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
6. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

DISPERSAL POLICY

A dispersal policy agreed with West Midlands Police shall be created and a copy of the dispersal policy shall be available on the premises for inspection to all Responsible Authorities on request.

NOTIFICATION OF ALL EVENTS

1. Written details of all proposed events will be sent to West Midlands Police Licensing 21 days prior to the event date and shall include full details of the proposed event, times and capacity expectations to allow them to Risk Assess the Events.
2. All DJ'S Artists, Performers, Wrestlers or Fighters personal information including names, addresses and dates of birth will be sent in writing to West Midlands Police No later than 14 days prior to the event. Nicknames will not be accepted and sufficient information must be provided to ensure that a thorough and complete Risk Assessment can be made by West Midlands Police.

3. If the above information is not provided to West Midlands Police Licensing 21 days ahead of the event then the Event, if it does take place shall be subject to a WMP approval on numbers and identified Risks involved subject to any last minute changes to the event line up which may occur, in which case the Venue will inform West Midlands Police in writing immediately they are notified of such changes .
4. Any last minute changes to the event line-ups must be agreed in writing by West Midlands Police.
5. Any Event deemed to be High Risk by West Midlands Police shall be mediated with the DPS within 48 hours of the Police Notification to the Venue.

EVENTS

1. The licensee shall present an event management plan (upon request) at least 28 days before the event. The premises licence holder shall ensure that the event is run in accordance with the Event Management Plan.
2. The Premises Licence Holder shall present the Event Management Plan (upon request) to authorised officers at least 28 days before the first event day.
3. So far as is reasonably practicable the Premises Licence Holder shall ensure that the event is run in accordance with the Event Management Plan.

PUBLIC SAFETY

1. A challenge 25 proof of age scheme will be in operation at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram.
2. All staff involved in the sale of alcohol will be trained in the main aspects of the Licensing Act 2003, records will be kept of all training and retraining will take place every six months; training will be delivered by an Accredited Company and a written record of such kept which will be made available to any responsible authority on request.
3. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.

INCIDENTS

An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment

- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

RISK ASSESMENTS

1. A Risk assessment should be carried out on behalf of the Venue at the point of concept of an event and updated as risks are identified throughout the event process.
2. The Event must be notified to West Midlands Police Licensing at least 21 days prior to the date of the Event including full details of the proposed Line Up of Artists.
3. Risk Assessment for an Event must be sent to West Midlands Police Licensing at least 14 days prior to the date of the event with the following exceptions:
 1. Where the risk Assessment Assesses the Risk to be High, the Risk assessment shall be made available to West Midlands Police Licensing at least 21 days prior to the date of an event.
 2. In the event that exceptional circumstances result in the Event being materially altered from the details provided to West Midlands Police licensing at shorter notice than the required 14 days then Mediation with West Midlands Police Licensing must take place as soon as reasonably practical and the Risk Assessment provided to them at that time.

PREVENTION OF PUBLIC NUISANCE

1. Clear signage will prominently be displayed at all exits requesting customers to respect the needs of local residents and businesses and to leave the area quietly and not to drop litter.
2. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business. Regular checks shall be made to ensure that litter has been cleared away from the frontage of the premises.
3. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
4. All windows and external doors shall be kept closed after (**21:00**) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
5. Nominated Taxi Companies are to be instructed to ensure their drivers do not sound horns when waiting for customers. Should this occur from other taxis whose Companies are not nominated, then the venue will contact the Taxi Company to ensure that such actions are not repeated by its drivers.

6. When hosting Events, Parking Stewards will be employed to control the flow of traffic and ensure lawful parking to ensure that emergency vehicles can obtain access if required.
7. When hosting events, crowd barriers will be placed in front of the Building and along the right-hand side of the building.

PROTECTION OF CHILDREN FROM HARM

1. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
2. Staff will be diligent in observing those attempting to make proxy sales on behalf of underage persons and alert the DPS when this occurs. Such matters will be recorded in a Refusals log and/or in an incident log, both of which will be immediately available to all Responsible Authorities on request.
3. No theatrical "Death Fights" will take place at the Premises.

This page is intentionally left blank

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee

Agenda Item No T2

Minutes - 4 July 2023

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Rashpal Kaur (Chair)

Cllr Gillian Wildman

Premises Licence Applicant:

Neil Johnson City of Wolverhampton Council

Responsible Authorities:

Faye Pearson Environmental Health

Emma Caddick Environmental Health

Emma Waites Environmental Health

Other Persons:

Several local residents who submitted representations attended the Hearing.

Employees:

Anita Chonk Senior Licensing and Compliance Officer

Bankole Thomas Licensing Solicitor

Jacob Stokes Democratic Services Officer

Item No. *Title*

1 Apologies for absence

Apologies for absence were submitted by Councillor Zee Russell.

Councillor Rashpal Kaur chaired the meeting in Councillor Russell's absence.

2 Declarations of interest

There were no declarations of interest.

3 Licensing Act 2003 - Application for a new Premises Licence in respect of Bantock Park, Finchfield Road, Wolverhampton, WV3 9LQ

An application for a Premises Licence in respect of Bantock Park, Finchfield Road, Wolverhampton, WV3 9LQ was considered following representations received from Environmental Health and Other Persons.

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

A discussion took place regarding the members of public in attendance, and Bankole Thomas, Licensing Solicitor, provided legal guidance to the Sub-Committee. After discussion, it was confirmed by the Chair that although the meeting was open to the press and public, only those in attendance who had made a relevant representation would be allowed to address the Sub-Committee.

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.

Anita Chonk, Senior Licensing and Compliance Officer, provided an outline of the application. She noted a typographical error on Page 4 of the report and stated that the report should read that the Applicant had mediated with Environmental Health.

Neil Johnson, City Events Operations Manager, confirmed that the summary was accurate.

The Chair invited the Applicant to present the application. The City Events Operations Manager did so, as per Appendix 1 of the report. He stated the following:

1. The application was part of the wider ambition for Wolverhampton to become an event city and to increase visitor numbers to the city in a managed, commercially viable and inclusive way.
2. There would be several positive effects of granting a Premises Licence.
3. The maximum number of events that would be held in a calendar year was eight, with no more than two in a calendar month on non-consecutive weekends, and the maximum attendance would be no more than 4,999 people at any one time.

4. The conditions that would be imposed for any future event at the Premises had been fully outlined in the Application. He summarised the conditions for the Sub-Committee.
5. Successful mediation had taken place with Environmental Health, as outlined in Appendix 39 of the report.
6. The Premises Licence was designed to help facilitate events currently running at Bantock Park.
7. The Premises Licence would mainly be used for Council-run events. External events would still need to apply for a Temporary Event Notice to sell alcohol and large concert-style events would not be permitted to operate under the Licence; these events would still need to apply for their own Premises Licence.
8. A traffic management plan would be developed, and all organisers of events would need to follow this.
9. The Premises Licence would not be used to install a permanent bar at Bantock Park.
10. A Stakeholder Engagement Plan would be developed for any major events. As part of this, residents would be notified of any events at Bantock Park and would be given a contact number to discuss any issues and a chance to engage with organisers before and after the event.

The Chair afforded all parties present the opportunity to question the Applicant in relation to his submission.

The Licensing Solicitor stated that questions should be limited to only the Application in question and should not concern previous events held at Bantock Park.

The City Events Operations Manager responded to questions asked and stated the following:

1. He was happy to engage with residents to minimise disruption.
2. The maximum permitted attendance would include staff.
3. The Premises Licence would allow the Council to manage which events could be held at Bantock Park.
4. An Event Management Plan (EMP) would be produced and sent to the Public Events Safety Advisory Group (PESAG) and West Midlands Police for approval before each event.
5. He was happy to agree a condition that only eight total events requiring a Premises Licence could be held in Bantock Park per calendar year.
6. Alcohol provisions would start at 10am.
7. The Application asked for seven days a week to allow flexibility.
8. Large scale concerts would need to apply for their own Premises Licence.
9. Profits from the events could be reinvested back into Bantock Park.
10. All events would take place in a secured site.
11. There were no plans to increase the number of events past eight per calendar year.

Following advice from the Licensing Solicitor, the Chair allowed a resident who had not submitted representations to ask a question to Environmental Health.

Emma Caddick, Service Manager – Environmental Health, advised all parties that vehicle movement onto the park was not a matter for Environmental Health but that

she would take resident feedback on this matter to the relevant department and individual event organisers.

The Chair noted that the meeting was being broadcast live.

The Chair invited Environmental Health to make representations. Faye Pearson, Senior Officer – Food and Health and Safety, did so as per Appendices 3 and 39 of the report. She stated that Environmental Health had mediated with the Applicant and licence conditions had been agreed. She outlined the amended licence conditions for the Sub-Committee.

The Chair afforded all parties present the opportunity to question Environmental Health in relation to its submission. The Service Manager – Environmental Health responded to questions asked.

The Chair invited Other Persons to make representations.

KC stated the following:

1. Bantock Park was in a highly residential area.
2. A Premises Licence would have a significant impact on the quality of life of residents and infringe on their right to relax and enjoy their own properties.
3. Resident concerns had been ignored in favour of revenue.
4. Bantock Park was a community resource.
5. A Premises Licence would be inappropriate for the area and the Sub-Committee should consider refusing the Application.

The Chair afforded all parties present the opportunity to question KC in relation to her submission. There were no questions asked.

JD stated the following:

1. Vulnerable people were living in the area.
2. A Premises Licence would detract from Bantock Park as a community resource.
3. Alderman Bantock, who had gifted the park to the Council, deplored alcohol and wished for the park to be used as a place for workers to enjoy.
4. A Premises Licence would not adhere to Alderman Bantock's wishes.

The Licensing Solicitor advised that the park had been a public, charitable gift and as such, there were no conditions attached.

The Chair afforded all parties present the opportunity to question JD in relation to her submission. JD responded to questions asked.

JP stated the following:

1. Bantock Park was a family park, with one traffic entrance.
2. Local children needed undisturbed sleep.
3. There were problems with parking.

The Chair afforded all parties present the opportunity to question JP in relation to his submission. There were no questions asked.

IC stated the following:

1. Bantock Park was located in a residential neighbourhood and served as a cultural centre.
2. Residents were concerned about noise pollution.
3. There was a residential care home nearby and events would disturb residents living there.
4. Access and parking were inadequate for events.
5. Event vehicles for previous events were not arriving until midnight and had caused damage to fencing.
6. The infrastructure was inadequate for large scale events.
7. There were concerns about crime and disorder.

The Chair afforded all parties present the opportunity to question IC in relation to his submission. IC responded to questions asked.

BS stated that she was concerned about the direction that a Premises Licence would take Bantock Park and asked the Sub-Committee to consider refusing the Application.

The Chair afforded all parties present the opportunity to question BS in relation to her submission. There were no questions asked.

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

BS, IC, JP, JD, KC and the Applicant made a final statement.

All parties except for the Licensing Solicitor and Democratic Services Officer withdrew from the meeting to enable the Sub-Committee to determine the matter.

The Sub-Committee adjourned at 12.23 hours.

The Hearing reconvened at 14.35 hours.

All parties re-joined the meeting.

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

Resolved:

An application was made by City of Wolverhampton Council for a premises licence in respect of Bantock Park, Finchfield Road, Wolverhampton, WV3 9LQ.

Relevant representations had been received from Environmental Health, as Responsible Authorities, and from Other Persons (Interested Parties).

At the hearing on 4 July 2023 to determine the Application, members of the Statutory Licensing Sub-Committee considered all written evidence and listened carefully to all representations made.

Having considered all the representations and having regard to the Licensing

Objectives, the Statutory Licensing Sub-Committee determined that the application should be granted subject to conditions proposed by the Applicant and Responsible Authorities and modifications by the Statutory Licensing Sub-Committee.

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

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Rashpal Kaur
Cllr Gillian Wildman

Applicant for Review - West Midlands Police

Kayley Nixon
Sergeant Gemma Turner

Premises Licence Holder

Naresh Patel	Designated Premises Supervisor
Fateh Patel	President of the Association
Suneeta Patel	Secretary for the Association

Employees

Debra Craner	Section Leader Licensing
Bankole Thomas	Solicitor
Donna Cope	Democratic Services Officer
Rajni Mehmi	Legal Student (observing)

Item No. *Title*

1 Apologies for absence

There were no apologies for absence.

2 Declarations of interest

There were no declarations of interest.

3 Exclusion of press and public

Resolved: That, in accordance with section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information falling within paragraph 7 of Schedule 12A to the Act.

4 Licensing Act 2003 - Application for a Expedited Summary Review in respect of Sitara Hall, Mander Street, Wolverhampton, WV3 0JZ

Prior to the hearing commencing, Councillor Crofts disclosed that he had previously conversed with the company directors of the premises. Following legal advice on the matter, it was agreed that Councillor Crofts should not take part in the hearing.

An application for an expedited summary review of a Premises Licence in respect of Sitara Hall, Mander Street, Wolverhampton, WV3 0JZ, had been received from West Midlands Police.

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so. She 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.

Debra Craner, Section Leader Licensing, provided an outline of the application. Kayley Nixon, West Midlands Police, (Applicant), confirmed that the summary was accurate.

The Chair invited West Midlands Police to present their application.

Kayley Nixon, West Midlands Police, outlined the application as per Appendix 3 of the restricted report and requested that conditions be added to the licence with immediate effect pending a full review hearing.

The Chair afforded all parties present the opportunity to question West Midlands Police in relation to their submission. Kayley Nixon responded to questions asked.

The Chair invited the Premises Licence Holder to make representations. Mr Naresh Patel, Designated Premises Supervisor, representing the premises, did so. He stated the following:

- The organisation was very shocked at the incident as the venue had never had any issues before.
- They could not operate as a Charity without the hall, and he was willing to work with the Police to ensure such incidents didn't happen again.
- He was willing to accept any modifications to the licence and asked that the licence not be suspended.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder in relation to his submission. Mr Patel responded to questions asked.

The Chair invited all parties to make their final address.

Naresh Patel, representing the Premises made a final statement.

Kayley Nixon, West Midlands Police, made a final statement.

Bankole Thomas, Solicitor, provided legal guidance to the Sub-Committee 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 11.43 hours.

The Hearing reconvened at 12.58 hours.

All parties were invited back to the meeting.

The Chair advised them of the decision of the Sub-Committee, which was read out in full by the Solicitor.

Resolved:

An application was received from the West Midlands Police on 4 July 2023 for an expedited review of the Premises Licence in respect of Sitara Hall, Mander Street, Wolverhampton, WV3 0JZ, which was owned by the Gujarati Association.

The Chief of Police had given a certificate under Section 53A (1) (b) of the Licensing Act 2003 (the Act), stating that in their opinion, the premises were associated with serious crime and disorder and requested that interim steps be applied to the premises licence pending a full review hearing.

The Sub-Committee considered all information presented both written and oral along with the provisions of the Violent Crime Reduction Act 2006.

The Sub-Committee heard from the applicant (West Midlands Police) that:

1. On Saturday, the 1st of July 2023 at 21.33 hours, West Midlands Police received a 999 emergency call from Sitara Hall, from a caller who stated “that they hadnt seen a weapon but had heard gunshots being fired”. Thereafter the Police received a total of five further calls, with all the callers reporting that they had heard the sound of gun shots being fired.
2. The Police Fire Arms Response team arrived at the premises at 21.56 hours and noted that there appeared to have been a pre-wedding party going on at the time of the shooting, which had a variety of guests consisting of relatives, friends and well wishers of all ages including families, individuals, elderly and vulnerable people and youngsters.
3. The incident was captured by CCTV within the premises which the police had obtained copies of and which were being used in a live Investigation being carried out by The Complex Investigation Team in Wolverhampton.
4. The incident was said to have occurred at 21.31 hours when live shots were discharged into the car park grounds of Sitara Hall, where many families and young children were enjoying a fire works display put on for their benefit.
5. A few seconds thereafter a guest in the premises is said to have emerged from hidden cover in a doorway in the car park area and returned fire on the perpetrator.
6. Fortunately, despite the fact that families and young children were in the cross fire no one was injured, but a vehicle in the car park was damaged by the ongoing shots.
7. Given the small proximity of the area in which these shots were discharged, West Midlands Police were surprised that there were no fatalities on this occasion, given the presence of the number of adults and children in the vicinity at the time of this occurrence.
8. West Midlands Police stated that they were unable to assess any potential risks at Sitara Hall that could undermine the Licensing Objectives because they did not have any conditions on their current licence that stipulated they must notify them beforehand of any events taking place in the Premises.
9. The above incident constitutes both serious crime and disorder.

The Licensing Sub-Committee heard from Mr Naresh Patel the Designated Premises Supervisor who states that:

1. Sitara Hall was owned by the Gujarati Association which was a registered Community based Charity that had been in existence since 2014. The Hall was built with donations received from the Gujarati Community but was used by all members of the Community as a whole.
2. The Hall was used for youth clubs, wakes, weddings, birthdays, Gujarati ceremonies and fire work displays by different religious groups within the Community at large. The revenue they raise from letting out the hall enabled them to run the Charity and coordinate a number of community events such

as fitness classes, health classes, feeding the elderly and a variety of other activities.

3. Their organisation was very shocked at the shooting as they had never had a single issue since the Hall was opened, and thus he was willing to work with the Police as they could not operate as a Charity without the Hall.
4. They were not a pub or that type of venue.
5. The Hall had taken a number of bookings that had been made in many instances as far back as a year ago and that they had a wedding booked this weekend for example.
6. He was thus of the considered opinion that they need to work in cooperation with the police as many of the bookings they had involve licensable activities and he did not want the licence to be suspended as that would firstly affect so many people in the community and secondly leave them open to liability in the Civil Courts as many of their clients had gone on to spend thousands of pounds and much more than the cost of booking the hall for their events.
7. The Hall had a capacity of 500 people for standing events but they had a maximum of 35 tables and for a sit-down event will accommodate a maximum of 350 people.

The Act and Home office Guidance state that the tests to determine the kinds of conduct that amount to serious crime are set out in section 81(2) and (3) (a) and (b) of the Regulation of Investigatory Powers Act 2000. These tests include conduct which constitutes an offence for which a person who is 21 years of age or over with no previous convictions can be expected to be sentenced to imprisonment for 3 years or more; and which involves the use of violence.

The Licensing Sub-Committee acknowledged receipt of the Certificate from West Midlands Police and they have received confirmation at the hearing that serious crime and or disorder has occurred on the premises.

They are further satisfied that serious crime and disorder has occurred on the premises. Serious disorder is to be given its plain ordinary meaning.

Based upon the evidence presented, consideration has been given as to whether it is necessary to take interim steps pending determination of the review (s53C LA 2003).

The Licensing Sub-Committee are satisfied that interim steps are necessary. In accordance with Section 53B (3) (d) of the Licensing Act 2003, and the provisions of the Violent Crime Reduction Act 2006 (As Amended) and note that the DPS, Mr Naresh Patel has indicated the absolute necessity of working in cooperation with West Midlands Police and note his willingness to abide with any interim conditions proposed by the Sub-Committee based on the facts heard today.

As West Midlands Police have stated that they do not seek a suspension of the Premises Licence but the imposition of conditions that they are to be notified of any events held, limited but necessary conditions that are appropriate in terms of time for immediate steps to be implemented are now proposed below; And thus the decision of the Sub-Committee is that it is better to impose these limited conditions with immediate effect pending a full review rather than imposing a range of costly conditions or permanent adjustments at this time.

The following interim steps proposed as Conditions are as follows:

- 1) The Premises Licence Holder must ensure that all CCTV cameras (both internal and external) are correctly calibrated with immediate effect such as to have full coverage of the interior and exterior of the Hall and the Car Park so that all persons accessing and exiting the Hall and Car Park are clearly identifiable.
- 2) That each event shall have at least four SIA registered door supervisors including at least one female, such that the car park shall have a full time presence for all events with two door supervisors in the hall and one on the main entrance.
 - (a) The Premises Licence Holder shall maintain a register of all SIA door staff which must contain their names, addresses, employers and SIA numbers, which shall be produced immediately at the request of West Midlands Police and any authorised officer of a responsible authority.
 - (b) All door supervisors must be clear and visibly uniformed so as to be noticeable to all authorised patrons of the venue and must have body worn cameras and magnetic wands to be used for body searches of all patrons, before they are let into the venue for “any” pre booked events.
- (3) The Premises Licence Holder and Door Supervisor must notify West Midlands Police at least seven clear days in advance of any bookings made along with the name of the booking party, their address, date of birth and contact details, such that a proper risk assessment can be carried out and notified to them in writing by West Midlands Police no later than 48 hours before the said event.
 - (a) The provisions of clause three of these interim conditions shall however not apply to those pre booked events in the venue which shall take place on the 8th and 9th of July 2023, as full details of the bookers names, addresses, dates of birth and contact details must be made available to the police before the close of business today in the interest of Public Safety.

A full and Final Review Hearing must take place within 28 days.

The Premises Licence Holder may make representations against the imposition of the Interim Steps and a Hearing will take place within 48 hours of receipt of such representations to determine whether the interim steps imposed are appropriate and proportionate.

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Rashpal Kaur

Cllr Jonathan Crofts

Applicant for Review - West Midlands Police

Kayley Nixon

Sergeant Gemma Turner

Premises Licence Holder

Hayden Dando

Kirsty Williams

Carl Moore

Director /Owner of The Centre Spot Sports Bar

Designated Premises Supervisor

Licensing Consultant

Responsible Authorities

Amitabh Singh

Ryan Hollings

Licensing Authority

Public Health

Employees

Debra Craner

Bankole Thomas

Donna Cope

Section Leader Licensing

Solicitor

Democratic Services Officer

Item No. *Title*

1 Apologies for absence

Apologies were received from Councillor Zee Russell.

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 Centre Spot Sports Bar, 30-32 Broad Street, City Centre, Wolverhampton, West Midlands, WV1 1HP

An application for a review of a Premises Licence in respect of Centre Spot Sports Bar, 30-32 Broad Street, City Centre, Wolverhampton, WV1 1HP had been received from West Midlands Police (WMP).

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so.

Following a request from Carl Moore, agent representing the Premises Licence Holder, the Chair invited him to address the Sub-Committee.

Carl Moore did so. He stated the following:

1. The premises had worked hard with West Midlands Police to agree a number of licence conditions.
2. He had not been aware of the representations made by Public Health and the Licensing Authority until he received the agenda papers from Democratic Services.
3. In their representations the Licensing Authority and Public Health were supporting the Police's application, but as the police now wanted to withdraw their application, there was nothing for the Responsible Authorities to support.
4. The premises had originally booked a Barrister to represent them at the Hearing but when mediation had been agreed with West Midlands Police, the Barrister had been cancelled.
5. He had received late supplementary papers from the police which he was unprepared for and had not had sufficient time to consider them with his client.
6. The supplementary pack was hearsay.
7. His client was happy to accept the conditions proposed by West Midlands Police and he was therefore not sure why the Hearing was still necessary.

The Chair sought legal advice from Bankole Thomas, Solicitor and legal advisor to the Sub-Committee. The Solicitor advised members of their available options and noted that if all parties agreed to the proposed mediation, the hearing could be dispensed with.

The Licensing Sub-Committee considered the matter, and it was established that the Licensing Authority were happy with the proposed mediation, but Public Health had not had time to consider it.

Carl Moore, Agent for the Premises, requested a short adjournment to allow him time to discuss the proposed mediation with Public Health.

The request was granted.

All interested parties, with the exception of the Solicitor and the Democratic Services Officer, withdrew from the meeting.

The Hearing adjourned 11.12.

The Hearing reconvened 11.43.

All parties were invited back to the meeting.

Carl Moore, Agent for the premises, advised the Sub-Committee that the premises had now successfully mediated with all of the Responsible Authorities.

West Midlands Police, Public Health, and the Licensing Authority all confirmed that they were happy with the proposed mediation, found at pages 65-77 of the Supplementary Agenda Pack, and any of their previous concerns had been allayed.

The Licensing Sub-Committee considered the matter and agreed to accept the proposed mediation. The hearing was therefore dispensed of.

This page is intentionally left blank

Statutory Licensing Sub-Committee
Minutes - 18 July 2023

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Zee Russell (Chair)
Cllr Rashpal Kaur
Cllr Jonathan Crofts

Applicant for Review – Trading Standards

Stefan Polatajko	Senior Officer
Gurdip Gill	District Officer

Premises Licence Holder

Ian Fellows	Agent
Shangara Singh Pahal	Premises Licence Holder
Bahadur Singh	Employee
MZ	Shop Assistant

Responsible Authorities

Amitabh Singh	Licensing Authority
Kayley Nixon	West Midlands Police
Ryan Hollings	Public Health

Employees

Elizabeth Gregg	Senior Licensing and Compliance Officer
David Abel	Senior Solicitor
Jacob Stokes	Democratic Services Officer

Observers

Bankole Thomas	Licensing Solicitor
Ronald Sempebwa	Licensing Solicitor
Judit Sari	Agent's Clerk

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 Costcutter, 337 Bushbury Lane, Wolverhampton, WV10 9UL

An application for a review of a Premises Licence in respect of Costcutter, 337 Bushbury Lane, Wolverhampton, WV10 9UL had been received from Trading Standards.

Before commencement of the hearing, the Chair sought legal advice from David Abel, Senior Solicitor. He advised that the press and public be excluded from the following items of business to allow the matter to be discussed in full.

The meeting entered private session.

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so. She 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. Stefan Polatajko, Senior Officer – Trading Standards, confirmed that the summary was accurate.

The Chair invited Trading Standards to present their application. The Senior Officer – Trading Standards did so, as per Appendices 3 and 4 of the report. He stated the grounds for review and noted that actions at the premises had undermined the Licensing Objectives. It was the view of Trading Standards that the Premises Licence be revoked.

The Chair afforded all parties present the opportunity to question Trading Standards in relation to their submission. The Senior Officer – Trading Standards and Gurdip Gill, District Officer – Trading Standards, responded to questions asked.

The Chair invited the Premises Licence Holder to make representations. Mr Ian Fellows, Agent for the Premises Licence Holder, did so, as per information contained within the Supplementary Agenda Pack. He stated the following:

1. The Premises Licence Holder was sorry for the breaches that had occurred at the premises and accepted what had happened.

2. The Premises Licence Holder had been in business for over 35 years, with only one prior incident.
3. The Premises Licence Holder had no intention of selling the illicit vapes seized, would not accept any samples of vaping products in future and would comply with all UK regulations.
4. The premises would cease the sale of any bladed articles with immediate effect.
5. The underage sale of a knife had been carried out by a shop assistant and was a mistake. Comments made during the sale had been to make the customer feel welcome.
6. The Premises Licence Holder would surrender the licence no later than 31 October 2023 and would sell the business.
7. Local people were strongly in support of the store and the service it provided.
8. Mitigation had been undertaken for all incidents.

Mr Shangara Singh Pahal, Premises Licence Holder, read out a prepared statement.

Additional documents from the Premises Licence Holder were provided to the Sub-Committee for consideration.

MZ, Shop Assistant, read out a prepared statement and apologised to the Sub-Committee.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder in relation to their submission. Mr Fellows, Mr Singh Pahal and MZ responded to questions asked. Mr Singh Pahal indicated that he was willing to work with Trading Standards.

It was agreed that the Sub-Committee take a short adjournment to allow the Premises Licence Holder to review information contained within Trading Standard's submission.

The Sub-Committee adjourned at 11.20 hours.

The Sub-Committee reconvened at 11.48 hours.

All parties rejoined the meeting.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder in relation to their submission. Mr Fellows and Mr Singh Pahal responded to questions asked.

The Chair invited the Licensing Authority to make representations. Amitabh Singh, Licensing Section Leader, did so as per Appendix 5 of the report. He stated the following:

1. The Licensing Authority fully supported the application for review.
2. Evidence demonstrated that actions at the premises had undermined the Licensing Objectives.
3. The Licensing Authority supported the adding of conditions to the Premises Licence but would recommend revocation if the Sub-Committee felt that further conditions would not be appropriate.

The Chair afforded all parties the opportunity to question the Licensing Authority in relation to their submission. There were no questions asked.

The Chair invited West Midlands Police to make representations. Ms Kayley Nixon, West Midlands Police, did so, as per Appendix 7 of the report and information contained within the Supplementary Agenda Pack. She stated the following:

1. West Midlands Police fully supported the application for review.
2. No training records had been available when officers had visited the premises.
3. Knife crime had increased in the West Midlands and the comments made by the shop assistant had been extremely irresponsible.
4. Any premises that sold knives should always be responsible.
5. West Midlands Police proposed adding conditions that ensured training be enforced if the Sub-Committee decided not to revoke the premises licence.

The Chair afforded all parties the opportunity to question West Midlands Police in relation to their submission. Ms Nixon responded to questions asked.

The Chair invited Public Health to make representations. Ryan Hollings, Senior Public Health Specialist, did so, as per Appendix 6 of the report. He stated the following:

1. Public Health fully supported the application for review.
2. Knife crime had increased, and the neglect of irresponsible Premises Licence Holders only contributed to this.
3. Evidence showed the negative effects that alcohol consumption had on children's health.
4. Wolverhampton was a regional outlier for alcohol-related harm.
5. Public Health supported revocation of the licence.

The Chair afforded all parties the opportunity to question Public Health in relation to their submission. There were no questions asked.

It was agreed that the Sub-Committee be adjourned for a short time.

The Sub-Committee adjourned at 13.10 hours.

The Sub-Committee reconvened at 14.02 hours.

All parties rejoined the meeting.

The Chair invited all parties present to make their final address. There were no final statements made.

The Senior Solicitor provided legal guidance to the Sub-Committee and reminded them of their available options.

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

The Sub-Committee adjourned at 14.09 hours.

The Sub-Committee reconvened at 14.27 hours.

All parties rejoined the meeting.

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

Resolved:

An application was received from Trading Standards on 26 May 2023 for a review of a Premises Licence in respect of Costcutter, 337 Bushbury Lane, Wolverhampton, WV10 9UL on the grounds that actions at the premises undermined the Licensing Objectives of The Prevention of Crime and Disorder and The Protection of Children from Harm.

Relevant representations had been received from the Licensing Authority, Public Health and West Midlands Police as Responsible Authorities, and from Other Persons.

At the Hearing on the 18 July 2023, the Licensing Sub-Committee considered all written evidence and listened carefully to all representations made.

Having had regards to the representations and the written evidence, the Sub-Committee determined that the Premises Licence be revoked.

An appeal could 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 the decision.

This page is intentionally left blank

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Zee Russell (Chair)

Cllr Gillian Wildman

Applicant for Review - West Midlands Police

Kayley Nixon

Sergeant Gemma Turner

Premises Licence Holder

Piers Warne

Rebecca Farley

Amrit Uppal

Solicitor representing Admiral Taverns

Admiral Taverns

DPS

Responsible Authorities

Ryan Hollings

Public Health

Employees

Anita Chonk

Bankole Thomas

Donna Cope

Dave Abel

Ronald Sempebwa

Senior Licensing Officer

Solicitor

Democratic Services

Solicitor (observing)

Solicitor (observing)

Item No. *Title*

1 Apologies for absence

Apologies for absence were received from Councillor Rashpal Kaur.

2 Declarations of interest

There were no declarations of interest made.

3 Exclusion of press and public

Resolved:

That, in accordance with section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information falling within paragraph 7 of Schedule 12A to the Act.

4 Licensing Act 2003 - Application for a Review of a Premises Licence in respect of The Winning Post, 346 Glentworth Gardens, Wolverhampton, WV6 0SN

An application for a review of a Premises Licence in respect of The Winning Post, 346 Glentworth Gardens, Wolverhampton, WV6 0SN had been received from West Midlands Police.

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so. She 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.

Anita Chonk, Senior Licensing and Compliance Officer provided an outline of the application. Kayley Nixon, West Midlands Police (Applicant), confirmed that the summary was accurate.

The Chair invited West Midlands Police to present their application.

Kayley Nixon, West Midlands Police, stated the grounds for review as per Appendix 3 of the report and supplementary agenda pack. She confirmed that her investigation into the incident was complete, and after viewing all of the CCTV footage, it appeared that the offenders had not been inside the premises and furthermore, there was no evidence of alcohol being sold outside of the permitted hours. She stated that West Midlands Police had mediated with the Premises Licence Holder and agreed a new Operating Schedule which could be found in the Supplementary Agenda Pack. Therefore, on behalf of West Midlands Police, she requested that the Premises Licence Operating Schedule be modified.

The Chair afforded all parties present the opportunity to question West Midlands Police in relation to their submission. No questions were asked.

The Chair invited the Premises Licence Holder to make representations. Piers Warne, Legal Representative for the Premises Licence Holder, did so. He stated that:

1. The incident had been investigated fully by the Police Licensing Team and the account given by his client was found to be true.
2. The premises had entered into mediation with West Midlands Police and had already dealt with a number of issues indicating their intentions to do all that they had to do in order to run a safe establishment.
3. Revoking the licence and closing the pub would have a negative impact on the local community.
4. The DPS had done what he thought was right at the time of the incident.
5. A number of operational policies had been proposed and the police were happy with them.
6. Training had been carried out and all matters of concern had been addressed including the issues with the CCTV.
7. Door staff were currently being recruited.
8. The DPS took full responsibility for failings at the premises and had co-operated fully with the police.

On behalf of his client, Mr Warne requested that the interim steps be lifted, and the Premises Licence modified as per the agreed conditions with the police.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder in relation to his submission. Mr Warne and Rebecca Farley (Admiral Taverns) responded to questions asked.

The Chair invited Public Health to make representations. Ryan Hollings, Health Improvement Officer, did so as per Appendix 5 of the report.

The Chair invited all parties present to question Public Health in relation to its submission. Ryan Hollings responded to questions asked and confirmed that he was happy with the agreed mediation between the premises and police.

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

Piers Warne made a final statement on behalf of the premises.

Bankole Thomas, Solicitor, provided legal guidance to the Sub-Committee 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 11.30 hours.

The Hearing reconvened at 12.43 hours.

All interested parties were invited back to the meeting.

The decision was summarised by the Solicitor and would be sent out to all parties within 5 working days.

Resolved:

An application was received for a review of the Premises Licence from West Midlands Police on 26th June 2023 in respect of The Winning Post, 346 Glentworth Gardens, Wolverhampton, WV6 0SN, on the grounds that actions at the premises had undermined the Licensing Objective of the Prevention of Crime and Disorder.

An expedited review hearing was held on 29th June 2023 where the Licensing Sub-Committee were satisfied that a serious crime had occurred at the premises and found that interim steps were necessary. The Licensing Sub-Committee suspended the premises licence pending a full review hearing.

Representations were received from West Midlands Police, the Premises Licence Holder's representative Mr Piers Warne, and Public Health.

At the hearing on 20th July 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 and found the following facts:

The Sub-Committee heard from the applicant (West Midlands Police) that:

1. On Sunday 25th June 2023 at 02.48 hours, West Midlands police were contacted by the Ambulance service to report a stabbing which they had attended to which took place outside The Winning Post at 346 Glentworth Gardens, Wolverhampton, WV6 0SN.
2. The Police arrived at the Premises at 02.52 hours and their initial inquiries show an injured person leaving the garden area vicinity of the premises at 02.40 hours. A number of people were observed to have stood round, and as the victim walks past them there is a verbal exchange. Immediately thereafter the victim is attacked receiving a number of slashes to their arm which are identified as knife slash wounds to the arm.
3. The injured person is also observed to receive further acts of violence on their person from members of the same group of people standing around. Based on CCTV footage, West Midlands Police believe that a large knife/bladed weapon has been used in these attacks, based on the professional impression from officers who were initially on site.
4. Although the injured person was transported to hospital by unknown means, the police note that no calls whatsoever were received from the DPS or any members of their staff, despite the fact that they were all on site at the time of the attacks.

5. At 02.59 hours also on the 25th of June 2023, as police officers have entered the Premises, a patron is observed leaving the premises whilst drinking out of a plastic cup, in breach of Licensing conditions.
6. As Police entered the bar premises a number of other patrons are seen standing and sitting around the bar area, which the Premises Licence holder has explained is due to the fact that the DPS allowed people into the venue for their own safety.
7. In the month of June 2023 alone, the Premises has been the location for three serious incidents in total, which the police have classified as assaults by wounding under Section 20 of the Offences against the Person Act of 1861. These are serious crimes and clearly not isolated incidents.
8. West Midlands Police have a priority in ensuring public safety and note that there have been no calls or reports to them regarding any of the afore stated incidents that have occurred to date.
9. The Winning Post does not currently have any licence conditions, which stipulate that they must notify West Midlands Police of up and coming events being held at the venue.
10. The injured person is said not to have life threatening injuries but will have to undergo surgery in due course.
11. The Police Licensing investigation into the incident was complete and after viewing all of the CCTV footage it appeared that the offenders had not been inside the premises and there was no evidence of alcohol being sold outside of the permitted hours.
12. West Midlands Police had successfully mediated with the Premises Licence Holder and agreed a new Operating Schedule which could be found in the Supplementary Agenda Pack.
13. Therefore, West Midlands Police requested that the Premises Licence Operating Schedule be modified.

The Licensing Sub-Committee also heard representations from Public Health who stated that they were content with the mediation reached between West Midlands Police and the Premises Licence holder.

Lastly the Sub-Committee also heard from the Premises Licence Holders representative, Mr Piers Warne, Ms Rebecca Fawley from Admiral Taverns, and the DPS Mr Amrit Uppal who stated that:

1. The first incident occurred on 10/06/23 on a weekend at night and the DPS, Mr Amrit Uppal was told about a scuffle which occurred outside the Pub between a number of girls who had previously been in the Pub.
2. At the time of the incident the DPS was unaware that anyone had been injured and it was only when the victim's sister informed him the following day that he

became aware that someone had been injured, and that he had immediately done all he could to ascertain the victim was alright.

3. The second incident occurred on 23/06/23 and involved a group of boys whom the DPS had ejected from the Pub. They hung around outside the Pub, and when the DPS had gone outside he discovered that someone had been injured. Once again he intervened to ensure that everyone was safe in circumstances where he had not known how and why the incident occurred.
4. The DPS, Amrit Uppal had immediately sought to assist the injured person by getting a member of staff to call the emergency services, which the injured persons friend stated they were already doing. That when the Police arrived he got caught up in assisting them such that by the time he was finished the injured person and his friend had already left the pub.
5. These circumstances as serious as they were, had all occurred outside the Pub after hours and did not in any way reflect on the management of the Pub itself, and he would urge the Licensing Sub Committee to note these pertinent facts.
6. The third incident occurred on 25th June 2023 possibly just before 02.45 hours in the early hours of the morning, when staff went out to disperse the people hanging around, and then people started rushing back into the venue, followed by the victim who also came in wrapped with something and blood could clearly be seen.
7. The third incident had also happened outside the Premises after hours once again in circumstances that they did not know about, and which should not reflect on the DPS Management of the Premises.
8. Once again, the DPS, Mr Uppal went to the aid of the injured person to assist, whilst allowing the people who had rushed in to remain in the venue for their security, which was why the Police had spotted people in the venue when they arrived at 02.59 hours.
9. The DPS, Mr Uppal had cooperated to the full extent of his abilities with the Police and provided them immediately with CCTV footage for their inquiries, and that once again it could be seen clearly that the Premises Licence Holder and the DPS had done everything they could to aid the Police regardless of the fact that none of these incidents had happened in the Premises.
10. The premises accepted that with the benefit of hindsight things could have gone better and acknowledged that everyone reacts to issues in different ways.
11. There had been no issues until June 2023, and that the absence of issues could be tied to the fact that they had door supervisors at the time.
12. Furthermore, the lack of implemented policies was because they had not had any issues from when they opened until June this year.

13. They had entered into mediation with WMP and already dealt with a number of items that would potentially indicate their intentions to do all that they had to do to run a safe establishment.
14. Revoking the Premises Licence would remove a vital and much used community hub, which would mean another derelict mothballed building.
15. No evidence of wrong doing by the Premises or the DPS had been provided by the police or any other responsible authority that justified the closure of the premises.
16. On behalf of his client, Mr Warne requested that the interim steps be lifted, and the Premises Licence modified as per agreed conditions with the police.

The Licensing Sub-Committee, having listened to all the representations put forward by the police and the responses from the PLH through its representative and the DPS, believed that a number of further options must be fully considered.

Those options being: -

- 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 Licensing Sub-Committee have applied The Act and Home Office Guidance to determine the kind(s) of conduct that amount to serious crime as set out in The Regulation of Investigatory Powers Act 2000 and are satisfied that a serious crime has occurred at the premises.

The Licensing Sub-Committee has 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 Licensing Sub-Committee are of the opinion that the expedited review has arrested a dangerous situation in respect of the Licensing Objective of Crime and Disorder, and thus determines that it shall be discharged with immediate effect.

The Licensing Sub-Committee have, on the balance of probabilities, found that in order to promote the licensing objectives, and the options open to it in under S52(4) Licensing Act 2003; The premises licence of The Winning Post, 346 Glentworth gardens, Wolverhampton, WV6 0SN, shall have its Licensing conditions modified to make it fit for purpose, in light of the fact that there has been no loss of life on this occasion. They however consider it fitting that a number of other conditions should be added to those agreed with WMP in mediation to make the Premises conditions comply with the Licensing Objectives.

The Premises Licence conditions shall thus be varied and modified by the following conditions which must be implemented immediately and notified to the Councils Licensing Officer so that the premises can be inspected in person as follows:

1. The Operating schedule shall be varied as follows:

Opening Hours of the Premises

Monday and Tuesday: 11.00 hours to 23.30 hours

Wednesday and Thursday: 11.00 hours to 23.30 hours

Friday and Saturday: 11.00 hours to 00.30 hours

Sunday: 12.00 hours to 23.30 hours

With thirty minutes time to be called for drinking up before closing on all days of the week

Non Standard Hours

A further additional hour into the morning following every Sunday and Monday for each May bank holiday, spring/whitsun bank holiday and every August Bank holiday weekend.

A further additional hour into the morning following every Thursday, Sunday and Monday for the Easter Bank holiday weekend.

A further additional hour every Christmas eve.

A further additional hour every boxing day.
To reflect existing New years Eve/Day hours.

Live Music

Monday and Tuesday: 11.00 hours to 23.30 hours

Wednesday and Thursday: 11.00 hours to 23.30 hours

Friday and Saturday: 11.00 hours to 00.30 hours

Sunday: 12.00 hours to 23.30 hours

With thirty minutes time to be called for drinking up before closing on all days of the week

Non Standard Hours

A further additional hour into the morning following every Sunday and Monday for each May bank holiday, spring/whitsun bank holiday and every August Bank holiday weekend.

A further additional hour into the morning following every Thursday, Sunday and Monday for the Easter Bank holiday weekend.

A further additional hour every Christmas eve.

A further additional hour every boxing day.
To reflect existing New years Eve/Day hours.

Recorded Music

Monday and Tuesday: 11.00 hours to 23.30 hours

Wednesday and Thursday: 11.00 hours to 23.30 hours

Friday and Saturday: 11.00 hours to 00.30 hours

Sunday: 12.00 hours to 23.30 hours

With thirty minutes time to be called for drinking up before closing on all days of the week

Non Standard Hours

A further additional hour into the morning following every Sunday and Monday for each May bank holiday, spring/whitsun bank holiday and every August Bank holiday weekend.

A further additional hour into the morning following every Thursday, Sunday and Monday for the Easter Bank holiday weekend.

A further additional hour every Christmas eve.

A further additional hour every boxing day.
To reflect existing New years Eve/Day hours.

Sale/Supply of Alcohol On The Premises

Monday and Tuesday: 11.00 hours to 23.30 hours

Wednesday and Thursday: 11.00 hours to 23.30 hours

Friday and Saturday: 11.00 hours to 00.30 hours

Sunday: 12.00 hours to 23.30 hours

With thirty minutes time to be called for drinking up before closing on all days of the week

Non Standard Hours

A further additional hour into the morning following every Sunday and Monday for each May bank holiday, spring/whitsun bank holiday and every August Bank holiday weekend.

A further additional hour into the morning following every Thursday, Sunday and Monday for the Easter Bank holiday weekend.

A further additional hour every Christmas eve.

A further additional hour every boxing day.
To reflect existing New years Eve/Day hours.

With thirty minutes time to be called for drinking up before closing on all days of the week

Sale/Supply Of Alcohol Off The Premises

Normal Hours: As per on sales of alcohol timing.

Seasonal variation: As Per on sales of alcohol timing.

Non Standard hours: As Per on sales of alcohol timing.

2. The installation and calibration of four new cameras inside the premises with four further cameras outside the premises which must be positioned appropriately so as to capture clear facial images of all patrons without obstruction.
3. A properly calibrated digital CCTV system must be put in place which covers all entry/exit points of the premises and all areas where alcohol/money is served/taken, all areas where the public have access, to include the immediate curtilage outside the premises which includes the rear garden area (and any area where searches are conducted). The system must be installed and maintained in working order at the premises at all times when the premises is open for business. The system's recorded images and video must be in High definition, in colour, have the correct date and time stamp and be kept for at least 31 days unedited. The footage must enable frontal facial identification of every person entering the premises, in any light condition.
 - At least one designated member of staff must be trained to use the CCTV system and be available to provide downloads upon request or in any case, within 24 hours of any request made by West Midlands Police and any authorised office of a responsible authority. Images and video will be downloadable in a suitable format by the Premises License holder and provided to any officer of a responsible authority upon "Immediate" request.
4. An incident log shall be kept at the premises, and made immediately available on request to any authorised person of a responsible Authority which must record the following:
 - all crimes reported to the venue
 - all ejections from the premises
 - all complaints received
 - all incidents of disorder
 - all refusal of the sale of alcohol
 - all visits by a relevant authority or emergency service
 - any faults detected with the CCTV system
5. A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the venue manager/manageress. The refusals log must be kept and maintained at the premises and will be available for inspection immediately upon request by an authorised officer of a responsible Authority upon request.
6. An incident log must be kept detailing the identities where known, of any persons in and outside the venue involved in any altercations, arguments or differences along with CCTV footage which shall be completed whenever the Premises is open

for business which must be completed, checked, signed and dated on a daily basis by the venue manager/manageress. This incident log must be kept and maintained at the premises and be available for inspection immediately upon request by an authorised officer of a responsible Authority upon request.

7. The Licence holder must notify West Midlands Police of the details of all pre booked events in writing at least 7 clear days before the event to include the names, contact telephone number, address, date of birth and date of the intended event in question, with details of all entertainment to be provided.
 - The licence holder and their staff shall co-operate with West Midlands police to provide any further information required by the police to enable the police to arrive at an informed risk assessment and decision regarding any anticipated event to be held in the premises.
8. Any objection raised and communicated by West Midlands Police to any proposed event notified to it shall mean that the event cannot hold, so long as its decision is communicated to the Premises License holder 48 clear hours in advance by email or such other means of instantaneous communication it deems fitting.
9. A minimum of two SIA door supervisors, must be engaged on Friday and Saturday nights and for any events including Temporary Event Notices (Tens) held in the premises who must:
 - risk assess the appropriate number of door supervisors required for any events held in the premises.
 - ensure that all door supervisors on duty wear a uniform which clearly identifies them to the public as door supervisors, with high visibility jackets, vests, head gear and luminescent SIA Identification holder armbands.
 - be equipped with individual radio link communication equipment.
 - maintain a register for all engaged door supervisors which must be signed at the start and end of any shift to include details of names, employers, telephone numbers and SIA badge number for all engaged staff.
 - Ensure that all door supervisors are briefed in advance of any scheduled events to include details of the event, record start and finish times, and all resources and equipment to be deployed.
 - Ensure that door supervisors are equipped with Body worn videos at all scheduled events held.
 - Ensure that all door supervisors are equipped with electronic Magnetic and knife wands to be used for body searches on all Patrons visiting the Premises at all events held, as well as on Friday and Saturday nights.
 - Ensure that at least one of the door supervisors on duty is equipped with a clicker counter to monitor the number of patrons granted access to the Premises which must be recorded in a daily head count register which must be endorsed with the SIA number and initials of the DS accorded that duty.
 - The numbers must be entered into a head count register every hour after 21.00 hours whenever the Premises are open for business.
 - Ensure that clear visible notices are placed at each entrance and exit of the premises advising those attending that it is a condition of entry that

customers agree to being searched and that the police will be informed if anyone is found in possession of any controlled substances or weapons.

10. Ensure that all door supervisors note that persons intoxicated through drink or drugs are not granted access to enter the premises.
11. The DPS or Premise licence holder must instruct a suitably qualified Health and Safety Risk Assessor to carry out bi- annual risk assessment(s) of the premises which must of necessity cover an evacuation plan, first aid providers and kits and the said report(s) must be kept on record and produced on request to any authorised officer of a responsible authority.
12. The Premises Licence Holder or nominated person shall provide a written drugs policy detailing the actions to be undertaken to minimize the opportunity to use or supply illegal substances within the premises. The Premises Licence Holder or nominated person shall ensure that security arrangements are in place where toilet areas and other similar areas are regularly checked for evidence of drugs. The date and times of all checks are to be recorded in a log and made available on request from any authorised officer of a responsible authority.
13. The Premises License holder or DPS must ensure that appropriate provision is made for the secure storage of all drugs seized from Patrons, which must be retained and destroyed by way of arrangements made with West Midlands Police who must be notified of all drugs seized, which must be recorded in a seizure register and produced immediately upon a request for the same made by an authorised officer of a responsible Authority.
14. Appropriately sized signage must also be placed in the toilet areas advising patrons that checks are conducted regularly.
15. No customer carrying open bottles shall be allowed to exit or access the premises at any time they are open to the public.
16. The collection of glasses and bottles shall be undertaken at regular intervals to ensure there is no build-up of empties in and around the premises.
17. All external windows and doors shall be kept closed after 22:00 hours when regulated entertainment is being provided, except in the event of an emergency and for access and egress. All exterior windows and doors shall be maintained in a good state of repair and working order.
18. The Licence Holder and DPS must conduct regular assessments of the noise emanating from the premises on every occasion the premises is used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause disturbance to local residents.
19. A written record must be made of those noise assessments in a logbook kept for that purpose and shall include the time and date of the checks, the name of the person making them, and the results indicating any remedial action to

be taken. This record shall be made available immediately upon request by any Authorised Officer of a responsible authority.

20. There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, (or member and their guests) appropriately sized notices requiring customers to leave the premises and the area quietly.
21. The Licence Holder and or the DPS must conduct regular hourly checks of the premises curtilage and keep the area clean. A written record shall be made of those assessments in a logbook kept for that purpose and shall include the time and date of the checks, the name of the person making them, and the results indicating any remedial action taken. This record shall be made available upon request by any Authorised Officer of a responsible Authority.
22. An effective dispersal policy that ensures the quiet dispersal of patrons outside the immediate curtilage of the venue for up to 45 minutes after the Premises shuts for business must be prepared and kept on record.
 - a) The dispersal shall be effected using the SIA door supervisors deployed by the venue where a Pre booked event or other entertainment takes place.
23. On evenings when a DJ is employed at the premises he/she will make an announcement thirty minutes before closing time to remind customers that the venue is situated in a residential area and request that they treat neighbours with respect by leaving the venue as quietly as possible.
24. No bottles/glasses shall be taken outside the premises after 22.00 hours.
25. When events are undertaken door supervisors must monitor occupancy and exit levels by use of a clicker system.
26. Challenge 25 and "Ask Angela" shall be implemented, and a proof of age policy is to be applied with the accepted means of proof of age being:
 - Passport
 - Photo Driving Licence
 - EU/EEA National ID Card
 - A recognised valid photo-id card bearing the PASS hologram
 - Any future accredited and accepted proof of age Signs shall be displayed stating that the premises operates a Challenge 25 Policy.
27. No child under the age of 16 shall be admitted to the premises or allowed to remain on the premises after 21:00 hours and in any event when attending the premises they must be accompanied and supervised by a responsible adult.
28. All staff employed in the premises must attend a Licensing Act 2003 course at least twice a year provided by a suitably qualified external provider with evidence of the same kept and produced upon request to any authorised officer of a responsible Authority.

29. Such training shall be documented and recorded. It will record the date and names of those trained and the person providing it. The training shall cover all aspects of the responsible sale of alcohol - Licensing objectives, age verification, how to detect proxy sales, consequences of underage sales, serving to drunks and conflict management. The records will be available to be viewed on demand by an authorised officer of a Responsible Authority.

The Premises Licence Holder has a right of Appeal to the Magistrates Court against this determination on review, which must be filed no later than 21 days following its receipt.

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee
Agenda Item No: 17
Minutes - 31 July 2023

Attendance

Members of the Statutory Licensing Sub-Committee

Councillor Rashpal Kaur
Councillor Gillian Wildman
Councillor Jane Francis

Applicant for Review – West Midlands Police

Kayley Nixon

Premises Licence Holder

Mr Naresh Patel	DPS
Suneeta Patel	Secretary
Stewart Gibson	Agent

Employees

Debra Craner	Section Leader Licensing
Ronald Sempebwa	Solicitor
David Abel	Solicitor (observing)
Donna Cope	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 made.

3 Exclusion of press and public

Resolved:

That, in accordance with section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information falling within paragraph 7 of Schedule 12A to the Act.

4 Licensing Act 2003 - Application for a Review of a Premises Licence in respect of Sitara Hall, Mander Street, Wolverhampton, WV3 0JZ

An application for a review of a Premises Licence in respect of Sitara Hall, Mander Street, Wolverhampton, WV3 0JZ had been received from West Midlands Police.

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so. She 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.

Debra Craner, Section Leader Licensing provided an outline of the application. Kayley Nixon, West Midlands Police (Applicant), confirmed that the summary was accurate.

The Chair invited West Midlands Police to present their application.

Kayley Nixon, West Midlands Police, stated the grounds for review as per Appendix 3 of the report and supplementary agenda pack. She stated the following:

1. The Police Licensing investigation into the incident was complete, and after viewing the CCTV footage, it had been established that the premises had not been at fault.
2. The premises had co-operated fully with the police during the investigation and had since notified them of all upcoming events in good time.
3. West Midlands Police had mediated with the Premises Licence Holder and agreed a new Operating Schedule which could be found in the Supplementary Agenda Pack.

4. West Midlands Police acknowledged that SIA Door Staff would not be required at every event held at the premises, therefore a condition had been proposed allowing the premises to conduct their own risk assessments.
5. West Midlands Police requested that the interim suspension be lifted, and the Premises Licence Operating Schedule be modified.

The Chair afforded all parties present the opportunity to question West Midlands Police in relation to their submission. Kayley Nixon responded to questions asked.

The Chair invited the Premises Licence Holder to make representations. Stewart Gibson, Representative for the Premises Licence Holder, did so. He stated that:

1. There had been no previous incidents at the premises.
2. The venue hosted a number of different events, many of which did not include alcohol.
3. Alcohol could only be served with food.
4. The incident was not linked to the premises.
5. The DPS, Mr Patel, was very diligent and often refused to host events if deemed inappropriate.
6. Mr Patel wanted to continue working with the police and had immediately solved the issue with CCTV.
7. Mediation had taken place with the police and Mr Patel had agreed to the conditions.
8. Not all events needed SIA Door Staff.
9. All events would be risk assessed and 14 days' notice would be given to the police.

On behalf of his client, Mr Gibson requested that the interim steps be lifted, and the Premises Licence modified as per agreed conditions with the police.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder in relation to his submission. Mr Gibson and Mr Patel responded to questions asked.

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

Mr Gibson made a final statement on behalf of the premises.

Ronald Sempebwa, Solicitor, provided legal guidance to the Sub-Committee and reminded them of their available options.

All interested parties, except for 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 11.05 hours.

The Hearing reconvened at 12.05 hours.

All interested parties were invited back to the meeting.

The decision was summarised by the Solicitor and would be sent out to all parties within 5 working days.

Resolved:

An application had been received from West Midlands Police for a review of the Premises Licence in respect of Sitara Hall, Mander Street, Wolverhampton, WV3 0JZ. This was following an expedited review hearing on 6 July 2023 when the Statutory Licensing Sub-Committee were satisfied that a serious crime had occurred at the premises and found that interim conditions were necessary. On that date the Statutory Licensing Sub-Committee resolved to impose the following limited conditions with immediate effect as an interim step:

- 1) *The Premises Licence Holder must ensure that all CCTV cameras (both internal and external) are correctly calibrated with immediate effect such as to have full coverage of the interior and exterior of the Hall and the Car Park so that all persons accessing and exiting the Hall and Car Park are clearly identifiable.*
- 2) *That each event shall have at least four SIA registered door supervisors including at least one female, such that the car park shall have a full-time presence for all events with two door supervisors in the hall and one on the main entrance.*
 - a) *The Premises Licence Holder shall maintain a register of all SIA door staff which must contain their names, addresses, employers and SIA numbers, which shall be produced immediately at the request of West Midlands Police and any authorised officer of a responsible authority.*
 - b) *All door supervisors must be clear and visibly uniformed so as to be noticeable to all authorised patrons of the venue and must have body worn cameras and magnetic wands to be used for body searches of all patrons, before they are let into the venue for “any” pre booked events.*
- 3) *The Premises Licence Holder and Door Supervisor must notify West Midlands Police at least seven clear days in advance of any bookings made along with the name of the booking party, their address, date of birth and contact details, such that a proper risk assessment can be carried out and notified to them in writing by West Midlands Police no later than 48 hours before the said event.*
 - a) *The provisions of clause three of these interim conditions shall however not apply to those pre booked events in the venue which shall take place on the 8th and 9th of July 2023, as full details of the bookers’ names, addresses, dates of birth and contact details must be made available to the police before the close of business today in the interest of Public Safety.*

At the hearing on 31st July 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 attended the hearing.

The Statutory Licensing Sub-Committee determined that the interim conditions imposed on 6 July 2023 should be discharged with immediate effect and the Premises Licence should be modified.

The Premises Licence Holder had a right of Appeal to the Magistrates Court against this determination on review, which must be filed no later than 21 days following receipt of the Notice of Decision.

This page is intentionally left blank

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Zee Russell (Chair)

Cllr Gillian Wildman

Cllr Rashpal Kaur

Applicant

Mr Patrick Currie

Applicant's Agent

Responsible Authorities

Amitabh Singh

Licensing Authority

Ryan Hollings

Public Health

Kayley Nixon

West Midlands Police

Employees

Elizabeth Gregg

Senior Licensing and Compliance Officer

Ronald Sempebwa

Licensing Solicitor

Jacob Stokes

Democratic Services Officer

Donna Cope

Democratic Services Officer

Item No. *Title*

1 Apologies for absence

Apologies for absence were received from Mr Lavan Sivalingham, Premises Licence Holder.

2 Declarations of interest

There were no declarations of interest.

3 Licensing Act 2003 - Application for a Variation of a Premises Licence in respect of Aaryan Superstores Ltd, 644-645 Parkfield Road, Wolverhampton, WV4 6EH

An application for a Variation of a Premises Licence in respect of Aaryan Superstores Ltd, 644-645 Parkfield Road, Wolverhampton, WV4 6EH was considered following representations received from the Licensing Authority, Public Health and West Midlands Police.

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so.

The Chair 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 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. Mr Patrick Currie, Agent for the Applicant, confirmed that the summary was accurate.

The Chair invited the Applicant's Agent to present the application. Mr Currie did so, as per Appendix 1 of the report. He stated the following:

1. The Application was for the removal of two conditions, on the basis that these conditions were too restrictive on the business.
2. These conditions aimed to reduce anti-social behaviour, but this was not the case in practice as several nearby businesses did not have these restrictions.
3. The premises was outside of the Cumulative Impact Zone.
4. The premises had adhered to all conditions, including the conditions in question, and had operated for twenty years without issue under previous ownership.
5. The conditions had been applied when the Premises Licence Holder had applied for a new premises licence after he had taken over the business.
6. The Applicant and his family had a vast amount of experience in licensed trade and were responsible people.

7. The Applicant understood why the conditions had been applied, but these risked the development of local businesses and trade in Wolverhampton, without influencing the level of anti-social behaviour or increasing the safety of the area.
8. The Applicant asked the Sub-Committee to make an exception to Council policy and consider removing the conditions.

The Chair afforded all parties present the opportunity to question the Applicant's Agent in relation to his submission. Mr Currie responded to questions asked and stated the following:

1. Having responsible licence holders was more important than restrictions on certain products. Responsible licence holders would help ensure that the business was run correctly to help overcome anti-social behaviour in a way that the current conditions did not.
2. It was in an individual business' interest to limit anti-social behaviour to ensure that it did not impact on the business and its custom.
3. The removal of the conditions in question would not have any adverse impact on the community as the Premises Licence Holder was a responsible business owner.
4. The Premises Licence Holder had written a letter for the Sub-Committee to consider in their decision-making, which set out his concerns.
5. The Premises Licence Holder had indicated that there had been refusals at the premises.
6. The Premises Licence Holder had mediated on the conditions in February 2022 but had done so as he was not aware that other local premises did not have these conditions.

The Chair invited the Licensing Authority to make representations. Amitabh Singh, Licensing Section Leader, did so, as per Appendix 4 of the report. He stated that an application for a Premises Licence had been received in February 2022 and the two conditions in question had been agreed. He stated that anecdotal evidence suggested that street drinkers and underage drinkers preferred single unit, high strength alcohol.

The Chair afforded all parties present the opportunity to question the Licensing Authority in relation to its submission. The Licensing Section Leader responded to questions asked and stated that the conditions in question had been applied to any new premises licence or if a premises licence had been reviewed or varied.

Ronald Sempebwa, Licensing Solicitor, provided legal advice to the Sub-Committee and made them aware of the options available to them.

The Chair invited West Midlands Police to make representations. Kayley Nixon did so, as per Appendix 6 of the report. She stated that:

1. West Midlands Police did not support the removal of the two conditions in question.

2. The Premises Licence Holder had not outlined how they would uphold the Licensing Objectives with the removal of these conditions.
3. They were not aware of any problems at the premises, but West Midlands Police did not want the premises to become a hotspot area for street drinkers and anti-social behaviour.

The Chair afforded all parties present the opportunity to question West Midlands Police in relation to its submission. There were no questions asked.

The Chair invited Public Health to make representations. Ryan Hollings, Senior Public Health Specialist, did so as per Appendix 5 of the report. He stated that:

1. Public Health had attempted to mediate with the Premises Licence Holder but had been unsuccessful.
2. The removal of the conditions would increase the likelihood of risk to those affected by alcohol-related harm.
3. Super strength alcohol sales were commonly associated with street drinkers. Research had identified repeated problems caused by this group, including anti-social behaviour and low-level crime.
4. There was a well-established link between alcohol and crime.
5. Data showed that Wolverhampton was a regional and national outlier for alcohol-related harm and alcohol-related hospital admissions.
6. Public Health did not support the removal of the conditions.

The Chair afforded all parties present the opportunity to question Public Health in relation to its submission. The Senior Public Health Specialist responded to questions asked.

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

The Applicant's Agent made a final statement. A letter from the Premises Licence Holder was provided to the Licensing Sub-Committee.

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

The Sub-Committee adjourned at 11.25 hours.

The Hearing reconvened at 12.24 hours.

All parties re-joined the meeting.

The Chair advised all parties of the decision of the Sub-Committee. The decision was summarised by the Licensing Solicitor and would be sent out to all parties within five working days.

Resolved:

An application was made by Aaryan Superstores Ltd for a variation of a premises

licence in respect of Aaryan Superstores Ltd, 644 – 645 Parkfield Road, Wolverhampton, WV4 6EH.

Relevant representations had been received by the Licensing Authority, Public Health and West Midlands Police as Responsible Authorities.

At the hearing on 15 August 2023 to determine the application, members of the Statutory Licensing Sub-Committee considered all written evidence and listened carefully to all representations made.

Having considered all the representations and having regard to the Licensing Objectives, the Statutory Licensing Sub-Committee determined that the application should be refused.

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

This page is intentionally left blank

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Zee Russell (Chair)

Cllr Jane Francis

Cllr Jonathan Crofts

Applicant

RB Premises Licence Holder

NB Premises Licence Holder

Responsible Authorities

Michelle Marie-Smith Public Health

Employees

Anita Chonk Senior Licensing and Compliance Officer

Ronald Sempebwa Licensing Solicitor

Jacob Stokes Democratic Services Officer

Item No. *Title*

1 Apologies for absence

Apologies for absence were submitted by West Midlands Police.

2 Declarations of interest

There were no declarations of interest.

3 Licensing Act 2003 - Application for a Variation of a Premises Licence in respect of Costcutter, 38-44 Graiseley Lane, Wolverhampton, WV11 1PE

An application for a variation of a Premises Licence in respect of Costcutter, 38-44 Graiseley Lane, Wolverhampton, WV11 1PE was considered following representations received from Public Health and West Midlands Police.

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so. She 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.

Anita Chonk, Senior Licensing and Compliance Officer, provided an outline of the application. RB and NB, Premises Licence Holders, confirmed that the report was accurate.

The Chair invited the Applicant to present the application. RB did so, as per Appendix 1 of the report. They stated the following:

1. In the current economic climate, it was difficult to run a business and remain competitive against supermarkets.
2. They cared deeply about the Licensing Objectives. The Application was not to undermine these, but simply about keeping the business afloat.
3. Other premises in the local area did not have these conditions and this seemed unfair.
4. Research had shown that there were only moderate reductions in alcohol-related harms by the restrictions on high strength alcohol.
5. The Council had a responsibility to work with and uplift local businesses due to the benefit they had on the local economy.
6. The premises did not have a problem with street drinkers.
7. They had mediated with West Midlands Police and agreed to sell high strength alcohol as complete packs. This would bring the price on par with a bottle of wine.

The Chair afforded all parties present the opportunity to question the Applicant in relation to their submission. RB and NB responded to questions asked and stated the following:

1. The Designate Public Place Order (DPPO) was displayed prominently at the premises, in line with the licence conditions.
2. The premises had a functioning CCTV system that had been recently upgraded.
3. The premises regularly logged refusals, and these were mostly for lack of appropriate ID.
4. The premises did not regularly receive requests for high strength alcohol products.
5. Selling in packs of four would make high strength alcohol less attainable for problem and street drinkers.
6. Alcohol was not the main focus of the premises; the premises stocked a wide variety across every product in order to remain competitive.
8. There would be a significant impact to the business if the Application was refused as customers would shop elsewhere.

The Chair invited Public Health to make representations. Michelle Marie-Smith, Principal Public Health Specialist, did so as per Appendix 4 of the report. She stated the following:

1. Public Health had attempted mediation with the Applicant but were unsuccessful.
2. The proposed condition undermined the aims of the existing Licensing Agreement and would increase the likelihood of alcohol-related harm.
3. Evidence showed a clear link between high strength alcohol products and alcohol-related harm.
4. A multipack of super strength alcohol could be up to 18 units, which would exceed the weekly guidelines of 14 units.
5. Trends suggested that more alcohol was now consumed on the street or within the home.
6. Super strength alcohol sales were most commonly associated with street drinking. Researchers had identified problems caused by street drinkers such as antisocial behaviour and low-level crimes. There was also a well-established and complex link between alcohol and crime.
7. Wolverhampton was a regional and national outlier for alcohol-related harm and alcohol-related hospital admissions.
8. It was the view of Public Health that every premises should have a condition that would restrict on the sale of high strength alcohol.

The Chair afforded all parties present the opportunity to question Public Health in relation to its submission. The Principal Public Health Specialist responded to questions asked.

The Chair invited all parties present to make a final statement. No final statements were made.

Ronald Sempebwa, Licensing Solicitor, provided legal advice to the Sub-Committee and outlined the options available to them.

All parties except for the Licensing Solicitor and Democratic Services Officer withdrew from the meeting to enable the Sub-Committee to determine the matter.

The Sub-Committee adjourned at 11.18 hours.

The Hearing reconvened at 13.14 hours.

All parties returned to the meeting.

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

Resolved:

An application was made by Bains Off Licence Limited for a variation of a premises licence in respect of Costcutter, 47-48 Graiseley Lane, Wolverhampton, WV11 1PE.

Relevant representations had been received from West Midlands Police and Public Health as Responsible Authorities.

At the hearing on 30 August 2023 to determine the application, members of the Statutory Licensing Sub-Committee considered all written evidence and listened carefully to all representations made.

Having considered all the representations and having regard to the Licensing Objectives, the Statutory Licensing Sub-Committee determined that the application should be granted for a trial period of six months, subject to the fact that no later than 1 March 2024 the condition shall be reviewed at the behest of any of the Responsible Authorities to determine whether it is appropriate for it to continue indefinitely or whether there is evidence that the Premises are a direct cause of problems which undermine any of the Licensing Objectives.

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

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Zee Russell (Chair)

Cllr Gillian Wildman

Cllr Rashpal Kaur

Applicant for Review – Trading Standards

Gurdip Gill

District Officer

Dianne Slack

Tobacco Control Officer

Premises Licence Holder

Harim Ali Abdullah

Geoff Dixon

Councillor Celia Hibbert

Agent

Responsible Authorities

Sgt Gemma Turner

Michelle Smith

West Midlands Police

Public Health

Employees

Lizzie Gregg

Ronald Sempebwa

Donna Cope

Jacob Stokes

Senior Licensing & Compliance Officer

Solicitor

Democratic Services Officer

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 Family Shop, 34 Birchwood Road, Wolverhampton, WV4 5UH

An application for a review of a Premises Licence in respect of Family Shop, 34 Birchwood Road, Wolverhampton, WV4 5UH 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. She 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 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 Geoff Dixon, Representative for the Premises Licence Holder, Mr Harim Ali Abdullah, did so. He stated that:

- He and his client accepted that everything within the report had happened but there were a number of mitigating circumstances.
- The cans had been bought from a cash and carry legally in West Bromwich and Mr Abdullah had no reason to doubt the legality of the alcohol on the shelves.
- Mr Abdullah could provide details of all purchases.
- Mr Abdullah was only away from the premises for a period of around 15 minutes and he left a gentleman behind the counter to look after the shop who does not normally work there. He accepted that he shouldn't have done that.
- Mr Abdullah had held previous Premise Licences in Northampton and West Bromwich with no incidents.

- Mr Abdullah had been running the Family Shop for a short time having made a significant investment of approx. £35,000 into the business and into the Penn area.
- The shutter had been closed on the day of the tests.
- The CCTV required a pin number and Mr Abdullah was not aware of the pin number on the day Trading Standards visited his shop. It was now working and there was footage of the visit that can be viewed to prove it was working on the day.
- All the issues had been resolved and he had evidence of this.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder in relation to his submission. Mr Geoff Dixon and Mr Abdullah responded to questions asked, stating the following:

- The shutter had now been repaired.
- Mr Abdullah was the only person that worked at the premises.
- All issues had been resolved and Mr Abdullah was sorry.
- Mr Dixon was a qualified trainer for the British Institute of Innkeeping so was qualified to teach a premises licence holder to go through a secondary training session if necessary.
- Mr Abdullah had never been told that he wasn't allowed to sell higher puffs and did not know that was displayed in the shop. He did not have them anymore and now only sold 600 puffs vapes.
- Mr Abdullah did not have any staff. He was the only person who worked in the shop. There was a person in the shop at that time of the hearing who was trained and authorised to sell alcohol. There were a further two people who had been trained but they were not staff; they did not have fixed hours, but they had been trained and authorised should a similar situation arise again when Mr Abdullah was away from the premises.

Councillor Celia Hibbert was in attendance to support the Premises Licence Holder. She stated the following:

- The premises had been vacant for a long time before Mr Abdullah had taken over.
- She knew Mr Abdullah personally and when his business had first opened she had made an additional effort to go and check out who he was.
- Mr Abdullah was very responsive, straight forward, polite, and transparent so this incident was a surprise given that he was always at the premises.
- Local people she had spoken to have a positive opinion of Mr Abdullah.
- His business was part of the economic activities that took place in Penn Ward.
- It was a small business which supported his family and local community and it would be a shame to shut it down for just one mistake.
- He was a first-time offender who could be dealt with by a warning and was prepared to accept any conditions and do whatever the Council wanted him to do.
- She had visited the premises to ensure all issues had been rectified.

In response to further questions, Mr Geoff Dixon and Mr Abdullah stated the following:

- Mr Abdullah had never been told that he wasn't allowed to sell higher puffs. He was sorry and it wouldn't happen again.
- He always asked for ID.
- He bought the vapes in good faith and didn't know they were illegal.

The Chair invited West Midlands Police to make representations. Sgt Gemma Turner did so as per Appendix 5 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.

The Chair invited all parties present to question West Midlands Police in relation to its submission. Sgt Turner responded to questions asked.

The Chair invited Public Health to make representations. Michelle Smith, Principal Public Health Specialist, did so as per Appendix 4 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 evidence presented was very concerning, and the Premises Licence should be revoked.

The Chair invited all parties present to question Public Health in relation to its submission. Michelle Smith responded to questions asked.

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

Mr Geoff Dixon, Mr Abdullah, Councillor Hibbert and Dianne Slack made final statements.

Ronald Sempebwa, 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 11.34 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 received on 6 July 2023 from Trading Standards to review the premises licence in respect of the Family Shop, 34 Birchwood Road, Wolverhampton, WV4 5UH. The premises is situated in the Penn Ward.

Relevant representations had been received from the Public Health Authority and West Midlands Police. The Applicant and all those who submitted representations had been invited to attend the hearing of the Statutory Licensing Sub-Committee on Thursday 31 August 2023.

At the hearing on 31 August 2023 members of the Statutory Licensing Sub-Committee considered all written evidence and listened carefully to all representations made.

Having considered all the representations and having regard to the Licensing Objectives, the Statutory Licensing Sub-Committee determined to revoke the Premises Licence with immediate effect under Section 52(4) (e) of the Licensing Act 2003.

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 the written notice of decision.

This page is intentionally left blank

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Zee Russell (Chair)
Cllr Gillian Wildman
Cllr Rashpal Kaur

Applicant for Review – Environmental Health

Emma Waites	Senior Officer
Emma Caddick	Service Manager
Bernadette Tranter	Local Resident / Interested Party

Premises Licence Holder:

Piers Warne	Solicitor
Wayne Parkes	Designated Premises Supervisor
Bruce Wakeling	Spirit Pub Company
Asa Charlton	Spirit Pub Company
David Turner	Local Resident / Interested Party
Ray Giles	Local Resident / Interested Party

Responsible Authorities

Greg Bickerdike	Licensing Authority
-----------------	---------------------

Other Persons / Interested Parties:

Angela Malia
Colin Malia
Katie Lamedica
Andrew Moores
Terry Dicken

Officers:

Debra Craner	Licensing Team Leader
Dave Abel	Solicitor
Donna Cope	Democratic Services Officer
Jacob Stokes	Democratic Services Officer
Paul Dosanjh	Service Manager - Trading Standards & Licensing Act
Jas Kaur	Democratic Services Manager

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 Pheasant Inn, Wood End Road, Wolverhampton, WV11 1YQ

An application for a review of a Premises Licence in respect of The Pheasant Inn, Wood End Road, Wolverhampton, WV11 1YQ had been received from The City of Wolverhampton Environmental Health Department as a Responsible Authority.

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so. She 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.

Debra Craner, Licensing Section Leader, provided an outline of the application. Emma Waites, Senior Officer for Environmental Health (Applicant), confirmed that the summary was accurate.

The Chair invited Environmental Health to present their application. Emma Waites, Senior Officer, did so as per Appendix 3 of the report and Supplementary Agenda Pack 1. She stated that mediation had taken place between herself and the Premises prior to the Hearing and a number of amendments to the Premises Licence had been agreed. These amendments could be found at pages 109 – 111 of the Supplementary Agenda Pack 1.

The Chair afforded all parties present the opportunity to question the Applicant in relation to her submission. Emma Waites, Senior Officer, provided responses to questions asked.

The Chair invited the Premises Licence Holder to make representations. Mr Piers Warne, Legal Representative for the Premises Licence Holder, did so as per Supplementary Agenda Pack 2. He confirmed that the Premises had successfully mediated with Environmental Health and noted that West Midlands Police had withdrawn their representations.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder in relation to their submission. Mr Piers Warne responded to

questions asked and accepted that on occasions noise at the premises had been loud. In response to a question for Environmental Health, Emma Waites confirmed that since the noise limiter had been installed at the premises no noise complaints had been received.

The Chair invited the Licensing Authority to make representations. Greg Bickerdike, Licensing Manager, did so as per Appendix 4 of the report and Supplementary Agenda Pack 2. He stated that the Licensing Authority fully supported the mediation between Environmental Health and the Premises and were happy with the agreed proposals.

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

The Chair invited all Interested Parties to make their representations.

Angela Malia, Colin Malia, Katie Lamedica, Andrew Moores, Terry Dicken, and David Turner spoke in support of the Premises. In summary they stated that:

- The premises had improved greatly since Wayne Parkes (Designated Premises Supervisor) and his partner had taken over.
- All problematic customers had been barred.
- Noise from the premises was not that bad and reports had been blown out of proportion.
- The pub was a safe place and was being unfairly targeted.
- A neighbouring pub was responsible for the noise nuisance.

Bernadette Tranter, Interested Party, spoke in support of the Review Application. In summary she stated that:

- She could not stand the noise.
- She did not want the pub to close, she just wanted peace.
- Her house was up for sale because of the noise.
- Loud bass music could be heard in her home every Friday, Saturday, and Sunday.

The Chair invited all parties present to question the Interested Parties in relation to their submissions. Bernadette Tranter responded to a question asked and confirmed that noise had not been an issue since the noise limiter had been installed at the premises. She noted that her neighbours were not in attendance as they feared the repercussions but clarified that she would not describe Wayne Parkes as a bully.

The Licensing Sub-Committee acknowledged the bravery it had taken for the Interested Parties to attend the Hearing and stated that the noise issues from the Premises should have been resolved beforehand.

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

Greg Bickerdike, Piers Warne and Emma Waites made final statements.

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

All 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 11.45 hours.

The Hearing reconvened at 13.22 hours.

All parties returned to the meeting, and the Chair confirmed the decision of the Sub-Committee.

The decision was summarised by the Solicitor and the full Decision Notice would be sent out to all parties within 5 working days.

Resolved

An application was made by The City of Wolverhampton Environmental Health Department as a Responsible Authority on 28 July 2023 for a review of the Premises Licence in respect of The Pheasant Inn, Wood End Road, Wolverhampton, WV11 1YQ, on the grounds that actions at the premises undermined the Licensing Objective of the Prevention of Public Nuisance.

Relevant representations had been received from the Licensing Authority and West Midlands Police, as Responsible Authorities, and from Other Persons (Interested Parties).

At the hearing on the 18th September 2023 to review the Premises Licence, members of the Statutory Licensing Sub-Committee considered all written evidence and listened carefully to all representations made.

Having considered all the representations and having regard to the Licensing Objectives, the Statutory Licensing Sub-Committee found that in order to promote the Licensing Objectives the Premises Licence of The Pheasant Inn should be amended as stated in the agreed Mediation Document.

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 the written notice of decision.

Statutory Licensing Sub-Committee
Minutes - 26 September 2023

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Zee Russell (Chair)
Cllr Rashpal Kaur
Cllr Gillian Wildman

Premises Licence Holder

Mr Rob Edge
Mr Ravi Chopra

Agent
Premises Licence Holder

Responsible Authorities

Greg Bickerdike
Ryan Hollings
Kayley Nixon

Licensing Authority
Public Health
West Midlands Police

Other Persons

Councillor Ellis Turrell
Councillor Wendy Thompson
Councillor Jonathan Crofts

Employees

Debra Craner
Bankole Thomas
Jacob Stokes

Section Leader – Licensing and Compliance
Licensing Solicitor
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 Variation of a Premises Licence in respect of Canalside, Castlecroft Lane, Wolverhampton, WV3 8JU

An application for a Variation of a Premises Licence in respect of Canalside, Castlecroft Lane, Wolverhampton, WV3 8JU was considered following representations received from the Licensing Authority, Public Health, West Midlands Police, West Midlands Fire Service and Other Persons.

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so.

The Chair 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 representations, and to take such steps as contained in the Licensing Act 2003, as it considered appropriate for the promotion of the Licensing Objectives.

Debra Craner, Section Leader – Licensing and Compliance, provided an outline of the application. Mr Rob Edge, Agent for the Applicant, confirmed that the summary was accurate.

The Chair invited the Applicant to present the application. Mr Edge did so, as per Appendices 1 and 13 of the report and the Supplementary Agenda Pack. He stated the following:

1. Full regard had been given to the Licensing Objectives, the Council's Statement of Licensing Policy, Home Office guidance, and to representations received.
2. The Applicant had not long taken over the building and had undertaken refurbishment works.
3. The Applicant intended to run the business in a responsible manner and had implemented a range of policies and procedures to ensure the Licensing Objectives were upheld.
4. The Applicant intended to run the business in harmony with residents and it was not in his interests to fall out with them.
5. The Applicant recognised that he had not always gotten things right, which was why he was seeking the guidance of a Licensing Consultant.
6. An offer of mediation had been sent to Councillor Turrell, reducing the opening hours to 22:30 hours, Sunday to Wednesday, and to 00:30, Thursday to Saturday.

7. The Premises Licence Holder had little to no control over patrons' actions on the public highway. He had signage in place and frequently reminded patrons to park responsibly.
8. Parking issues also arose whenever there was a local rugby match on, and no complaints had been received about this.

Mr Ravi Chopra, Applicant and Premises Licence Holder, stated that the application to extend the opening hours was not to cause trouble but to make the business more successful.

The Chair afforded all parties present the opportunity to question the Applicant in relation to his submission. Mr Edge and Mr Chopra responded to questions asked and stated the following:

1. To address parking concerns, the venue had cameras, and customers were kindly requested to park more considerately.
2. The car park had a reasonable capacity of approximately 40 spaces, which was not sufficient when the venue was full. Even so, blue light vehicles were not impeded when the car park was full, and patrons needed to park on the public highway.
3. The Premises Licence Holder would be willing to have a voluntary condition of a marshal on site during certain hours to monitor and control parking.
4. Parking issues that arose from the local rugby club were anecdotal evidence provided by staff members.
5. The maximum capacity for the venue was 200 as confirmed by West Midlands Fire Service's risk assessment. The premises had complied with the restrictions outlined in the West Midlands Fire Service voluntary undertaking.
6. A Planning Agent had been appointed and was currently drafting a planning application to vary the permitted hours. Conversations would be had to investigate whether an extension of the car park could be incorporated into the planning application.
7. Any extension of a car park would fall under the remit of Planning rather than Licensing.
8. The venue accepted bookings, but these would not be for the entire venue and rather for large groups. The booking fee had been waived in these instances.
9. On one occasion, the premises was open beyond its permitted opening hours. This was a mistake and would not happen again.
10. Any conditions imposed would be fully complied with.
11. Entertainment at the venue consisted of ambient background music and the occasional disco.
12. Noise had not been formally monitored at the venue. Staff had checked the noise levels when going outside to monitor the parking situation.
13. As part of the Variation, a Noise Management Plan and Noise Management Strategy had been proposed to ensure noise was carefully monitored.
14. No formal noise complaints had been received from residents by Environmental Health.
15. Plans submitted with the Application included changes to the internal layout to allow for better flow for customers and better utilisation of the space available.
16. Moving forwards, the venue would host periodic meetings between the Premises Licence Holder and residents living directly opposite to discuss any issues or areas for improvement.

17. Only a few car parking spaces had been taken up by the installation of outdoor decking during the Covid pandemic.

An advertisement for the premises in the August – September 2023 edition of the Finchfield, Compton and Castlecroft Pages was produced for the Sub-Committee to consider.

Bankole Thomas, Licensing Solicitor, provided legal advice and stated that since the evidence produced was in the public domain, it could be considered by the Sub-Committee.

Mr Edge and Mr Chopra responded to questions asked regarding the advertisement and stated the following:

1. The advertisement was wrong; the venue did not host DJs and the hours stated in the advertisement were wrong and should not have been published.
2. Event hire had been advertised as the venue did not want to exclude event hire in its entirety and restrict potential.
3. An external company prepared the advertisement and had published it in error.
4. The advertisement had been live since the start of the year, but the errors had not come to the attention of the Premises Licence Holder.
5. These errors would be rectified as soon as possible.

An advertisement from 4 September 2023 on the premises' Facebook page was produced for the Sub-Committee to consider.

It was agreed that the Sub-Committee be adjourned to allow the advertisements from the Finchfield, Compton and Castlecroft Pages and from the premises' Facebook page to be circulated to all parties.

The Sub-Committee adjourned at 11.10 hours.

The Hearing reconvened at 11.23 hours.

Mr Edge and Mr Chopra responded to further questions asked and stated the following:

1. The advertisement would be removed from the premises' Facebook page. The venue had not hosted live DJs in 2023 and would not have any at the premises moving forwards.
2. The premises was completely vacated by staff and locked up at approximately 23:00 - 23:30pm. The lights outside shut off at approximately midnight.
3. An incident on 19 August 2023 where Councillor Crofts was called to the premises at 01.00am due to noise emanating from the venue was not included in representations submitted to the Sub-Committee and could therefore not be answered at the hearing in a feasible manner.
4. The Premises Licence Holder would consider all available options to address parking concerns.
5. In line with the West Midlands Fire Service voluntary undertaking, the capacity of the venue had been restricted to 60.
6. The venue did not have door or security staff as it was a restaurant.

7. Although the capacity of the venue was 200, the current seating layout did not allow for this number. The number of staff on shift each night was determined by the number of bookings received by the venue.
8. Environmental Health had viewed the application and had not submitted representations.
9. Off sales had been included in the Application to future-proof the business and allow customers to use the outside seating area as this would be classed as an off sale.
10. Off sales would also provide the ability to operate a takeaway service. A policy was in place to ensure that pick-up vehicles acted with due consideration.
11. A condition had been agreed during mediation with the Licensing Authority that no food or drink would be served outside of the building after 23:00 and no alcohol would be taken into or consumed in the outside seating area between 23:00 and close.
12. Training had been delivered and recorded. All staff were trained on Challenge 25 and the venue had the relevant signage in place. The Applicant's Agent had provided a staff training pack to the Premises Licence Holder.
13. A noise limiter would not be financially viable for the business.

The Chair invited the Licensing Authority to make representations. Greg Bickerdike, Licensing Manager, did so as per Appendices 4 and 9 of the report. He stated the following:

1. The Local Authority had previously agreed mediation with the Applicant.
2. Credible evidence of noise nuisance and DJs being hosted at the venue had been presented during the hearing and this called into question the Applicant's fitness as a Premises Licence Holder.
3. The Local Authority felt it was appropriate to reduce the hours of off sales to 21:00.
4. The Sub-Committee might wish to consider a condition that door supervisors, at a ratio of 1:100, must be present for private events.
5. The Sub-Committee might also wish to consider a more stepped approach to granting all aspects of the Variation as this may not be suitable until issues had been resolved with residents.
6. Much of the evidence presented at the hearing had not been made available to Responsible Authorities at the time of the Application. Affected residents were advised that they should contact the Premises Licence Holder in the first instance over any issues, and that these could be escalated to the Council in the case of non-action.

The Chair afforded all parties present the opportunity to question the Licensing Authority in relation to its submission. The Licensing Manager responded to questions asked.

Responding to a question, the Section Leader – Licensing and Compliance advised all parties that four complaints in total regarding the premises had been received and logged.

The Chair invited Public Health to make representations. Ryan Hollings, Senior Public Health Specialist, did so as per Appendices 5 and 10 of the report. He stated the following:

1. Public Health had previously agreed mediation with the Applicant and conditions had been agreed.
2. Considering the significant evidence produced at the hearing, Public Health agreed with the reduction in off sales hours to 21:00.
3. Public Health would be led by the decision of the Sub-Committee as to whether the application was granted, either fully or partially, or refused.

The Chair afforded all parties present the opportunity to question Public Health in relation to its submission. The Senior Public Health Specialist responded to questions asked.

The Chair invited West Midlands Police to make representations. Kayley Nixon did so, as per Appendices 6 and 12 of the report. She stated the following:

1. Considering the evidence produced at the hearing, West Midlands Police were concerned about the Variation that had been applied for.
2. The residents' concerns could not be disregarded.
3. West Midlands Police would be guided by the decision of the Sub-Committee as to the extension of hours at the premises.

The Chair afforded all parties present the opportunity to question West Midlands Police in relation to its submission. Ms Nixon responded to questions asked.

The Chair invited Other Persons to make representations. Councillors Ellis Turrell, Wendy Thompson and Jonathan Crofts did so, as per Appendix 8 of the report and the Resident Concerns included in the Supplementary Agenda Pack.

Councillor Turrell stated the following:

1. The Ward Councillors felt they had no choice but to object based on concerns voiced by residents.
2. They had a duty to stand up for residents and protect the character of the area.
3. They had been aware of noise complaints and other concerns, such as littering, at the premises.
4. They had received significant correspondence from residents since the end of the representation period, and it would be fair to say that the issues that the Ward Councillors were aware of when the application was submitted were the tip of the iceberg.
5. There were concerns about the peace and quiet of the area being shattered and that the venue was something that it was not originally intended to be.

Councillor Thompson stated the following:

1. They wanted businesses to thrive in the area, but these had to meet a certain standard.
2. The residents were long-suffering and wanted a quiet life.
3. The premises appeared to be veering towards a nightclub, which was not appropriate for a residential area.
4. The residents were disappointed that the notice had not been displayed in a more appropriate and public place.
5. The residents were concerned about drunken behaviour and pollution in the local canal.
6. The premises appeared to be out of control.

7. There needed to be a greater consideration for the local area by the premises.

Councillor Crofts stated the following:

1. They were passionate about maintaining the peace and quiet of the area, and ensuring the premises complied with Licensing and Planning requirements.
2. They were giving a voice to residents and their concerns.
3. Things had gone wrong at the premises, and it was therefore very important that the hours were not extended.

The Chair afforded all parties present the opportunity to question Councillors Turrell, Thompson and Crofts in relation to their submissions. Councillors Turrell, Thompson and Crofts responded to questions asked.

Responding to a question, the Section Leader – Licensing and Compliance confirmed that the application had been properly made.

A condition, that the Applicant agreed to have waste receptacles in the outside areas of the premises to reduce littering and pollution, was suggested.

All parties, except for the Licensing Solicitor, and the Democratic Services Officer withdrew from the meeting.

The Sub-Committee adjourned at 12.55 hours.

The Hearing reconvened at 14.00 hours.

All parties re-joined the meeting.

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

Councillor Turrell, Greg Bickerdike and Mr Edge made a final statement.

The Chair thanked all parties for their participation and stated that the decision would be sent out in writing to all parties within five working days.

Resolved:

That the decision be sent out in writing to all parties within five working days.

This page is intentionally left blank

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee

Agenda Item No: 23

Minutes - 11 October 2023

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Zee Russell (Chair)

Cllr Jane Francis

Applicant for Review – Trading Standards

Dianne Slack

Tobacco Control Officer

Premises Licence Holder

Mr Sandeep Nangpal

Mr Patrick Burke

Get N Go UK Ltd

Agent

Responsible Authorities

Amitabh Singh

Kayley Nixon

Ryan Hollings

Licensing Authority

West Midlands Police

Public Health

Employees

Lizzie Gregg

Ronald Sempebwa

Donna Cope

Paul Dosanjh

Senior Licensing & Compliance Officer

Solicitor

Democratic Services Officer

Service Manager – Trading Standards and Licensing Act

Item No. *Title*

1 Apologies for absence

Apologies for absence were received from Councillor Sally Green.

2 Declarations of interest

There were no declarations of interest made.

3 Licensing Act 2003 - Application for a Review of a Premises Licence in respect of Kwik Save, 7a Long Knowle Lane, Wolverhampton, WV11 1HZ

An application for a review of a Premises Licence in respect of Kwik Save, 7a Long Knowle Lane, Wolverhampton, WV11 1HZ had been received from The City of Wolverhampton Trading Standards Department as a Responsible Authority.

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so. She 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 report. Dianne Slack, Tobacco Control Officer for Trading Standards (Applicant), confirmed that the summary was accurate.

The Chair invited Trading Standards to present their application. Dianne Slack, Tobacco Control Officer, did so as per Appendix 3 and 4 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 Patrick Burke, representative for the Premises Licence Holder, and Mr Sandeep Nangpal, Company Director of Get N Go UK Ltd, did so.

They stated that:

1. There had been some confusion at the time of the sale and a catalogue of errors had occurred.
2. Mr Sandeep Nangpal's wife had called him because their son was violently ill, so he had left the shop and found a friend to keep an eye on the premises who normally worked in the post office. She was only covering for that short period of time whilst he'd been called away. There was also a delivery taking place and the delivery guy was also behind the counter.

3. They accepted however that ID should have been requested.
4. Since the incident, they had reviewed the premises licence and found it had very few enforceable conditions and therefore had proposed several updated conditions (set out in Appendix 8 of the Report).
5. Moving forward on those conditions there would always be somebody with the level 2A PLH qualification for personal licence holders on duty.
6. The member of staff on duty every morning had been on the training course and had attained the qualification.
7. Conditions had also been submitted with regards to general staff training.
8. A copy of the refusals book was available to inspect at the hearing and they apologised for the confusion as it should have been very clear where it was kept. They assured the committee that it would be kept on the counter going forward.
9. They had also taken the step to remove the current DPS and replace him with Sandeep Nangpal who was at the premises all the time. An application would be submitted to vary the DPS after the hearing.
10. Mr Sandeep Nangpal was experienced in the trade and should have done better.
11. All issues raised had been rectified and appropriate conditions had been proposed.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder in relation to his submission. Mr Patrick Burke and Mr Sandeep Nangpal responded to questions asked.

The Chair invited West Midlands Police to make representations. Kayley Nixon did so as per Appendix 7 of the report. She stated that West Midlands Police fully supported the application for review and agreed that the licence should be suspended, and the proposed conditions imposed.

The Chair invited all parties present to question West Midlands Police in relation to its submission. Kayley Nixon responded to questions asked.

The Chair invited Public Health to make representations. Ryan Hollings, Senior Public Health Specialist, did so as per Appendix 6 of the report. He stated that Public Health supported the application for review and believed that the actions at the premises had undermined the Licensing Objectives. Public Health agreed to the proposed conditions and encouraged a condition in relation to single sales and no sales for super strength alcohol.

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

The Chair invited the Licensing Authority to make representations. Amitabh Singh, Licensing Section Leader, did so as per Appendix 5 of the report. He stated that the Licensing Authority fully supported the application for review and believed that the actions at the premises had undermined the Licensing Objectives. He suggested that the conditions proposed by the PLH were added onto the operating schedule with additions in relation to single sales and super strength lagers, beers and ciders where strength exceeds 6.5 ABV alcohol by volume. He also recommended that a

period of suspension of the premises licence to be applied to implement these conditions.

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

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

Mr Patrick Burke and Dianne Slack made final statements.

Ronald Sempebwa, Solicitor, provided legal guidance to Members and reminded them of their available options.

All 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 11.24 hours.

The Hearing reconvened at 12.08 hours.

All parties returned to the meeting, and the Chair confirmed the decision of the Sub-Committee.

The decision was summarised by the Solicitor and the full Decision Notice would be sent out to all parties within 5 working days.

Resolved:

An application had been made on 22 August 2023 from Trading Standards as a Responsible Authority, to review the Premises Licence in respect of Kwik Save, 7a Long Knowle Lane, Wolverhampton, WV11 1HZ. The review had been brought in support of the Prevention of Crime and Disorder, and the Protection of Children from Harm licensing objectives.

Relevant representations had been received from the Licensing Authority, Public Health and West Midlands Police.

The Statutory Licensing 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 Statutory Licensing Sub-Committee were very concerned about the circumstances outlined by the Applicant, specifically in relation to the protection of children from harm and resolved to adopt the conditions proposed by the Premises Licence Holder, along with the additional conditions suggested by the Licensing Authority.

Further, the Sub-Committee took the view that considering all the evidence it had heard and the circumstances outlined by the applicant, that a period of suspension of the premises licence of 3 months was appropriate to note the gravity of the situation and allow the conditions to be applied and implemented.

An appeal could 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 the written notice of decision.

This page is intentionally left blank

CITY OF WOLVERHAMPTON COUNCIL	Statutory Licensing Committee 22 November 2023
--	--

Report title	Authorisation to Seek Consultation on Draft Statement Of Licensing Policy	
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	

Recommendation for decision:

The Statutory Licensing Committee is recommended to:

1. Approve a 12 week consultation on the draft Statement of Licensing Policy (including the Cumulative Impact Policy) 2024-2029 to arrive at a final draft for consideration by this Committee prior to its consideration and adoption at full Council.

1.0 Purpose

- 1.1 To seek the Committee's authorisation to circulate for comment and consideration both of the draft Statement of Licensing Policy 2019-2024 and the Cumulative Impact Policy. The policies will then be submitted to the Committee with any suggested amendments for its agreement prior to approval at Full Council in 2024.

2.0 Background

- 2.1 Section 5 of the Licensing Act 2003 requires that all licensing authorities prepare and publish a Statement of Licensing Policy in order to exercise their functions under the Act. The policy must be revised every five years or sooner if revisions are considered appropriate.
- 2.2 The current Statement of Licensing Policy was implemented on 3 April 2020 for a five-year period. The new policy must be published and in force on or before 3 April 2025.
- 2.3 The Statement of Licensing Policy once again contains a Cumulative Impact Policy (CIP). The effect of a Cumulative Impact Policy is the rebuttable presumption that any application for a new or varied licence will be refused where premises are located within the area covered by the policy, unless the applicant is able to evidence that the grant of a new or varied licence will not either add to the cumulative effect currently experienced or undermine promotion of the licensing objectives.
- 2.4 As a "special policy", the Cumulative Impact Policy is reviewable independently from the Statement of Licensing Policy. However, the last proposed review in 2021 was delayed as the effect of COVID-19 on the night-time economy would have undermined the evidential basis that was considered. Additionally, the effect on the crime and antisocial behaviour statistics which underpin the CIP was so profound that it was felt that a review of that policy should be joined to the review of the main policy to allow for a more representative evidence base to be considered.

3.0 Proposal

- 3.1 All responsible authorities will be formally engaged over the draft policy and their comments incorporated into the final draft policy statement.
- 3.2 In line the consultation of the previous policy, every holder of a premises licence, including agents, individual applicants, pub companies, breweries, Pubwatch, Wolverhampton BID, legal representatives and every individual holder of a personal licence issued by this authority will be consulted as part of this process.
- 3.3 The draft policy will appear on the Council's consultations portal for 12 weeks and consultees will be directed to it. They will be able to make any comments initially via email but there is the provision for full discussions if that is necessary.

- 3.4 A final draft will then be presented to this Committee for its comments and final endorsement. The policy will then be submitted to Full Council for its approval and adoption.
- 3.5 The draft policy for consultation is included at Appendix 1. Whilst this is a draft for wide consultation, Committee should be aware that after some initial discussion with responsible authorities this draft now includes:
- a strengthened Public Sector Equality Duty reference
 - the addition of a Local Area profile which provides information and context on national research and a local evidence base for alcohol related harm in Wolverhampton
 - Additional conditions where there are online sales conducted
 - Reference to the current enforcement policy used by the Councils regulators (eg. Licensing, Trading Standards and Environmental Health)
- 3.6 The draft policy for consultation appears at Appendix 1 to this report. The evidence base for the Cumulative Impact Policy appears at Appendix 2.

4.0 Financial implications

- 4.1 The costs associated with the preparation and publication of the Statement of Licensing Policy including the consultation are met from the existing Licensing budget. No other financial implications arise as a result of this process and report.

[SB/09112023/K]

5.0 Legal implications

- 5.1 The Licensing Authority is required to act in accordance with the:
- provisions of the Licensing Act 2003,
 - statutory guidance issued by the Secretary of State, and
 - Council's Statement of Licensing Policy, in its determination of applications
- 5.2 Section 5 of the Licensing Act 2003 provides that a Licensing Authority must, every 5 years, determine and publish a Statement of Licensing Policy.
- 5.3 The integrity of the Statement of Licensing Policy has the potential to directly impact upon the Council's determination of applications under the Act and as such decision made could be the subject of judicial review or appeal.

[RS/08/11/2023-2]

6.0 Equalities implications

6.1 A full Equalities Impact Assessment will be carried as part of the process. Businesses, personal licence holders and local people will be invited and encouraged to participate in the formation of the Statement of Licensing Policy.

7.0 All other Implications

7.1 There are no implications for climate change and the environment, Human Resources, Corporate Landlord, Health and Wellbeing and no implications that have arisen from the Covid-19 Pandemic.

8.0 Schedule of background papers

8.1 There are no background papers.

9.0 Appendices

9.1 Appendix 1 - Draft Statement Of Licensing Policy for consultation

9.2 Appendix 2 - Evidence base for the Cumulative Impact Policy renewal.

City Of Wolverhampton Council Statement of Licensing Policy 2024-2029

DRAFT

Contents

1.0.	Introduction.....	5
2.0.	Purpose and scope	6
2.1.	General Principles	6
2.2.	Human Rights.....	7
2.3.	Equalities	7
2.4.	Four Licensing Objectives	8
2.4.1.	Prevention of Crime and Disorder.....	9
2.4.2.	Public Safety	9
2.4.3.	Prevention of Public Nuisance	10
2.4.4.	Protection of Children from Harm	11
3.0.	Responsible Authorities	12
3.1.1.	Environmental Health-City of Wolverhampton Council.....	12
3.1.2.	Fire – West Midlands Fire Service.....	12
3.1.3.	Health and Safety	12
3.1.4.	Home Office (Immigration Compliance Enforcement - ICE)	13
3.1.5.	Planning	13
3.1.6.	Police	13
3.1.7.	Public Health.....	14
3.1.8.	Safeguarding Children.....	14
3.1.9.	Trading Standards	15
3.2.0	Responsible Authorities Forum	16
4.0.	Applications	16
4.1.	Online Applications.....	16
5.0.	Operating Schedules.....	16
6.0.	Principles of good management of the premises	17
6.1.	General Information – Standard Premises Licenses and Outdoor Events...17	
6.2.	Enforcement.....	17
6.3	Fire Safety.....	18
6.3.	Integration of Strategies	18
6.4	Live Music, Dancing & Theatre	18
7.0.	Reviews	18
8.0.	Smoking Advice.....	18
9.0.	Street drinking	19

10.0.	Temporary Event Notices (TENs).....	19
11.0.	Licensing Best Practice Measures	20
12.0.	Care, control and supervision of premises	21
13.0.	Night-time Economy Safeguarding Initiatives.....	21
14.0.	Off-licences.....	22
15.0.	Special Policies and Initiatives	22
16.0.	Cumulative Impact Zones.....	23
16.1.	Introduction to Cumulative Impact Zones.....	23
16.2.	Cumulative Impact Policy Application	24
16.3.	Special Consideration Areas (SCA's).....	25
16.4.	Applications - Within the Cumulative Impact and Special Consideration Areas ...	25
16.5.	Premises Licences and Club Premises Certificates.....	26
16.6.	Café Bars.....	26
16.7.	Restaurants	26
16.8.	Late Night Takeaways.....	27
16.9.	Members Club (Club Premises Certificates)	27
16.10	Night Club.....	27
16.11	Non-Alcohol-Led Premises (e.g. Theatres).....	27
16.12	Off Licences	27
16.13	Public House	
17.0.	The Matrix Approach.....	28
17.1.	Introduction to the Matrix Approach	28
17.2.	Definitions.....	29
17.3.	Matrix approach for licensing in the Cumulative Impact Zones, Special Consideration Areas, City Centre and other areas.....	29
17.4.	Notes on The Matrix Approach.....	29
18.0.	Local Authority Decision Making Process	31
18.1.	Delegation	31
19.0	Early Morning Restriction Orders.....	33
20.0	List of Responsible Authorities.....	34
21.1.	List of possible appropriate conditions	36
21.2	Prevention of crime and disorder	36
21.3.	Public Safety.....	48

21.4.The prevention of public nuisance.....50
21.4.The protection of children from harm55
22.0. Enforcement and reviews62
22.1.Prosecution of breaches.....62
22.2.Reviews of Licences.....63
22.3.Annual Fees/licence suspensions for non -payment.....64
23.0. Consultation.....65
24.0 Appendix -Local Area Profile

DRAFT

1.0. Introduction

The Licensing Act 2003 introduced a modernised and integrated approach to licensing which covers: the sale and supply of alcohol; the provision of various forms of entertainment and the provision of late-night refreshment.

City of Wolverhampton Council works with other Responsible Authorities to provide a balanced and proportionate approach to regulation, benefitting businesses as well as who live, visit and work in Wolverhampton.

The City of Wolverhampton is situated in the West Midlands, which consists of seven Councils in total. The Council area has a population of almost 260,000 and covers an area of 26 square miles (ONS 2020). The Council area is urban in nature and is densely populated with approximately 3,500 residents per square kilometre. The City is ethnically diverse with 36% of its residents being of BAME (Black, Asian and Minority Ethnic) heritage. Furthermore, 16.4% of the population in the 2011 census were not born in the UK. The City is religiously diverse with the second highest proportion of Sikh residents in the Country. In addition to the Wolverhampton city centre, there are 3 other local centres, Bilston, Wednesfield and Tettenhall. These areas are shown in the map below.



Data shows the City of Wolverhampton as being a regional and national outlier for alcohol related harm and alcohol related hospital admissions and this is detailed in the appendix to this policy.

The Council is mindful of the balance it must strike between the needs of residents and those of the business community, which may sometimes conflict. The Council is also mindful that in respect of premises licensed for the sale or supply of alcohol that the use of alcohol can adversely effect the health outcomes of our citizens. The Council must also ensure residents can peacefully enjoy their homes and

environment whilst also encouraging responsible and positive investment and economic growth in the leisure economy.

Additionally the Council plan (OUR CITY: OUR PLAN 2023/2024) lists six priorities for the City namely:

- Strong families where children grow up well and achieve their full potential
- Fulfilled lives for all with quality care for those that need it
- Healthy, inclusive communities
- Good homes in well-connected neighbourhoods
- More local people into good jobs and training
- Thriving economy in all parts of the city

This revised Statement of Licensing policy has produced through a period of consultation with fellow regulators and the people of Wolverhampton. The Council recognises the significant contribution that well run licensed businesses make to the local economy. There will always be issues that need to be addressed through the regulatory mechanisms of the Act. This policy promotes consistency in the use of those regulatory actions so that they are balanced, proportionate and effective.

The policy aims to promote a positive pattern of licensing, moving from an alcohol led culture to a greater diversity of provision, where all people feel safe and welcome, with businesses thriving.

This policy sets out management standards and controls that will help to achieve both the Council's vision and promote the licensing objectives. Those standards and controls should be considered by new and existing applicants and by the Council and its regulatory partners.

The Licensing Authority believes that local improvements in standards and reduction in crime and disorder and antisocial behaviour will come from multi-agency partnerships and initiatives.

2.0. Purpose and scope

2.1. General Principles

This policy was approved by Full Council on XXXXXXXX and effective as of XXXX 2024. The Statement of Licensing Policy sets out, in broad terms, how the Council will implement the Act during this five-year period, taking into account the Regulations and Guidance issued by Government. The Council is under a legal obligation to review this statement every five years. It should be noted that this policy does not undermine the right of any person to apply under the terms of the Licensing Act and for each application to be considered on its own merits.

2.2. Human Rights

The European Convention on Human Rights makes it unlawful for a public authority to act in a way that is incompatible with a convention right. The Council will have regard to the following relevant provisions of the European Convention on Human Rights:

- Article 6 of The Convention on Rights and Freedoms: in determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
- Article 8 of The Convention on Rights and Freedoms: that everyone has the right to respect for their home and private life.
- Article 1 of The First Protocol: that every person is entitled to the peaceful enjoyment of his or her possessions.

2.3. Equalities

Under the public sector equality duty, as set out in the Equality Act 2010, public authorities are required to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation as well as advancing equality of opportunity and fostering good relations between people who share a protected characteristic and those who do not.

The protected grounds covered by the equality duty are: age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation. The equality duty also covers marriage and civil partnership, but only in respect of eliminating unlawful discrimination.

The law requires that this duty to have due regard be demonstrated in decision making processes. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the key ways in which public authorities can demonstrate that they have had due regard to the aims of equality duty. Venues can ensure equality of access by having.

Inclusive and transparent policies. Admittance policies may clearly stipulate adherence to a dress code and refusal if someone presents as intoxicated; however they cannot prevent admittance based on any personal characteristics, or against any of the protected characteristics.

Robust complaints procedures that make it easy for customers who feel they have been discriminated against to raise their concerns and understand how this will be investigated or managed.

» Accessible venue layouts that make venues welcoming to all members of the community

Comprehensive training on equality and inclusion for all staff which is periodically

Improving measures in the Council's Licensing Policy to promote the Safeguarding and Equalities agendas will encourage members of the public from all groups to enjoy licensed venues in Wolverhampton.

2.4. Four Licensing Objectives

The Statement of Licensing Policy focuses on the four licensing objectives under the Licensing Act 2003. These objectives are the focus for all decision making. Those objectives are:

- The Prevention of Crime And Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children From Harm

The aim of the licensing process is to regulate licensable activities to promote these objectives. The licensing process will consider the objectives in relation to matters centred on the premises or within the control of the licensee and the effect which the operation of that business will have on the area surrounding their location.

Each objective is of equal importance and the objectives are a paramount consideration for the Council.

The applicant must decide what measures to suggest in its operating schedule to address any potential concerns that might arise in the promotion of the licensing objectives. Applicants are reminded that measures proposed in the operating schedules will be converted into conditions on their licence.

The Council recommends that applicants risk assess their operation against the four licensing objectives to identify potential areas of concern.

Applicants are reminded that Responsible Authorities or other people may make representations if they feel that the proposals do not adequately promote the licensing objectives. An applicant who proposes no measures to promote the licensing objectives may therefore face more representations than an applicant who risk assesses their operation and proposes necessary and proportionate measures.

The Council recommends early consultation with Responsible Authorities. Many Responsible Authorities have produced guidance which applicants can consider when assessing whether they need to include any measures in their application to promote the licensing objectives. Some Responsible Authorities may be prepared to discuss matters on site with an applicant with a view to reaching agreement on measures to be proposed. Contact details for the Responsible Authorities can be found in Section 0 of this document, as well as on the Council's website or by contacting Licensing Services.

This policy also has regard to the guidance issued under Section 182 of the Licensing Act 2003.

In preparing this policy, the Council has consulted with a wide range of people and organisations including:

- Local business representatives
- Local residents
- Local members of parliament
- Representatives of current licence holders
- Responsible Authorities namely
- West Midlands Police – Licensing
- West Midlands Fire Service
- City of Wolverhampton Council Environmental Health
- City of Wolverhampton Council Planning and Building Control
- City of Wolverhampton Council Safeguarding Children
- City Of Wolverhampton Council Trading Standards
- City of Wolverhampton Council Public Health
- City Of Wolverhampton Council as the Licensing Authority
- Home Office Alcohol Licensing Team

2.4.1. Prevention of Crime and Disorder

The Council and its partners are committed to reducing crime and disorder across the City to ensure Wolverhampton is a safe place. Crime statistics and research indicate that alcohol is often a significant contributory factor to levels of crime and disorder. Crime and disorder may occur external to the premises as well as inside. The type of event being held might also increase the possibility of violence and or disorder occurring within or near the premises. The Council and its partners will look to conditions that promote crime deterrence and prevention such as:

- The need for and location of CCTV cameras
- The need for door supervision
- The need for a text or radio pager system allowing communication between premises and with the police
- Conditions setting capacity remits where this is necessary to prevent overcrowding likely to lead to disorder and violence
- Membership of a recognised pub watch or similar scheme

2.4.2. Public Safety

This objective is concerned with the welfare of people using the premises, including the safety of customers, visitors and people working in the premises. Any shortcomings will be addressed through the licensing process.

Applications should indicate a proposed maximum capacity figure for each room / area and the measures licensees intend to take to ensure that this capacity is not exceeded. Fire risk assessors should be able work out safe capacity for emergency evacuation procedures and there is also information on how to do this contained in

the government guidance West Midlands Fire Service Fire Authority Guidance to applicants. Where other regulators such as Environmental Health or set their own occupancy figures the lowest figure suggested, should be adopted.

Conditions may be imposed in accordance with operating schedules to protect public safety including:

- a) provision of closed-circuit television and panic buttons.
- b) use of shatterproof drinking vessels; bottles requiring use of toughened glass or plastic should normally be required unless applicants can show exceptional reasons why this should not be so.
- c) use of door supervisors, licensed by the Security Industry Authority (SIA).
- d) requirement of a minimum number of a licensed door supervisor for every 100 customers in nightclubs and large city centre pubs or as indicated by risk assessment.
- e) the provision of designated and suitably trained first aiders. Where appropriate, licence holders or their authorised representatives will submit event management and safety plans and operating manuals, attend Safety Advisory Groups and similar meetings prior to large events and. Due regard shall be had to any relevant guidance and publications e.g. the Health and Safety Executive (HSE) approved code of practice for events.

2.4.3. Prevention of Public Nuisance

Licensing law is not the primary mechanism for the general control of nuisance and antisocial behaviour by individuals, once they are away from licensed premises and beyond the direct control of the operator of those premises. Nonetheless, the Council expects premises operators to use all reasonable measures to limit noise disturbance as a result of the operation of licensed premises. Noise should not unreasonably interfere with the personal comfort or amenity of immediate neighbours the local community/ The location of premises; the type and construction of the building and the likelihood of nuisance or disturbance to the amenity of nearby residents as a result of noise need to be considered

Applications for new licences and variations to the layout of licensed premises, providing relevant representations have been received, will not normally be granted if:

- the application is for the activities of amplified or live music and
- the premises operates within or abutting known noise-sensitive premises containing residential accommodation (except that occupied by staff of the licensed premises)

A condition may be imposed on new licences that entertainment noise shall not be clearly audible in any residence. Applicants will be encouraged to supply an acoustic report confirming that there will be no noise breakout from the premises that may cause a public nuisance to their neighbours. Advice can be given to the installation

of sound limiting equipment and sound insulation, which may be required to minimise disturbance locally. This may be added as a condition, where relevant representations have been received. Regulated entertainment in the open-air, including tents and marquees, should have a maximum closure hour of 23:00. Earlier hours may be imposed in sensitive open spaces or near residential areas. The Licensing Authority will have regard to relevant updated guidance and late-night public transport availability and location of taxi ranks to aid dispersal of customers.

2.4.4. Protection of Children from Harm

Harm includes emotional and physical harm, which may be associated with licensed premises and certificated club premises. This includes exposure to strong language and sexual expletives, e.g. in the context of film exhibitions or where adult entertainment is provided. Admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed, unless there are good reasons to restrict entry or to exclude children completely or conditions apply as a result of the 2003 Act. Licensees should note the concern of the authority of drink related disorder frequently involving under 18s. To prevent illegal purchases of alcohol by such persons, all licensees should operate a suitable 'proof of age' scheme. Appropriate forms of photographic identification include (e.g. passport, photo driving licence or card with a PASS hologram card).

Licensed premises staff are required to take reasonable steps to prevent underage sales. These steps include: the operation of a suitable proof of age scheme and regular staff training. The licensing authority will not automatically limit the access of children to any premises unless it is necessary for the prevention of emotional or psychological harm to them.

The licensing authority supports the following measures in relation to protecting children and young people:

Providers of events specifically catering for unaccompanied children should consider whether all staff at such events need to be DBS checked. The following areas give rise to concern in respect of children, who will normally be excluded from premises:

- where there have been convictions for serving alcohol to minors or venues with a reputation for underage drinking.
- with a known association with drug taking or dealing.
- where there is a strong element of gambling on the premises.
- where entertainment of an adult or sexual nature is commonly provided.
- where premises are used primarily or exclusively for the sale and consumption of alcohol and there is little or no seating for patrons.

Options may include:

- limitations on the hours when children may be present.
- age limitations restricting access to those under 18.
- limitations or exclusions when certain activities are taking place.

- requirements for an accompanying adult.
- full exclusion of people under 18.

Licencees of premises giving film exhibitions will be expected to include in their operating schedules arrangements for restricting children from viewing age restricted films. Such premises will be subject to a mandatory condition requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification (BBFC), or in specific cases where such certificates have not been granted, the licensing authority.

Trading standards and the police undertake ongoing enforcement operations around under-age sales and test purchasing including proxy sales. Trading standards have a programme of business support including training for local businesses to avoid under-age sales which applicants and licencees are urged to consider along with other commercially available advice.

3.0. Responsible Authorities

The integrated role to operating the Act requires a partnership approach. However, each of the partners has a distinct role and area of responsibility in the operation of the Act which is summarised below:

3.1.1. Environmental Health-City of Wolverhampton Council

Applicants should provide details of any proposed noise control measures intended to be put in place, particularly for premises in largely residential areas where regulated entertainment is being applied for between the hours of 11 pm and 8 am. If licence conditions are imposed, they will be specific to the premises in question and will relate to the type of licensable activity proposed. Although each application is considered on its own individual merits it should be recognised that restricting the hours of operation in some cases can play an important role in preventing public nuisance. This is especially important in residential areas where there is a history of noise complaints relating to a premises from those living nearby.

3.1.2. Fire – West Midlands Fire Service

The Fire Authority is dedicated to assisting with the process of applications and the safe management of premises. Guidance has been produced which is designed to assist applicants and responsible persons in achieving and maintaining a safe environment within licensed premises.

3.1.3. Health and Safety

The Council (Environmental Health) and the Health and Safety Executive are jointly responsible for enforcing health and safety. As a rule, the Council is responsible for the majority of premises, but the Health and Safety Executive is responsible in the case of Council-owned premises.

The main objective is to ensure the health, safety and welfare of employers, employees and members of the public working at or attending licensed premises.

Applicants applying for a premises licence or Club Premises Certificate need to be able to demonstrate a safe environment. Operating schedules will be expected to also set out what steps are being taken to ensure that electrical and gas installations are checked and maintained on a regular basis.

3.1.4. Home Office (Immigration Compliance Enforcement - ICE)

ICE carry out intelligence led enforcement operations in line with Immigration legislation. Applications are considered by Immigration and used to establish if applicants are living in the UK, are entitled to be in the UK and entitled to work in a licensable activity. Enforcement activities are conducted in conjunction with other Responsible Authorities in the spirit of co-operative working.

3.1.5. Planning

Granting of licences does not relieve applicants of the need to apply for planning permission or building control consent where these are relevant. Equally the granting of planning permission does not automatically mean that their licence application will be successful. Applicants are recommended to obtain correct planning consents before applying for a licence to avoid potentially inoperative licences. Matters for consideration in licensing applications will not duplicate matters considered as part of any planning application. There are many factors to consider and a number of Responsible Authorities who may make comment on an application. Similarly, the fact that a licence application may be granted, does not override the need to have the relevant planning consent or permission to operate the business.

3.1.6. Police

West Midlands Police (WMP) is the principal enforcer for matters of crime and disorder. Where appropriate, representations will be made relating to any of the additional licensing objectives. The Police is one of the two authorities who may respond to temporary event notices (TENs) considering all four of the licensing objectives. Applicants serving notice can expect their previous temporary event history to be taken into consideration when assessing any new notice served. The Police have experienced increasing demand for resources further into the early hours of the morning. Increases in 'pre-loading,' when individuals coming into the City's night-time economy have already consumed alcohol purchased at home can present a concern. These trends provide obvious challenges to both the licensed on-trade and the police when assessing and responding to levels of drunkenness. Dispersal from the city centre during the late evening and early morning continues to provide policing challenges. West Midlands Police supports both the Council's Special Consideration Area Policy and the Cumulative Impact Policy in offering guidance to both applicants.

West Midlands Police support maintaining the Council's Special Policy which defines cumulative impact and special consideration areas. West Midlands Police also recognise and support businesses which are aware of their social responsibilities

and as such, actively contribute towards keeping our City a safe and enjoyable place to live, work and visit.

3.1.7. Public Health

Public Health recognise that this policy provides an important opportunity to incorporate relevant local public health concerns within the wider policy context of the local licensing authority and that as a Responsible Authority, the Director of Public Health has a key role in identifying and interpreting health data and evidence. Public health functions are now embedded into licensing considerations promoting the Authority's duty to both improve health and reduce health inequality. Health bodies may hold information which other Responsible Authorities do not, but which would assist a licensing authority in exercising its functions. This information may be used by the health body to make representations in its own right or to support representations by other Responsible Authorities. Appendix A contains the Licensing Profile produced by the Director of Public Health and responsible authorities applicants and licence holders should note its contents.

3.1.8. Safeguarding Children

The Licensing Authority will not seek to limit the access of children to any premises unless it is appropriate for the prevention of physical, moral or psychological harm. In all other cases, it will be left to the discretion of the licensee. If children are to be permitted on the premises, consideration must be given to CSE (child sexual exploitation) training for staff who regularly come into contact with children. This policy does not attempt to anticipate every issue that may arise in respect of children and each application will be considered on its merits. However, there are particular areas that will give rise to concern in respect of children. The Licensing Authority acknowledges that in certain instances children's access to premises should be limited. Suggested alternatives in such instances are as follows:

- Restrictions on the hours when children may be present.
- Restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place.
- Restrictions on the parts of the premises to which children may have access.
- Age restrictions.
- Restrictions or exclusions when certain activities are taking place.
- Requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- Full exclusion of people under 18 from the premises when any licensable activities are taking place. In relation to the exhibition of film, a mandatory condition will apply, requiring access to be restricted to those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification.

Any theatres which are incorporating adult entertainment in their productions should consider limiting access to children during these performances. In the case of theatrical entertainment specifically for children, applicants should consider what steps they will take and outline them in their operating schedule to ensure the wellbeing of children during an emergency.

Applicants should consider 'Challenge 25' provisions and the type of proof they will accept with regard to proof of age. The Licensing Authority strongly recommends all licensed premises accept PASS accredited proof of age cards in addition to other appropriate photographic proof of age. Adequate procedures must be in place to ensure that all members of staff working at the premises are routinely trained and regularly reminded of their responsibilities in relation to the issue of proxy sales of alcohol and shall ensure that all reasonable steps and procedures are in place and implemented to prevent adults purchasing alcohol for those underage or those that have been refused a sale due to being drunk. Steps must be in place to ensure that any designated premises supervisors and members of staff involved with the delivery of alcohol to residential addresses are made fully aware of their responsibilities to ensure that no alcohol is sold to persons who are underage.

3.1.9. Trading Standards

The sale of age restricted products, in this case alcohol, remains a priority for Trading Standards.

Their aim is to ensure that.

- Owners of licensed premises, Premises Licence Holders and Designated Premises Supervisors are aware of their obligations in law and those associated with this policy.
- That non-compliant licensed premises are helped to achieve compliance.
- That there is restricted access to cheap alcohol by removing from sale counterfeit, illicit and non-duty paid alcohol and tobacco.

Trading Standards will:

- Operate a risk rating scheme for licensed premises, so that those premises of highest risk can be focussed on.
- Maximise the use of intelligence to target non-compliant premises, areas where anti-social behaviour is linked to the sale of alcohol and areas of high alcohol misuse.
- Work with businesses and partner agencies in areas where anti-social behaviour is linked to the sale of alcohol by proxy sales, to raise awareness, increase compliance and reduce associated anti-social behaviour.
- Trading Standards are promoting Challenge 25 for all age restricted products including alcohol and tobacco.

The sale of illicit/counterfeit and non-duty paid alcohol and tobacco products continues to have a very serious impact on the local economy. Licence holders

found to be selling illicit alcohol and/or tobacco may be liable to prosecution and could have their licence to sell alcohol reviewed by the Licensing Sub Committee under the prevention of crime and disorder objective. Under these circumstances the authority will also consider amending licence conditions as well as whether the revocation of the premises licence is also appropriate. Licence holders should be aware that they may be subject to test purchasing by Trading Standards if there is cause for concern about the sale of alcohol to young persons.

3.20 Responsible Authorities Forum

The Responsible Authorities Forum (RAF) meets on a monthly basis. At the meeting, attendees collectively consider any licensing issues which may arise from both new and existing applicants. The forum also helps in the sharing of intelligence and combination of compliance and enforcement activities so as to best secure consistency in securing compliance with the licensing objectives.

4.0. Applications

When making an application, the relevant forms and associated documents are available from the Council directly or at:

<https://www.wolverhampton.gov.uk/licences/alcohol-licences>

In the event of the Council website being unavailable, generic application forms are available via the GOV.UK website at:

<https://www.gov.uk/government/publications/premises-licence-application>

4.1. Online Applications

Applicants may also make applications online and make payment online via this link

<https://www.gov.uk/premises-licence>

5.0. Operating Schedules

Under the Licensing Act 2003, applicants are required to complete an 'operating schedule' which has regard to this policy.

An operating schedule should include enough information to enable any Responsible Authority or other person to assess whether the steps to be taken to promote the licensing objectives are satisfactory.

Applicants should make their own enquiries and demonstrate how they have considered the following in their operating schedule:

- The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children and young people may congregate.
- Any risk posed to the local area by the proposed licensable activities; and
- Any local initiatives (for example, local crime reduction initiatives or voluntary schemes such as local taxi-marshalling schemes, street pastors and other schemes), which may help mitigate potential risks.

The operating schedule must be set out on the prescribed form and include a statement of the following: -

- Full details of the licensable activities to be carried on at and the intended use of the premises.
- The times during which the licensable activities will take place.
- Any other times when the premises are to be open to the public.
- Where the licence is only required for a limited period, that period.
- Where the licensable activities include the supply of alcohol, the name and address of the individual to be specified as the designated premises supervisor.
- Whether alcohol will be supplied for consumption on or off the premises or both.
- The steps which the applicant proposes to promote the Licensing Objectives. For some premises, it is possible that no measures will be appropriate to promote one or more of the Licensing Objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the Licensing Objectives

The Council welcomes co-operation from applicants with Responsible Authorities, residents and businesses before applications are submitted to minimise the scope for disputes to arise.

6.0. Principles of good management of the premises

The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority expects that all licensees of on-licensed premises attend and pass on training to all staff, in particular relating to drugs, violence, child exploitation in licensed premises.

It is the duty of the designated premises supervisor (DPS) to train staff on induction concerning conditions on their premises licence. It is expected that the DPS will spend a significant amount of time on the premises and be readily contactable when they are away from the premises.

6.1. General Information – Standard Premises Licenses and Outdoor Events

The enforcement of licensing law and inspection of licensed premises will be a joint approach between West Midlands Police, West Midlands Fire Service and City of Wolverhampton Council.

6.2 Enforcement

When making enforcement decisions in accordance with our Statement of Licensing Policy, the Licensing Authority will have regard to its published Enforcement Policy which can be found at:

<https://www.wolverhampton.gov.uk/sites/default/files/2021-11/Black%20Country%20Regulators%20Operating%20Framework.pdf>

<https://www.wolverhampton.gov.uk/licences/regulatory-policy>

Sharing of information between all enforcement agencies will be encouraged through joint meetings such as the Responsible Authorities Forum (RAF) or similar arrangements.

6.3 Fire Safety

Premises and their operators will be regulated by general duties under current fire safety regimes and the Regulatory Reform (Fire Safety) Order 2005 rather than licensing provisions.

6.4 Integration of Strategies

The licensing authority shall, as far as reasonably practicable, secure the proper integration of this policy and operations under this policy with local crime prevention, planning policy, transport, tourism cultural and equalities strategies. The licensing authority will consider any dispersal policies recommended and will incorporate matters such as this in their decision-making process. This policy seeks to avoid duplication with other regulatory regimes wherever possible.

6.5 Live Music, Dancing & Theatre

This policy recognises the wish to encourage live music, dancing and theatre for the wider cultural benefits of the community. The operation of this policy is not intended to be a brake on such cultural activities. All members of the Licensing Committee must be trained and fully conversant with the Licensing Act 2003 and S182 Guidance. Only appropriate, proportionate and reasonable licensing conditions should impose any restrictions on such events. It is the aim of the licensing authority to promote cultural and community events where possible and to balance the promotion of such events with the effects on the wider community.

7.0. Reviews

Reviews represent a key protection for the community. Where the licensing authority considers action necessary under its powers it will take necessary steps to support the licensing objectives. Any Responsible Authority who seeks to apply for a review, is likely to be supported by other Responsible Authorities. The Council supports co-operative working and a shared and supportive approach to reviews and enforcement. A Public Events Safety Advisory Group (PESAG) coordinated by the Local Authority and involving Responsible Authorities and other interested parties provides advice guidance and scrutiny to appropriate events. The role of PESAG is to provide advice to individuals and organisations planning a public event. The recommendations given by PESAG are advisory only and it is for the event organiser to take such steps that are necessary to ensure an event is undertaken safely. Liability for the safety of events always remains the responsibility of the event organiser.

8.0. Smoking Advice

Premises licence holders will be expected to:

- Produce and implement a management plan on how to manage smoking on the premises; an effective smoking management plan will help prevent neighbours being disturbed.
- Comply with any planning conditions restricting the use of outdoor areas.
- Ensure that any structures used by smokers comply with the design criteria detailed in the Heath Act 2006 and that any structures, awnings, retractable canopies, etc. have the relevant planning permission.
- Ensure any new lighting to outdoor areas does not cause a light nuisance to neighbours and again has the any relevant planning permission and building control consent.
- Ensure that the conditions on the premises licence are complied with.
- Licence tables and chairs on the Public Highway under the provisions of the Highways Act 1980 or any successive provisions. These licences may have conditions restricting the times that the area can be used.
- Discourage smokers remaining outside by removing/disabling tables and chairs or prohibiting their use after a certain time. Lights and heaters will also be turned off.
- To manage the number of outdoor smokers, employ staff and/or SIA registered door supervisors to manage doors. These staff should control customers and smokers entering and leaving the premises.
- Ensure door supervisors maintain order outside venues and protect customer safety. The use of radio, other pager systems and pub watch schemes can be used to provide for rapid police response and alert other venues where customers and staff are endangered.
- Use CCTV to manage outside areas.
- Licensed premises should normally display prominent, legible signs at exits reminding customers to leave in a quiet, peaceful, orderly manner.

9.0. Street drinking

This licensing authority will have regard to Public Space Protection Orders (PSPOs). This is a citywide drinking restriction order linked to anti-social behaviour and on-street drinking and a complete street drinking ban in the St Peter's and Park Wards enforceable through Fixed Penalty Notices.

These hot spot areas are considered high risk for street drinkers and the Licensing Authority will have regard to prevention of crime and disorder by virtue of street drinking and anti-social behaviour when considering applications in this area.

10.0. Temporary Event Notices (TENs)

Whilst the Licensing Authority will encourage bona fide community events, applications for TENs at existing licensing premises will not be encouraged where the proposal is simply to extend the existing hours of operation. Notices made in

cumulative impact areas will be subject to increased scrutiny by Police and Environmental Health.

Whilst the role of the licensing authority is purely administrative it considers the history. Licensing Compliance staff may visit such events to ensure compliance within the Act.

11.0. Licensing Best Practice Measures

These Best Practice Measures are the sorts of things that the Authority would look to be included in applicants operating schedules. Information such as this would be particularly expected to be found in applications within the Special Consideration Areas Matters that would normally be expected in operating schedules:

- the adoption of a policy (e.g., Challenge 25) with acceptable proof of age as per existing Statement of Licensing Policy.
- all off sales to be made in sealed containers for consumption away from the premises.
- a smoking policy which includes an assessment of noise and litter created by premises users.
- the use of plastic or polycarbonate drinking vessels and containers, especially in outside areas or after specified hours.
- a policy in relation to searching customers and for drugs, weapons, seized or lost and found property.
- use of a refusals book for registering attempts to buy alcohol by under-age persons or refusals to those intoxicated.
- the installation of a digital CCTV system by liaison with, and to a standard approved by West Midlands Police.
- policies for dispersal of customers which may include signage regarding taxi services' telephone numbers and advice to respect neighbours and minimise noise.
- The DPS of the premises to maintain a list of all persons who have been approved/authorised to sell alcohol and for this to be readily available on request of an authorised officer of any of the Responsible Authorities.

Matters to which positive consideration should be given:

- membership of Pubwatch, Neighbourhood Watch or other similar schemes
- use of 'Night Safe' radio system or similar accredited scheme
- regular refresher training and reminders for staff in respect of licensing legislation, policies and procedures; records of which should be properly recorded and available for inspection
- records of regular checks of all parts of the premises in relation to drug use systems in place to ensure details of barred or excluded clients are exchanged with other operators
- giving an agreed minimum notice of special events (screening of major sports events, birthday parties, adult entertainment, etc.) to relevant authorities and use of appropriate additional measures at such events.

- Attendance at a SAG (Safety Advisory Group) meeting to recommend best practice for both on and off premises
- Staff must be aware of the risk of the problem of proxy sales and offer assistance to Responsible Authorities to deter offences
- Signage on premises should set out legal duties
- Restriction of high strength alcohol – operating schedules may be used to limit high ABV beers and ciders
- Challenge 25 would be the norm, particularly in the off-licence trade
- Signage to deter bad conduct and/or to promote good conduct

12.0. Care, control and supervision of premises

The Licensing Authority supports the Night-Safe radio scheme which is normally expected as an operational requirement for city centre bars, clubs and pubs and is an example of good practice in achieving the aim of reducing crime and disorder and improving public safety. Well managed Pub-Watch schemes provide information exchange between the premises licence holders and Responsible Authorities that reduce and deter violent crime and disorder. The Council will always support responsible licensing schemes.

The effective management and supervision of a venue is a key factor in reducing crime and disorder, both within it and outside. The police will consider the applicants, objecting to the application where appropriate. The police may suggest crime prevention measures in relation to, for example, the internal layout of the premises, closed-circuit television, help points, lighting and security staff. The police may ask for conditions which support such measures to be imposed when licensing applications are granted, such as the type of licence, capacity, operating hours restrictions.

Following the grant of a licence, the management and supervision of the premises, in so far as it might impact on crime and disorder, will continue to be monitored. Particular attention will be paid to any licensed premises where there is evidence of criminal activity or any association with crime. Where licensed premises are found to cause nuisance or be associated with disorder or unreasonable disturbance, the review process may be invoked, and powers of revocation or the imposition of conditions may be considered. The Licensing Authority will support other partners in addressing breaches of the licensing objectives. Conditions may include use of closed-circuit television, properly licensed SIA registered door supervisors and earlier closing times. This policy promotes and recognises the use of registered Door Supervisors who must be licensed by the Security Industry Authority.

13.0. Night-time Economy Safeguarding Initiatives

The Late-Night Safe Haven, run by City of Wolverhampton Council and the Business Improvement District (BID), currently operational in the city centre, running “payday” weekends and around bank holidays for users of the night-time economy who are rendered more vulnerable due to alcohol and/or drug use. First aid and first responder type assistance is available at the Safe Haven and staff will, where appropriate, signpost referrals to other agencies. Provision of this service is contingent on the availability of adequate funding.

14.0. Off-licences

There remains a concern that people are buying more people buying alcohol from shops and drinking at home before going out prior to going into premises such as pubs and clubs otherwise known as “pre-loading”. The Council is concerned that alcohol pre-loading from off-licence sales is a significant problem in the city and adversely affects the licensing objectives as it gives rise to problems of drunkenness, disorderly behaviour and a higher risk of alcohol sales to children and other vulnerable people.

Representations from the police, local residents and the director of public health at licensing panel hearings have testified to these problems.

The Cumulative Impact Policy and the Special Consideration Areas apply to off-licences as explained in the **matrix approach**. In general, where applications are made for new premises or variations to existing licences, and where the police or others make representations against the grant of a further licence for off sales, the council will give specific consideration to restricting the number, type, and the hours of premises selling alcohol exclusively for consumption off the premises. The Council will want to be assured that the operating schedule of premises, and their overall management, training and levels of staffing, are appropriate to ensure that the licensing objectives are promoted in what may be challenging circumstances. Applicants may seek to include the below into their operating schedules to help to best support their applications. Areas of best practice that may be included in an Operating Schedule include those mentioned at 11.0.

15.0. Special Policies and Initiatives

Cumulative Impact Zones, Special Consideration Areas and Special Policy aim to create a more diverse and balanced representation of premises within the City.

City of Wolverhampton Council has, over the twenty years of alcohol and entertainment licensing, developed a sound understanding of the City and recognised where problems are arising and the concentration of premises which have exacerbated existing areas of concern. Cumulative Impact Policies (CIP) were introduced as a tool for licensing authorities to limit the growth of licensed premises in a problem area. This is set out in the statutory guidance issued under Section 182 of the Act.

Cumulative impact occurs when the saturation of licensed premises (on-licence alone, off-licence alone or both combined) in an area is identified as causing a concern about one or more of the licensing objectives, which is then supported by an evidence base which proves that a special policy is required to more effectively manage and control the supply and consumption of alcohol in that area.

This special policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to

the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

The Licensing Authority does not seek to inhibit progress or to stifle businesses and opportunities. So, there is no current proposal to further constrain business through the implementation of a citywide cumulative impact zone, but we continue to with the concept of a 'Special Consideration Area' surrounding and bordering our existing CIZ's in order to minimise the impact of potentially problematic premises but to also promote the types of businesses which we believe will enhance our district instead of those which we know, through our experience, will potentially intensify problems.

16.0. Cumulative Impact Zones

16.1. Introduction to Cumulative Impact Zones

In acknowledging the concerning matters of crime and disorder, street drinking and anti-social behaviour, City of Wolverhampton Council has introduced five cumulative impact zones to help control and reduce these incidents. The CIZ policy(a "special policy") is revisited every three years and was last considered in 2021 where its review was delayed by the Licensing committee of the Council as the previous years had seen the Covid pandemic and there was concern that there would not be good base of data. The special policy is reviewable independently of this Statement of Licensing Policy.

To further strengthen this policy with a view to reducing incidents, the Authority has sought advice to introduce a protected zone to enable all the Responsible Authorities to more readily manage the escalation of incidents in our district and from where it can reasonably be considered to have an impact on the existing problem areas.

The licensing authority, after careful consideration of police evidence, determined that the concentration of licensed premises in an area of the city centre and four other areas is causing problems of crime and disorder and public nuisance, and that therefore an approach to 'Cumulative Impact' is necessary as part of its statement of licensing policy. City of Wolverhampton Council has five special policies or Cumulative Impact Zones (CIZ's) which are kept under review every three years.

The Licensing Committee resolved to retain the current CIZ's as defined in this Statement of Licensing Policy. Cumulative impact is defined as the potential impact upon the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.

Through effective coordination of relevant strategies and policy areas (e.g., licensing, policing and public safety), the Council will seek to improve safety by encouraging a more balanced range of complementary evening and night-time economy uses appealing to a wider range of age and social groups and discouraging the activities which have proven to be problematic to manage. This will be in addition to the five existing 'Cumulative Impact Zones' within Wolverhampton and will afford much greater powers to control the number and type of acceptable licensed premises in the city.

This special policy will refer to five Cumulative Impact Zones within the district, At present, the policy of this authority identifies five cumulative impact zones. The City Centre, Bilston, Wednesfield, Dudley Road and the Avion Centre.

The special policy will only be overridden in exceptional circumstances. The effect of this special policy is that applications for new premises licences or club premises certificates in the identified areas will be presumed to add to the cumulative impact and will be refused following relevant representations. As this is rebuttable presumable it is open to applicants to show that no addition is being made to the cumulative impact.

This special policy also applies to all new premises licences and club premises certificates, for example pubs, restaurants, and take-away establishments. Off licences also come within this policy as they can contribute to problems of street drinking, proxy purchasing, dispersal issues, preloading and excessive drinking and related disorder. The presumption of refusal does not relieve Responsible Authorities or other persons of the need to make a relevant representation. If there are no representations, the licensing authority must grant the application in terms consistent with the operating schedule submitted.

Furthermore, this special policy is not absolute, and all applications are considered on their merits along with the merits of any relevant representation. However, departing from the special policy would be the exception. If an application is unlikely to add to the cumulative impact of the area, it may be granted. It is important to note that not all types of licensed premises will add equally to the cumulative impact.

For example, while a large nightclub or high-capacity public house might add to problems of cumulative impact, a small restaurant, theatre, or live music may not venue may be considered exceptional circumstances.

16.2. Cumulative Impact Policy Application

Whilst it is difficult to prescribe what exceptional circumstances might mean below are some circumstances which would not be considered exceptional

- The fact that a premises will be or is well managed.
- That the applicant is well qualified.
- no residential premises nearby.
- that the increase in hours or capacity applied for is only small venues.

The policy of this licensing authority is that applications for certain premises types will be refused if relevant representations are received. The policy will be strictly applied and only overridden only in exceptional circumstances

These premises types are detailed in Section 17.0 on page 28 of this policy.

The intention of this Authority is that the policy is intended to be strict in order to address the issues of concern experienced since the implementation of this Act. This

policy is directed at the overall impact of licensed premises within the CIZ areas, exceptional circumstances must be directed at showing that the likelihood of granting a licence will not cause any additional impact on the licensing objectives.

Indicative exceptional circumstances might include:

- consultation with and meeting requirements
- of Responsible Authorities,
- an appropriate corporate social responsibility policy,
- community contribution to offset impact (such as membership of BID and Pubwatch),
- community support, alcohol sale ancillary to business activity (demonstrable to
- Responsible Authorities and licensing authority, for instance by licence condition
- allowing authorised officers access to sales accounts).

By their nature, “exceptional circumstances” will be rare.

Applicants who wish to claim that their application is considered exceptional, are expected to set out their case for this within their operating schedule so that this can be evaluated by each of the Responsible Authorities and other persons deciding whether or not to make a representation on the application.

Restaurants, Café Bars and Non-alcohol led premises (e.g., theatres). would be more favourably considered within the CIZ

Where there are no representations received, the application must be granted.

16.3. Special Consideration Areas (SCA's)

Special Consideration Areas. Whilst they do not appear within the CIZ themselves, the premises are in such proximity to a cumulative impact area that they should be more carefully considered as to the potential impact that their proximity has against the already recognised problem zone.

We do not wish to specify or name streets which will fall into the SCA's. Where a problem exists and a CIZ is implemented, allowing a premises licence to be granted in close proximity to that CIZ has the potential to impact upon the area and therefore to be of concern. However, we encourage businesses to propose a different type of alcohol licensed premises such as a cinema, theatre, café bar or restaurant. Consideration of problem areas is a matter of shared responsibility for the local authority, Responsible Authorities, businesses, and inhabitants of the district.

Again, consideration will be given to the type of premises the application refers to. (See the Matrix Approach)

This is to ensure that objections are neither frivolous nor vexatious and that there is an evidential basis for the statutory licensing sub-committee to reach a decision.

16.4. Applications - Within the Cumulative Impact and Special Consideration Areas

Applications which fall within the City of Wolverhampton's Cumulative Impact Zones or Special Consideration Areas (SCA's) will be subject to the Matrix Approach to Licensing.

Details of the Matrix Approach can be found at pages YY-ZZ onwards within this policy. In cases where either Responsible Authorities or other people seek to establish that an application should be refused on the grounds that it would result in, or further contribute to, a cumulative impact in an area not designated as a cumulative impact area, which would undermine one or more of the licensing objectives, they shall:

- Identify the area where problems are arising or reasonably anticipated problem areas – for example areas immediately outside a CIZ
- Identify the licensing objective which it is considered will be undermined
- Identify the type of licensable activity likely to exacerbate the problem (e.g., sale of alcohol, late night refreshment)
- Provide full details and evidence to show the manner and extent to which it is alleged that the licensing objectives are being, or are at risk of being, undermined in the area
- Provide evidence to show that the undermining of the objective is caused by the patrons of licensed premises in the area.

16.5. Premises Licences and Club Premises Certificates

Variation applications falling within the CIZ and SCA will be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems faced in these areas. New public houses within the CIZ are unlikely to be granted where relevant representations are received, unless the applicant can demonstrate there are exceptional circumstances, e.g., specialist importers or other unique features which would warrant special consideration. A well-managed public house or a previous good track record at other licensed premises would not be considered exceptional circumstances.

16.6. Café Bars

The licensing authority may be prepared to look favourably upon an application for the grant of a licence, subject to the following conditions that will prevent the premises becoming a public house and where:

- The sale of intoxicating liquor and other beverages shall be waiter/waitress service for consumption by persons seated at tables

and/or

- Substantial food shall be always available.

16.7. Restaurants

The licensing authority may be prepared to look favourably upon an application for the grant of a licence, subject to the following restaurant condition.

- Intoxicating liquor shall not be supplied or sold on the premises otherwise than to persons taking table meals there and for the consumption by such a person as an ancillary to their meal. There will be no vertical drinking.
- Restaurants with outside service - the licensing authority will also consider applications from restaurants that request to serve alcohol to areas adjacent to or immediately outside their premises. In addition to the above conditions for café bars, the licensing authority will expect to see evidence that the applicants have an agreement with the local authority to use the area as defined on a plan provided. The following condition may also apply:

“The sale and supply of alcohol for consumption off the premises shall be restricted to an area licensed by the Local Authority for use of the public highway as shown on the plan deposited and such area shall be defined by a physical barrier acceptable to the licensing authority.”

16.8. Late Night Takeaways

Statistics demonstrate links between late opening takeaways particularly when near late night venues, and breaches of the crime and disorder licensing objective. This can often be associated with drunkenness, queueing, and perceived queue-jumping.

16.9. Members Club (Club Premises Certificates)

The siting of a new members club will be considered in any area but anticipated restrictions on numbers and restrictions on opening times if the application is within a CIZ or SCA would be more likely to be successful.

16.10. Night Club

The siting of a night club in any of our five cumulative impact zones will need to be robustly supported with the applicant's reasons with supporting evidence if appropriate, detailing how such premises will not have an impact on the CIZ. Normally applications of this nature, will be unsuccessful.

16.11. Non-Alcohol-Led Premises (e.g. Theatres)

Applications for non-alcohol-led premises such as a theatre, would be viewed favourably even within the CIZ or SCA's detailed in our matrix approach. The applicant would still be expected to show how they had considered the impact of their premises, but being predominantly non alcohol, is less likely to receive representations and therefore more likely to succeed.

16.12. Off Licences

Applications would normally only be granted where both of the following conditions are included:

- Beer, cider and mixed drinks (such as cocktails and alcopops) are to be stocked and sold in multipacks of a minimum of four units. Multipacks must not be split.
- Sales of alcohol are not to include any super strength lagers, beers or ciders where strength exceeds 6.5% ABV (alcohol by volume).

Applications to vary licences to remove these conditions or similar would only normally be approved in exceptional circumstances.

However, as a result of our comprehensive knowledge regarding the City, any application for an off-licence within any of our CIZs or SCAs will be unlikely to succeed where relevant representations have been made.

Applications within the City centre or any other area (outside of CIZ and SCA) will be expected to contain information provided by the applicant to demonstrate why they would not have any negative impact on one or more of the licensing objectives.

16.13. Public House

The siting of a new public house in any of our five cumulative impact zones will be expected to be robustly supported with the applicant's reasons with supporting evidence if appropriate, detailing how such premises will not have an impact on the CIZ. Normally applications of this nature in an already identified zone, will be unsuccessful where relevant representation is received.

17.0. The Matrix Approach

17.1. Introduction to the Matrix Approach

The Licensing Authority will support a diverse range of premises ensures that there is a mix of the different types of licensed so as to provides licensed trade sector which is attractive to all parts of the community.

City of Wolverhampton recognise that patrons turning out onto the streets at the same time may generate increased opportunities for violent crime, public disorder anti-social behaviour and we therefore support the idea of mixed-use venues encouraging a wider age balance.

A "matrix" approach to licensing decisions included in this policy is set out below. It provides a framework of what the licensing authority would like to see within its area and gives an indication of the likelihood of success or otherwise to investors and businesses making applications within this district. The matrix approach will only be implemented where there are relevant representations to the application.

The Matrix Approach, like a Cumulative Impact Zone is not absolute. The Authority will not fetter its discretion by excluding consideration of an application but will look at each application on a case-by-case basis. Where the committee procedure is instigated (through the receipt of relevant representations), the onus will be upon the

applicant to show the Licensing sub-committee why he feels that this application warrants departure from the policy.

17.2. Definitions

Cumulative Impact Zone - Those areas defined by separate policy which have given rise to concerns over crime and disorder, anti-social behaviour and street drinking.

Special Consideration Area – Those areas just on the curtilage of the Cumulative Impact Zones which may give rise to concerns due to the proximity to these zones.

17.3. Matrix approach for licensing in the Cumulative Impact Zones, Special Consideration Areas, City Centre and other areas

	Cumulative Impact Zone	Special Consideration Area	City Centre	Other Areas
Restaurant	Yes (midnight)	Yes (midnight)	Yes	Yes (midnight)
Café bar	Yes –11:30	Yes (midnight)	Yes	Yes (midnight)
Late night takeaway	No	Yes (midnight)	Yes	Yes (midnight)
Night club	No	No	Yes	No
Public House	Yes (11pm)	Yes (11pm)	Yes	Yes (midnight)
Non-Alcohol-Led Premises (e.g., Theatres)	Yes (favourable)	Yes (favourable)	Yes	Yes (favourable)
Off Licence	No	No	No	Yes – from 12:00 to 23:00 but if in densely residential areas, closure time may be earlier
Members club premises certificates	Yes (100 capacity) 11pm closure	Yes (100 capacity) 11pm closure	yes	yes

17.4. Notes on The Matrix Approach

Subject to the following notes, the policy, as represented in the matrix, will be strictly

adhered to:

- 1) Each application will be considered on its own individual merits. The suggested terminal hours for different application types may be varied if exceptional circumstances are demonstrated.
- 2) Applications within the CIZ are subject to the special policy on cumulative impact. There is a strong presumption against the success of applications within the CIZ and a need for exceptional circumstances to be presented. Directly outside this documented zone are areas which shall be defined as Special Consideration Areas. Applications near, but outside the CIZ, will be more carefully vetted for potential detrimental impact upon the designated CIZ areas. There is a presumption against the grant of applications within the special consideration areas.
- 3) Departure from the matrix policy is expected only in exceptional circumstances.
- 4) Exceptional circumstances will not include quality of management or size of venue except where explicitly stated in policy matrix.
- 5) Exceptional circumstances may include consultation with and meeting requirements of Responsible Authorities, an appropriate corporate social responsibility policy, community contribution to offset impact (such as membership of BID and Pubwatch), community support, alcohol sale ancillary to business activity (demonstrable to Responsible Authorities and licensing authority, for instance by licence condition allowing authorised officers access to sales accounts).
- 6) The following licensing activities are encouraged and valued by the licensing authority: outdoor regulated entertainment, community-based street parties, members clubs, traditional pubs outside the city centre and non-alcohol led licensable activities, particularly within city centre.
- 7) Other Areas; consideration will be given to the nature of the area and location in relation to any application. In a residential area for example the knowledge of Public Health, the Police and Councillors with local knowledge, together with the concerns of residents will be relevant when considering applications for off-licences, pubs or café bars, especially if there is evidence of anti-social behaviour, street drinking or underage drinking. Earlier closing times may be appropriate. Keen regard will be given to representations of Responsible Authorities such as the data provision of Public Health and other specialist representative knowledge of problematic areas when assessing alcohol licensing.
- 8) In an area where there are already several existing off-licences and where representations are received about negative cumulative impact on the licensing objectives of a further premises, the application may be refused on these grounds. Wolverhampton has a recognised problem area for street drinking and anti-social behaviour and for these reasons any additional applications or variations for off licences are likely to be refused unless there are significant demonstrable circumstances.

- 9) Outdoor events will be supported where arranged through the council's event planning process. Generally, regulated entertainment in the open-air including tents and marquees should have a maximum closure hour of 2300. Earlier hours may be imposed in sensitive open spaces or near residential areas. The Licensing Authority will have regard to specialist guidance and advice.

18.0. Local Authority Decision Making Process

Where representations are received and not mediated beforehand, the Local Authority decision making process will be engaged.

This Authority has a body of councillors appointed as a Statutory Licensing Committee who take decisions on licensing matters. As required by the Act, these councillors will meet as a Committee or a delegated sub-committee comprising three Licensing Councillors, one of whom is nominated as Chairperson.

The professional development and competence of licensing councillors will be provided and maintained to support the need to act as a professional licensing authority, meeting lawful standards of good administrative decision making. Decisions made will be after careful consideration of information provide by all the attendees at the hearing.

All decisions are made in accordance with the legislative requirements of the Act, including Regulations, Guidance made under Section 182 of the Licensing Act 2003 and this Statement of Licensing Policy.

Additionally, The Licensing Committee or Sub-Committee will be guided by a specialist Legal Representative and will have regard to other legislation, case-law, updates, and amendments.

The relevant Human Rights considerations are included in Section 2.2.

18.1. Delegation

The national scheme of delegation for determinations is set out below.

Matter To Be Dealt With	Licensing Committee	Sub-committee	Officers
Application for personal licence		If a police objection	If no relevant representation made
Application for personal licence with unspent convictions		If a police objection	
Application for premises licence/club premises certificate	If discretion engaged for major applications	If a relevant representation made	If no relevant representation made

Application for provisional statement		If a relevant representation made	If a relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If a relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated personal licence holder			All cases
Application for transfer of premises licence		If a police objection	All other cases
Application for interim authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious,			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application			All cases
Decision of a Police/EHO objection to a Temporary Event Notice		All cases	
Policy Decisions	All cases		

Decision whether to consult other Responsible Authorities on minor variation applications			All cases
Determination of minor variation applications			All cases

Where representations are received and not mediated beforehand, the Local Authority decision making process will be engaged. This Authority has a body of councillors appointed as a Statutory Licensing Committee who take decisions on licensing matters. As required by the Act, these councillors will meet as a Committee or a delegated sub-committee comprising three Licensing Councillors, one of whom is nominated as Chairperson.

All decisions are made in accordance with the legislative requirements of the Act, including Regulations, Guidance made under s182 of the Licensing Act 2003 and this Statement of Licensing Policy. Additionally, the Licensing Committee or Sub-Committee will be guided by a specialist Legal Representative and will have regard to other legislation, case-law, updates and amendments. The licensing authority will have particular regard to articles 1,6 and 8 of the European Convention on Human Rights.

19.0 Early Morning Restriction Orders(EMRO's)

An EMRO is a power enabling licensing authorities to restrict the sale of alcohol in a specific area, whether it be just one street or the whole of the City, where they consider that there are alcohol related crime and disorder issues in the whole or a part of their area, looking at a specified time that can fall somewhere between 12 midnight and 06.00am on all or some days.

This restriction would apply to all premises within the specific area that sell alcohol, club premises certificates and temporary event notices. Whilst there are no exceptions to the type of premises that will be affected by an EMRO it will not apply to the supply of alcohol to residents, by accommodation providers .eg. hotels, provided the alcohol is only sold through mini-bars and/or room service.

Before an EMRO is adopted The licensing authority should consider evidence from Responsible Authorities, local Community Safety Partnerships, affected persons (especially residents and businesses), together with its own evidence to determine whether an EMRO is appropriate for the promotion of the four licensing objective

At the time of writing no EMROs' applications have been made by any licensing authority in England and Wales. Should the matter need to be considered in

Wolverhampton, the City Council will follow the statutory guidance issued under s182 of the Act.

20.0 List of Responsible Authorities

For an up to date list, please visit

<https://www.wolverhampton.gov.uk/licences/alcohol-licences/responsible-authorities-alcohol>

West Midlands Police - Licensing

wv_licensing@west-midlands.pnn.police.uk
01902 649085
Bilston Street Police Station
Bilston Street
Wolverhampton
WV1 3AA

West Midlands Fire Service

firesafety.admin@wmfs.net
0121 380 7500
West Midlands Fire Service Headquarters
Protection Admin
99 Vauxhall Road
Birmingham
B7 4HW

Environmental Health

environmentalhealth_responsibleauthority@wolverhampton.gov.uk
01902 554320
Environmental Health
Wolverhampton City Council
Civic Centre
St Peter's Square
Wolverhampton
WV1 1DA

Local Planning Authority

building.control@wolverhampton.gov.uk
planning@wolverhampton.gov.uk
01902 551155
Development Control
Wolverhampton City Council
Civic Centre
St Peter's Square.
Wolverhampton

WV1 1RG

The Home Office

alcohol@homeoffice.gsi.gov.uk
Alcohol Licensing Team
Lunar House
40 Wellesley Road
Croydon
CR9 2BY

Protection of Children from Harm

dawn.williams@wolverhampton.gov.uk
paul.cooper@wolverhampton.gcsx.gov.uk
01902 550661
Safeguarding Children
Wolverhampton City Council
Priory Green Building
Whitburn Close
Pendeford
Wolverhampton
WV9 5NJ

Trading Standards

paul.dosanjh@wolverhampton.gov.uk
01902 556056
Trading Standards
Wolverhampton City Council
Civic Centre
St Peter's Square
Wolverhampton
WV1 1DA

Director of Public Health

parpinder.singh@wolverhampton.gov.uk
publichealth@wolverhampton.gov.uk
01902 555475
Director of Public Health
Public Health
2nd Floor
Civic Centre
St Peters Square
Wolverhampton
WV1 1RT

Licensing Authority

licensing@wolverhampton.gov.uk
01902 551155
Wolverhampton City Council
Civic Centre

St Peter's Square.
Wolverhampton
WV1 1DA

21.0 List of possible appropriate conditions

These are suggested conditions that responsible authorities and applicants for a licence or review can consider as part of their representations or consideration. This is not an exhaustive list neither is the wording designed to be prescriptive to the exclusion of all other wording which meets addresses the issues at hand.

21.1 Prevention of crime and disorder

Issue to be Addressed	Appropriate condition
There should be a defined policy that documents the security measures in place for the premises.	The premises licence holder will arrange for a crime prevention audit to be conducted by West Midlands Police or independent company approved by the licensing authority, and the recommendations of the audit shall be implemented within three months
A defined policy should ensure a consistent approach and explain the standards expected of staff.	All staff shall be briefed and be aware of their responsibilities and relevant company operating procedures before they commence paid duty at the premises.
It is expected that premises hold security review meetings on a regular basis to help identify and resolve issues and ensure that staff are fully aware of important issues. Relevant issues could include the prevention of thefts, or identifying problematic individuals	The premises licence and/or Designated Premises Supervisor (DPS) shall carry out reviews of security incidents at the premises. Such reviews shall be documented and conducted at least [monthly] [quarterly] and include details of any remedial action identified and implemented. Copies of the security review shall be made available upon inspection by a Responsible Authority, police officer, or authorised officer
Management of high risk events	West Midlands Police will receive full details of all events including DJ's and any other performers, with

	at least 14 days' notice so that a full risk assessment can be made
The Effective management of queues outside premises	
Queues should be managed effectively to prevent any nuisance or disorderly behaviour.] A temporary barrier/permanent railing system will be used to ensure the proper management of customers wishing to enter the premise. The railing system will run parallel to the side of the premises, starting at the entrance and finishing at the end of the premises. The width of passage will be at least 1.5m, to ensure patrons in wheelchairs can queue safely. This will be supervised by the door supervisors or DPS when door staff aren't present.
The control of entry and egress from the premises, including assessing the need for door supervisors	
Consideration should be given to how capacity will be controlled and how already drunk or disorderly individuals will be prevented from being admitted.	Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the premises. A Clubscan/IDSCAN or similar system shall be operated at the premises. All persons entering the premises must provide verifiable proof of age and record their details on the system.
The need for security staff will be determined by documented risk assessment. Where door supervisors are provided, it is expected that licensees have consideration of the following: High-visibility identification – It is expected that door supervisors shall be easily identifiable by wearing high-visibility clothing. Appropriate number of staff – Door supervisors should be employed at specified times with regard to the	The premises licence holder shall ensure that the provision of door supervisors at the premises is appropriate to ensure the safe control of the premises, and shall review this on a regular basis and upon request from WMP. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high-visibility [jackets or vests] [armbands].

individual circumstances of the premises. The need for door staff should also be regularly reviewed and risk-assessed, and appropriate security employed.

The role of door supervisors in ensuring effective dispersal of patrons from the premises at the end of the night – Door supervisors should be instructed to encourage persons leaving the premises to do so without causing disturbance and in an orderly fashion.

SIA Approved Contractor Scheme Companies

Holding security briefings at the start and end of duty.

A minimum of [2] Security Industry Authority SIA-licensed door supervisors shall be on duty at the entrance of the premises at all times while it is open for business.

Door supervisors shall be employed at the ratio of [XX] door supervisor for every 100 customers (or part thereof).

At least [XX] female door supervisor(s) shall be on duty at the premises at such times as door supervisors are required to be provided.

When the premises are carrying on licensable activities after [XX:XX] hours, at least [XX] registered door supervisor(s) is (are) to be on duty at each door used for entry or exit.

A minimum of [XX] SIA-licensed door supervisors shall be on duty at the exit from the premises to ensure orderly dispersal from [XX] hours until the area immediately outside the premises is clear of customers at the close of business

Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company All door supervisors shall be briefed on their responsibilities and relevant company operating procedures before they commence duty

SIA front-line licensed door supervisors used, on Friday and Saturday evenings 20:00 until close of business, at a ratio of at least 1:100. (One of these shall be female). SIA door staff will also be used three hours prior to kick-off of Wolverhampton Wanderers home matches, with away fans excluded

	and during occasions when live music takes place.
Maintaining a register of door supervisors on duty on any occasion they are employed at the premises	A register shall be maintained of all persons engaged as door supervisors, to include the name and SIA number of the staff. A nightly briefing of door supervisor responsibilities shall take place and a written record shall be maintained of the time and dates commenced and finished and signed to confirm the briefing has taken place. Clickers or similar counting device shall be used to monitor and maintain capacity levels. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to WMP or an authorised officer of the licensing authority, which will record the following incidents including pertinent details: the times on duty, names and the licence numbers, of all licensed door supervisors employed by the premises
The need for searches will be determined by risk assessment	The premises licence holder and/or DPS shall carry out a documented risk assessment on the need for searching patrons entering the premises. The risk assessment shall be reviewed regularly and no less than every six months
Any search policy is expected to include provision for the following circumstances: a. Records maintained of searches and seized items – Records should be maintained of any searches where prohibited items are seized and removed. Records should be made available to the police. b. Circumstances under which searches will be conducted – Risk assessments should be	A clearly visible notice shall be placed at each entrance to the premises advising those attending that it is a condition of entry that customers agree to being searched and that the police will be informed if anyone is found in possession of controlled substances or weapons. All persons entering or re-entering the premises shall be searched by

<p>conducted to consider when searches are appropriate</p> <p>c. Location of where searches will take place – Areas should be covered by CCTV and not be in isolated areas.</p> <p>d. Use of detection devices to detect weapons and drugs and when and where they will be used – Consideration for appropriate detection devices should be risk-assessed and employed as appropriate.</p> <p>e. Putting procedures in place for the seizure and retention of recovered drugs and other prohibited items – Items recovered should be kept in a secure location and the police notified.</p>	<p>an SIA-trained member of staff [in an area monitored by premises CCTV].</p> <p>No patron shall be admitted or readmitted to the premises after [XX:XX] hours unless they have passed through a metal detecting search arch and, if the search arch is activated or at the discretion of staff, been physically searched in accordance with a procedure agreed with West Midlands Police, which will include a 'pat down search' and a full bag search.</p> <p>There shall be a policy agreed with West Midlands Police for the premises relating to illegal drugs, weapons or other prohibited items found on persons attempting to enter or on the premises.</p>
<p>Knife Crime concerns</p>	<p>A knife arch will be in place/knife wands will be used on all entrance points and will be used as a condition of entry into the venue. This knife arch and any knife wands will be maintained in good working order and if it breaks, West Midlands Police are to be informed and action taken to repair at the earliest opportunity</p>
<p>The premises should have a documented policy that includes searches before the premises open, during hours of operation and at closing.</p>	<p>The DPS and/or a nominated member of staff shall carry out searches of the premises before the premises open, during hours of operation and at closing. Any relevant items recovered, e.g. illegal drugs, lost property, shall be managed accordingly, in accordance with company procedures.</p>
<p>Late-night premises in the city centre are expected to consider subscribing to the Night Safe Radio System</p>	<p>The Night-Safe Radio shall be operated [from [XX:XX] hours until the premises have closed] [at all times the premises are open to the public]. The radio shall be kept in good working order, operated by a</p>

	responsible member of staff and used to report incidents of crime and disorder to the CCTV control room and other radio users from the base at the Mander Centre.
Important and relevant incidents that occur at the premises should be recorded. Such records should be made available upon request by a Responsible Authority. Recordable incidents could include: – Accidents – Lost and found property – Refused sales of alcohol – Thefts – Banned and ejected persons – Other incidents – Injuries – Allegations against staff.	An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details: (a) all crimes reported to the venue, or by the venue to the police (b) all ejections of patrons (c) any complaints received (d) any incidents of disorder (e) seizures of drugs, offensive weapons, fraudulent proof of age or other items (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any faults in the CCTV system, searching equipment or scanning equipment (i) any visit by a relevant authority or emergency service (j) the times on duty, names and the licence numbers of all licensed door supervisors employed by the premises
Promoters are expected to notify West Midlands Police in writing to wv_licensing@west.midlands.pnn.police.uk and the licensing authority no later than 28 days before the event	28 days' notice shall be given to West Midlands Police of any events held that are organised by an external promoter, including full details of the nature of the event and of the promoter. There shall be no events at the premises that are organised by an external promoter.
Dispersal at closing up time	SIA registered door supervisors shall be provided outside of the premises for an additional period of 30 minutes after closing, to assist in the safe and orderly dispersal of

	<p>patrons from the premises. Body cameras and high visibility vests, tabards or jackets shall be worn by door supervisors when employed in this function</p> <p>Alcohol for consumption on the premises must not be sold less than 15 minutes before the premises' scheduled closing time</p>
<p>Documented staff training should be conducted relevant to the prevention of crime and disorder issues on the premises, to include (but not limited to):</p> <ul style="list-style-type: none"> – Age restrictions in respect of products – Responsible Alcohol Service, including recognising signs of drunkenness, refusal skills, drugs awareness – Company policies and reporting procedures (see above) – Managing and resolving conflict – Action to be taken in the event of an emergency, including the report of a crime, fire, or request for emergency medical attention – Licence conditions – Relevant obligations and offences under the Licensing Act 2003, including those associated with the sale of alcohol. 	<p>All staff shall be trained in: [relevant age restrictions in respect of products], [recognising signs of drunkenness], [how to refuse service], [the premises' duty of care], [company policies and reporting procedures], [action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services], [the conditions in force under this licence].</p> <p>Documented records of training completed shall be kept for each member of staff.</p> <p>Training shall be regularly refreshed and at no greater than [4] [6] [12] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of City of Wolverhampton Council</p>
<p>Records of all training should be documented and kept on the premises available for inspection by the Responsible Authorities.</p>	<p>The designated premises supervisor shall attend a formal training course on [avoiding underage sales] [responsible alcohol sales] such as the National Certificate for Designated Premises Supervisors or the BIIAB Award in Responsible Retailing and provide evidence of attendance if requested.</p>

The premises should have a written policy in relation to drunkenness. Premises should not admit persons who are visibly intoxicated, and staff should be trained regarding responsible alcohol sales, identifying drunkenness and preventing alcohol sales to them.

Use of the 'Responsible Alcohol Service' Guide. <http://www.iard.org/>

All staff shall be trained in recognising signs of drunkenness, how to refuse service and the premises duty of care. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than [4] [6] [12] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of City of Wolverhampton Council.

There shall be no self-service of spirits on the premises.

The premises shall have a documented Duty of Care policy for managing intoxicated and vulnerable customers at the premises. The policy shall also include provision for persons refused entry to the premises who are also considered vulnerable by staff.

The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that it is an offence to sell alcohol to anyone who is drunk.

The supply of alcohol shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

The sale of alcohol shall only be by waiter service to seated customers, and there shall be no sales of alcohol at the bar. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises

	<p>where alcohol is sold or supplied for consumption on the premises during the periods when alcohol is sold.</p> <p>A log (which may be electronically recorded) shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of City of Wolverhampton Council at all times while the premises are open.</p>
<p>Consideration should be given to how any promotions could impact upon the mandatory licence condition for on licensed premises prohibiting irresponsible promotions. It is expected that licensees have reference to recognised codes of practice in respect of the responsible sale and promotion of alcohol products, such as those codes issued by the British Beer and Pub Association, Portman Group and Drinkaware Trust</p>	<p>*Voluntary Only* No super-strength beer, lagers or ciders (including perries) of 6.5% ABV (alcohol by volume) or above shall be sold at the premises. Any promotional activity shall comply with the most current Portman Group Code of Practice on the Rules for Naming, Packaging and Promotion of alcoholic drinks</p>
<p>It should be demonstrated how the premises will be effectively monitored, e.g., patrols by staff, which areas will be covered by CCTV, whether security staff will be employed (and, if so, where), as well as any other appropriate measures. Additionally, appropriate monitoring of external areas, e.g., immediately outside the entrance to the premises, smoking shelters and beer gardens, should be addressed where relevant.</p> <p>Details of CCTV cameras should be provided (both internal and external).</p>	<p>. A digital CCTV system will be in place which covers entry/exit points of the premises and all areas where alcohol/money is served/taken, all areas where the public have access, the immediate vicinity outside the premises (and any area where searches are conducted). The system will be installed and maintained in working order at the premises during all times when the premises is open. The system's recorded images and video will be high definition, in colour, indicate</p>

CCTV should be installed in liaison with, and to a standard approved by West Midlands Police

the correct date and time and be kept for at least 31 days unedited. The footage will enable facial identification of every person entering the premises, in any light condition. At least one designated member of staff will be trained to use the CCTV system and be available to provide downloads upon request or, in any case, within 24 hours. Images and video will be downloadable in a suitable format and provided to any officer of a responsible authority upon request. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format that can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc), a secure storage system to store those recording mediums shall be provided. (Note: this condition may be scaled back as appropriate for smaller premises.)

The position of CCTV cameras at the premises shall be to the satisfaction of West Midlands Police and a plan showing the cameras shall be provided for the licensing authority and West Midlands Police.

A TV monitor shall be positioned at the entrance/exit to the premises, showing live footage of persons entering and leaving.

CCTV installed, monitored and 24-hour recordings kept for 28 days

	and made available to constables and persons authorised under the 2003 Act to help identify attempted proxy purchasing.
<p>The licensing authority considers it good practice for alcohol-licensed premises to ensure that there is a personal licence holder on site at all times the premises are open for the sale of alcohol.</p> <p>Depending on the size of the premises, it may be appropriate for multiple personal licence holders to be on duty, e.g., if the premises have more than one bar or are particularly large.</p>	<p>There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.</p> <p>The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to verify their identity against the notice.</p>
<p>A zero-tolerance policy should be implemented regarding the use of illegal drugs on the premises. A drugs policy should be in writing and include how drugs will be prevented from being brought into the premises, what action the venue will take should anyone be caught with drugs on the premises, and how the drugs will be disposed of.</p> <p>The use of toilet attendants, regular documented toilet checks and searches of the premises could be conducted.</p> <p>Licensees for on-licensed premises should also consider what action will be taken to prevent the spiking of drinks at the premises. This could include encouraging customers to ensure that drinks are not left unattended, and the use of publicity material to ensure customers remain vigilant.</p>	<p>There shall be a policy agreed with West Midlands Police for the premises relating to illegal or 'recreational' drugs (including 'legal highs') found on persons or on the premises.</p> <p>Signs informing patrons of a zero-tolerance policy to all drugs shall be placed at key locations, including all entrance areas, toilets and the bar area.</p> <p>There shall be a lockable 'drugs box' at the premises to which no member of staff, except the DPS and/or [designated role holder at business], shall have access. All controlled drugs (or items suspected to be or containing controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all its contents must be given to West Midlands Police for appropriate disposal.</p>
A documented risk assessment should be conducted for the use of glassware on the	Alcohol is to be served in polycarboor shatterproof glasses

<p>premises, and safer drinking vessels, such as toughened glass or polycarbonate should be used when appropriate. Risk assessments should also include the use of glass in external areas (if appropriate) as well as how glass collections will be managed throughout the premises, including the frequency of such collections</p>	<p>[on specified days or events] [upon reasonable notice by West Midlands Police]. No drinks shall be served in glass containers at any time. Open containers of alcohol shall not be removed from the premises, except for consumption in any delineated external area as shown on the plan attached to the licence. The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.</p>
<p>Where businesses are selling alcohol for consumption off the premises, the following may be appropriate to impose as a self-regulating measure or applied by the licensing sub-committee in circumstances where alcohol sales are problematic amongst children or drunken persons.</p> <p>Premises which are known to sell alcohol to children to be conditioned to label stock thereby providing evidence of unlawful sales if product found commonly in possession of persons under 18</p>	<p>Designated single items – beer, alcopops and cider – must not be sold to any person. A minimum of 4 units of beer, alcopops or cider to be sold as a multi-pack only.</p> <p>Products to be labelled (a label stuck to the bottle or can) to show the details of the shop making the sale</p>
<p>Regulation of certain sporting events</p>	<p>Boxing, wrestling or other similar contact sports will be regulated by the approved regulatory body</p>
<p>BYOB events</p>	<p>Alcohol must be purchased on site; customers are not allowed to bring their own alcohol for consumption onto the premises</p>
<p>Single sales and super strength for 'off licences'</p>	<ul style="list-style-type: none"> • Beer, cider and mixed drinks (such as cocktails and alcopops) are to be stocked and sold in multipacks of a minimum of four units. Multipacks must not be split. • Sales of alcohol are not to include any super strength lagers, beers or ciders where strength exceeds 6.5% ABV (alcohol by volume).

Self Service	Alcohol purchases on self-checkout must undergo Challenge 25 and be authorised by a member of staff over 18 years old.
--------------	--

21.2 Public Safety

Issue to be addressed	Appropriate conditions
Capacity should be managed effectively and in accordance with an appropriate risk assessment to prevent overcrowding. Advice should be sought from West Midlands Fire and Rescue in relation to the safe capacity for premises and how it should be managed	The number of persons permitted in the premises at any one-time including staff shall not exceed [XX] persons, and this number shall be prominently displayed by each entrance to the premises. The premises licence holder shall ensure a suitable method of calculating the number of people present during licensable activities is in place, and that the results are securely recorded in a logbook for a period of at least 12 months.
Condition of site	A full site check, including internal and external areas to be completed, looking for any weapons, illegal substances or insecure areas both before and after opening for business
Licensed premises should: – Conduct a Fire Risk Assessment for the premises, which is reviewed as required, and as a minimum every 12 months. – Ensure all fire equipment is inspected and serviced annually and documented.	All external fire exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened. All firefighting equipment is inspected and serviced in line with the appropriate British Standard.
Consideration should be given to implementing such checklists as they can help ensure that all appropriate and routine actions are conducted consistently, ensuring good practice.	The premises shall operate a preopening and closing checklist to ensure all appropriate steps have been taken before the premises are open to the public and at the close of business each day. These checks shall be recorded and kept for a minimum of six months and made available for inspection upon request by a Responsible Authority, police officer or authorised officer.

<p>Documented staff training should be provided to ensure adequate public safety on the premises, including (but not limited to):</p> <p>First aid – Fire safety procedures – Evacuation procedures – Terrorist threats (predominantly citycentre venues) Overcrowding</p>	<p>The premises licence holder shall ensure that at all times when the public is present there is at least one competent person able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment. The designated premises supervisor shall attend a formal public safety type training course, provided by West Midlands Fire Service, (responsible person course) where such training is available, and provide evidence of attendance if requested.</p> <p>All staff on duty at the premises shall be trained in the Fire Safety and Evacuation procedures for the premises and aware of their individual responsibilities. This includes any door supervisors. Documented records of training completed shall be kept for each member of staff.</p> <p>Training shall be regularly refreshed. Training records shall be made available for inspection upon request by a police officer or an authorised officer of City of Wolverhampton Council.</p>
<p>Off Sales to diners</p>	<p>Only patrons ordering table meals, seated refreshments and/or services shall be permitted to purchase alcohol for supply off the premises.</p>
<p>Licensed premises, particularly those located in the city centre, should have regard to the Guidance found at:</p> <p>https://www.protectuk.police.uk/</p>	<p>Staff training shall include procedures to deal effectively with emergency incidents, including: i) reporting an emergency to the relevant emergency service ii) safe evacuation of customers iii) dealing with terrorist threats or incidents.</p>

Premises licensed for the sale of alcohol for consumption on the premises should have a policy and procedure in place to ensure effective and efficient collection of glasses and the cleaning up of spillages throughout the premises.	The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware
---	--

21.3 The prevention of public nuisance

Issue to be addressed	Appropriate conditions
<p>This relates to both internal and external areas. Measures such as double glazing, the use of an acoustic lobby, noise-limitation devices and soundproofing for internal areas may be relevant.</p> <p>Licensees should demonstrate the measures taken to address such issues</p>	<p>All windows and external doors shall be kept closed between [XX:XX] hours and [XX:XX] hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.</p> <p>No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.</p> <p>A tamper-proof noise-limiting device shall be fitted to the sound system within the premises and all amplified music played at the premises must pass through this sound limiter at a level agreed by the Council's Environmental Health section. The noise limiter shall not be altered without prior agreement with the Council's Environmental Health section.</p> <p>Speakers shall not be located/operated in the entrance lobby or outside the premises, nor shall they be located or positioned in such a manner as to cause a nuisance outside the premises. While live or recorded music takes place, the licensee or management shall undertake regular monitoring of noise levels at the nearest noise-sensitive locations. A record shall be kept of any monitoring, including the date, time and</p>

	<p>location of monitoring; the name of the monitor; and any action taken. Records shall be kept for no less than six months and shall be made available upon request by a police officer or an authorised officer of City of Wolverhampton Council.</p> <p>Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.</p>
<p>Consideration should be given to a curfew on entry times, which can reduce the possibility of persons who may have been attracted to the premises causing noise and disturbance late at night.</p>	<p>There shall be no admittance or readmittance to the premises after [XX: XX] hours</p>
<p>Licensees are expected to communicate with local residents and businesses to address and resolve relevant problems. This could include giving contact telephone numbers to local residents so they can report any issues to the premises for them to be dealt with. It is expected that contacts at the premises would be persons in a position of responsibility who are contactable whenever the premises are open to the public so that any issues can be addressed without delay. Licensees could also arrange regular meetings with neighbours to ensure good relations</p>	<p>A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity.</p> <p>Local residents shall be invited to quarterly residents' meetings held by the premises licence holder to resolve any problems associated with the carrying on of licensable activities at the premises. The minutes of the meeting and any action to be taken shall be lodged with the Council's Licensing Department by the premises licence holder within seven days of the meeting</p>
<p>Where the premises include any exterior areas, licensees should demonstrate what measures are in place to prevent issues that may give rise to problems. Relevant considerations should include:</p> <ul style="list-style-type: none"> – A limit on the number of patrons in such areas – Whether there is a curfew – How they will be delineated, if relevant – <p>How premises will be kept clean and litter free, particularly at the end of trading</p>	<p>There shall be a documented smoking policy, as agreed with the City of Wolverhampton Council Environmental Health section, implemented at the premises and a copy lodged with the Council's Licensing Unit.</p> <p>Notices shall be prominently displayed at any area used for smoking, requesting patrons to</p>

<ul style="list-style-type: none"> – What supervision will be in place? – Will the premises be covered by CCTV? – Will glasses be allowed outside? – What glass collection arrangements will be in place? – How to avoid customers causing noise disturbance – How the premises will prevent begging at, and in the immediate exterior of, the premises 	<p>respect the needs of local residents and use the area quietly.</p> <p>Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.</p> <p>Outside tables and chairs (in the beer garden) shall be rendered unusable by [XX: XX] hours each day.</p> <p>All tables and chairs (in the beer garden) shall be removed from the outside area by [XX: XX] hours each day. Alcohol consumed outside the premises shall only be consumed by patrons seated at tables. Patrons permitted to temporarily leave and then re-enter the premises, e.g., to smoke, shall not be permitted to take drinks or glass containers with them</p>
<p>Where the licensable activities could give rise to litter being dropped in the vicinity of the premises, the measures in place to prevent this occurring and/or to tidy it up should be demonstrated. Such measures could include regular litter inspections during the hours of operation and at the close of business, the placing of litter bins in prominent areas of the premises, reducing packaging, and the use of branded packaging.</p>	<p>At the end of trading each day, the pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept or washed, and litter and sweepings collected and stored in accordance with the approved waste storage arrangements.</p> <p>All takeaway packaging and wrappers shall clearly identify the premises, i.e. by way of company logo or name.</p> <p>The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.</p> <p>Litter bins shall be provided at the premises in sufficient capacity to</p>

	ensure that customers can adequately dispose of any litter.
Any use of flyers and other promotional material should be done in a responsible and appropriate manner	No unauthorised advertisement of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
Adequate and secure storage for refuse should be provided that is appropriate for the nature of the business. Particular regard should be given to the management of glass bottles to prevent them being taken outside the premises as potential weapons, and to the emptying of bottles into refuse containers at times that could disturb local residents and businesses.	No rubbish, including bottles, shall be moved, removed or placed in outside areas between [XX: XX] and [XX:XX] hours. No bottles, glasses or similar items may be disposed of in outside receptacles between [XX: XX] and [XX:XX] hours. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
Consideration should be given to how and at what times deliveries are made to the premises to avoid disturbance to local residents and businesses and avoid any obstruction. Equally, this would apply to any collections from the premises, e.g., refuse collections by private contractors.	All deliveries to the premises must be made via the rear of the premises. No deliveries must be made to the premises between [23:00] and [07:00] hours. Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, overrevving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery address and will park considerately without causing any obstruction to the highway.

	<p>All deliveries of alcohol shall only be delivered to a premises address with a valid postcode and will only be delivered directly to that property.</p> <p>Customers must be instructed when placing the order that they will not be able to collect the order from the vehicle. All deliveries will only be made directly to the property address and customers will not be permitted to take orders from the vehicle</p>
Delivery location	Alcohol shall be delivered to a residential or business address only and shall not be delivered to a person in a public place, e.g. a car park, a street corner, a bus stop etc.
<p>Licensed premises need to ensure the orderly exit and dispersal of customers from the premises. Relevant considerations could include:</p> <ul style="list-style-type: none"> – Prominent display of notices requiring courtesy for neighbours – Preventing customers from congregating outside – Directing to and advising on available public transport – Providing contact details for taxi/private hire firms and provision of a call-back service – Use of a dedicated taxi/private hire service – Implementing a dispersal policy based upon good practice – Use of a winding-down period – The role of door supervisors in managing persons leaving. 	<p>Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.</p> <p>The licence holder shall enter into an agreement with a hackney carriage and/or private hire firm to provide transport for customers, with contact numbers made readily available to customers, who will be encouraged to use such services. A call-back system must be operated, and drivers instructed not to sound their horns when collecting customers</p>
PSPO	An A4 Public Space Protection Order (PSPO) notice, provided by the Licensing Authority will be displayed prominently on the premises, visible from outside of the premises.
Noise from extraction units	Extraction units used by the premises must not cause a noise nuisance to nearby properties, with

	air ducts being taken to the roof and at chimney height, so as to alleviate noise and smell
Noise from regulated entertainment	Noise and vibration should not be allowed to emanate from the premises so as to cause a nuisance to nearby properties or residents. (External doors and windows must remain closed during periods of Regulated Entertainment (after 23:00) except to permit ingress and egress of patrons.)

21.4 The protection of children from harm

Issue to be addressed	Appropriate conditions
<p>Regard should be had to specific risks that may arise when children are on the premises. The risk assessment should be documented and available for inspection by the Responsible Authorities upon request. Relevant considerations could include:</p> <ul style="list-style-type: none"> – Will access be restricted to certain areas of the premises? – Is there adequate supervision? – Are the areas covered by CCTV? – Will alcohol sales be restricted in areas where children are permitted? – How will children be prevented from accessing alcohol? <p>Special consideration is expected to be given to promoted events in licensed premises aimed at, or likely to attract, persons under 18. The licensing authority expects robust measures to be in place to address potential risks associated with such an activity</p>	<p>Entry by children under the age of 18 [to the premises] [a specified part of the premises] is prohibited [whilst the following licensable activities take place:] [between the hours of [XX] and [XX]] [unless accompanied by an adult over the age of 18].</p> <p>No events solely for those under the age of 18 will be permitted on the premises.</p> <p>The premises licence holder must ensure that there is a minimum of one member of staff on duty for every [[XX] – number to be confirmed by Wolverhampton Safeguarding Children's Board] children in the premises at any one time to assist in the evacuation of children in an emergency. Such number of staff may include licensed door supervisors.</p> <p>The premises licence holder shall ensure that adequate arrangements, including transport, are implemented for ensuring the wellbeing of children at the conclusion of any regulated entertainment under this licence.</p>

<p>Where adult-only entertainment is provided, children should be prevented from being on the premises when such entertainment is taking place.</p>	<p>No persons under 18 shall be permitted on the premises at any time that adult entertainment is provided at the premises.</p>
<p>Premises licensed for the sale of alcohol should take proactive steps to prevent this occurring. Possible measures include:</p> <ul style="list-style-type: none"> – Regular checks around and/or outside the premises for underage persons encouraging adults to purchase alcohol for them – Use of CCTV, particularly in external areas <p>-Displaying prominent notices in the premises explaining the law in relation to purchasing alcohol on behalf of persons under 18 and the penalties involved.</p>	<p>The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.</p>
<p>It is expected that any child performers are properly licensed with the Council's Juvenile Employment Department and a nominated adult is present to act in a supervisory capacity.</p>	<p>The licence holder and/or DPS shall ensure that any child performer is licensed with City of Wolverhampton Council's Licensing Unit and accompanied by a registered chaperone. Documented records should be kept for six months, including the child's name, their licence number and chaperone details.</p>
<p>Where age-restricted films are displayed, appropriate and effective measures must be in place to ensure relevant age restrictions are complied with.</p>	<p>The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, or a card bearing the PASS hologram</p>
<p>Online sales</p>	<p>The company website shall include reference to the Challenge 25 policy and customers must be at least 18 years old to purchase alcohol and that the supply of alcohol may be refused, if unable to provide ID when challenged under the Challenge 25 Policy. A record is kept of all purchases and attempted purchases. Orders cannot be collected from the premises.</p>

<p>Online age verification</p>	<p>Premises to use online age verification at the point of purchase where purchased via an online platform. The online platform must require customers to verify they are over 18, when purchasing alcohol. No sale of alcohol is to be made to anyone identified as being under 18 years of age.</p>
<p>Effective and appropriate measures must be taken to ensure age restrictions are enforced at the premises. Relevant considerations include: – Details of what forms of proof of age are acceptable</p> <ul style="list-style-type: none"> – The use of till prompts – The maintenance of refusal logs – Staff training. 	<p>The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, an EU/EEA national ID card or a card bearing the PASS hologram.</p> <p>The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that the Challenge 25 scheme is in operation.</p> <p>A log shall be kept at the premises to record all refused sales of alcohol for the reasons that the person(s) is/are, or appear(s) to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale.</p> <p>The log will be available on request by the police or an authorised officer of City of Wolverhampton Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.</p> <p>There shall be a policy for the premises agreed with West Midlands Police on the handling of fraudulent identification used to attempt to purchase alcohol or gain entry to the premises.</p> <p>The premises shall display prominent signage indicating [at any point of sale]</p>

	<p>[at the entrance to the premises] [in all areas where alcohol is located] that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.</p> <p>Designated checkout(s) for alcohol sales (supermarket).</p> <p>Personal licence holder/DPS to be on site at all times during sales of alcohol.</p> <p>Personal licence holder/DPS to supervise and authorise every individual sale of alcohol.</p> <p>SIA registered security staff to be present at points of sales to support staff refusing sales to u-18s and drunks.</p> <p>Alcohol sales only to be made only by person aged 25 years or over'</p> <p>CCTV installed at all points of sale and recorded.</p>
<p>Documented staff training is expected, particularly in relation to activities consistent with the licensing objectives, including (but not limited to):</p> <ul style="list-style-type: none"> – Identification and refusal of underage sales – Age-restricted products -- Any access restrictions to the premises by children. 	<p>In addition to any other training, the premises licence holder shall ensure that all staff are trained to prevent underage sales, are aware of and prevent proxy sales, maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate, and that they monitor staff to ensure their training is put into practice. The refusals log will include the basis of a refusal; the person making the decision to refuse; the date and time of refusal. The refusals log will be kept for at least 12 months and will be produced to an officer of a responsible authority upon request.</p> <p>Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than (4) (6) (12) monthly intervals. Training records shall be made</p>

	available for inspection upon request by a police officer or an authorised officer of City of Wolverhampton Council.
Where children are allowed on the premises, information should be available on what to do if there is a cause for concern regarding a child's welfare. This can include reporting to Wolverhampton Safeguarding Board telephoning the Contact Centre for or NSPCC Helpline (0808 800 500), or dialling 999 in the event of an immediate threat	Where children are allowed on the premises, information shall be displayed [location] on what to do if there is a cause for concern regarding a child's welfare. This shall include reporting to City of Wolverhampton Council via its Contact Centre or dialling 999 in the event of an immediate threat
<p>– The licensing authority expects licensees to consider additional measures in their operating schedule when applying to provide adult entertainment if they are considered appropriate for the promotion of the licensing objectives: The exclusion of under-18s from the premises</p> <ul style="list-style-type: none"> – A code of conduct for customers – A code of conduct for dancers and performers – Documentary checks for dancers and performers, including proof of age, identity and (where appropriate) proof of permission to work – How the entertainment will be advertised and promoted at the premises 	<p>No entertainment, performance, service, or exhibition involving nudity or sexual stimulation that would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 shall be provided.</p> <p>There shall be no striptease or nudity, and all persons shall be decently attired at all times.</p>
City of Wolverhampton Council has implemented Public Space Protection Orders in several areas throughout Wolverhampton in order to help address and prevent numerous problems caused by public consumption of alcohol. Street drinking can be a major cause of antisocial behaviour, often involving underage persons, which gives rise to disorder, concerns over public safety and harm to children. Additionally, it is widely reported that consumption of alcohol by persons on the way to on-licensed premises gives rise to problems of drunken and disorderly behaviour.	All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.

<p>Concealment of alcohol when not authorised for sale (not included in policy).</p> <p>Sale of alcohol at food takeaway premises (not included in policy).</p> <p>Alcohol delivery service (not included in policy)</p>	<p>Outside the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors to prevent access to the alcohol by customers or staff.</p> <p>Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal.</p> <p>The premises licence holder shall provide the following information in writing to the licensing authority before any sale of alcohol is carried out: a) The trading name of any company that will operate under the licence b) All telephone numbers that will be used to accept orders c) The URL/website address that will be used to accept orders Any change to this information must be notified to the licensing authority within seven days.</p> <p>Any promotional material and/or any website home page used as part of the business operating under this licence will clearly state the premises licence number. For the avoidance of doubt, this Page includes flyers, leaflets and business cards promoting the business</p>
<p>Restaurant condition</p> <p>Odours and noise from kitchen extract equipment</p> <p>Not included in Policy</p>	<p>The premises shall only operate as a restaurant</p> <ul style="list-style-type: none"> (i) in which customers are shown to their table (ii) that provides food in the form of substantial table meals prepared on the premises and served and consumed at the table using non-disposable crockery (iii) that does not provide any takeaway service of food or drink for immediate consumption (iv) where intoxicating liquor shall not be sold, supplied or consumed on the premises otherwise than to persons who are diners taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.

	<p>There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used if 10 days' prior notice is given to the licensing authority where consent has not previously been given:</p> <ul style="list-style-type: none"> – dry ice and cryogenic fog – smoke machines and fog generators – pyrotechnics, including fireworks – firearms (e.g., blank firing pistol) – lasers – explosives and highly flammable substances – real flame – strobe lighting
<p>Restricting alcohol sales in relation to designated special events, e.g., Football matches.</p>	<p>Prior to any [designated special event by West Midlands Police] ['designated sporting event' (as defined in the Sporting Events Control of Alcohol Act)] the premises licence holder shall ensure that:</p> <ul style="list-style-type: none"> (i) Alcohol sales in respect of cans of beer or cider are limited to no more than four cans per person for a minimum of four hours before the commencement of the relevant designated [special] [sporting] event (ii) No sales of alcohol in bottles or glass containers are made in the period four hours before the commencement of the designated [special] [sporting] event (iii) Alcohol sales cease for a period of one hour immediately before the commencement of the relevant designated [special] [sporting] event (iv) On any day where there is a relevant designated [special] [sporting] event taking place, the premises will not externally advertise as a result of a local

	<p>store promotion the availability of beer or cider in such a way as to be likely to be the sole inducement to attract persons to the premises who are either attending the designated [special] [sporting] event or in the vicinity of the premises as a result of the designated [special] [sporting] event</p> <p>(v) All members of staff working at the premises are informed of this condition prior to taking up employment</p> <p>(vi) On the day of the relevant designated [special] [sporting] event, upon the direction of a police officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed.</p>
--	---

22.0 Enforcement and reviews

The 2003 Act does not require inspections to take place save at the discretion of those charged with this role. Principles of risk assessment and targeted inspection (in line with the Regulators' Code) should prevail, and, for example, inspections should not be undertaken routinely but when and if they are judged necessary. This should ensure that resources are used efficiently and for example, are more effectively concentrated on problem premises. Licensing authorities should also remind operators of licensed premises that it is incumbent on them to provide appropriate training for their staff to ensure the promotion the licensing objectives.

The Licensing Act contains measures to ensure that the council, and Responsible Authorities, can deal with premises that wilfully and persistently undermine the licensing objectives. The Council and Responsible Authorities are committed to encouraging a thriving day time and evening licensed economy but will not tolerate those premises whose activities infringe upon the quality of life for local residents and businesses.

The Council has established a multi-agency risk-based enforcement of the Licensing Act 2003 This involves carrying out joint inspections with the police, the fire authority, trading standards and other relevant agencies.

The purpose of enforcement is to protect the public, interested parties and the environment from harm caused because of activities made licensable by virtue of the Licensing Act 2003.

22.1 Prosecution of breaches

The Council adopts a multi-agency approach to the prosecution of offences under the Licensing Act. The Council also has a joint policy in conjunction with the other Black Country Authorities of Dudley, Sandwell, and Walsall.

<https://www.wolverhampton.gov.uk/sites/default/files/2021-11/Black%20Country%20Regulators%20Operating%20Framework.pdf>

Consideration will be given to the appropriate powers needed to address a problem. Each of the Responsible Authorities such as the police, fire authority, environmental protection and trading standards have their own enforcement powers under their own enabling legislation. The Responsible Authorities Forum (RAF) is a key medium for effective combination of compliance and regulatory functions that are the most effective and least burdensome on both premises and authorities

The Licensing Act 2003 provides its own schedule of offences as well as prosecutable offences to be dealt with via the court.

Formal enforcement will be a last resort and proportionate to the degree of risk. To this end the key principles of consistency, transparency and proportionality will be maintained.

22.2 Reviews of Licences

The Council recognises that the ability of the police, other Responsible Authorities and members of the public to apply for a review of a premises licence, is an incentive to effective self-regulation.

On receipt of a properly made application to carry out a review the Council has a range of options available to it under the Act. These include:

- modification of conditions of the licence including imposing new conditions, altering existing conditions or removing conditions (permanently or temporarily)
- exclusion of a licensable activity from the scope of the licence (permanently or temporarily)
- Removal of the Designated Premises Supervisor
- Suspension of the licence for a period not exceeding three months
- Revocation of the licence

The Council will try to establish the cause or causes of the concern and remedial action will be targeted at such causes. Any action will be proportionate to the problems involved.

Where a Magistrates Court makes a Closure Order under part 8 of the Licensing Act 2003 (on grounds of disorder) the Council must carry out a review of the licence.

Where a Magistrates Court makes a Closure Order under the Anti-Social Behaviour, Crime and Policing Act 2014 (on grounds of the use, supply or production of Class A drugs associated with disorder or serious nuisance) the police will usually ask the Council to carry out a review of the licence.

Where a closure order has been made under the Anti-Social Behaviour, Crime and Policing Act 2014 (on grounds of noise) the council's Environmental Health section will normally request a review of the licence.

Trading Standards normally provides evidence of the keeping of smuggled goods, such as counterfeit alcohol or tobacco, The Home Office Enforcement Team will normally provide evidence for and instigate the review of a premises licence for the employment of persons who do not possess the right to work in the UK.

Matters to be considered

When considering a review request or the possibility of enforcement action the Council will consider all relevant circumstances but will view the following matters particularly seriously:

- use of the premises for criminal activities such as the supply of drugs or money laundering
- failure to promptly respond to a warning properly given by a responsible authority
- failure to engage with the RAs in an effective manner
- previous convictions for licensing offences
- previous failure to comply with licence conditions

The Violent Crime Reduction Act 2006 (Expedited Reviews)

The Violent Crime Reduction Act 2006 amended parts of the Licensing Act 2003 and expanded police and council powers to deal with problem premises in a more expedient manner.

A power to carry out summary reviews in cases of serious crime and disorder is brought in at section 53A of the Licensing Act 2003. Where a review application is accompanied by a certificate issued by a senior police officer, the Licensing Authority is required within 48 hours to consider whether it is necessary to take any interim steps pending the completion of the review process. This may include the immediate suspension of the premises licence.

22.3 Annual Fees/licence suspensions for non-payment

Annual fees are payable each year on the anniversary of the grant of the licence, and the only premises exempt from payment are community premises which do not include alcohol sales as an activity. The Licensing Act requires the Licensing Authority to suspend a premises licence or club premises certificate if the annual fee is not paid when it is due.

The Act provides for a grace period of 21 days in cases of an administrative error or where there is a dispute over liability for the fee, after which the licence/certificate will be suspended. In order to accommodate this period, the Premises Licence Annual Fee renewal letter is sent out 28 days prior to its due date. If renewal payments are not received by the due date, the licence must be suspended in accordance with the Act.

The Authority must give a minimum 2 days' notice of the licence/certificate being suspended if payment is not made. This Authority gives notice on the invoice that if payment of the annual fee is not received by its annual fee 'due date', the premises licence is automatically immediately suspended.

If more than one year of Annual Fee payments have been missed, any payment which is made will be allocated to the oldest outstanding debt first.

Licences will not be reinstated until outstanding payments are made in full. In respect of cheques, when they have cleared.

All parties will be notified in writing by letter or email once the payment has cleared and confirming that the suspension has been lifted. If you make payment by either credit/debit card, you are advised to send the details of the payment directly to the licensing team. This will ensure that any suspensions are quickly lifted, and an early response made by email.

23.0 Consultation

This policy was arrived at through a consultation with:

- the chief officer of police for the area;
- the fire and rescue authority for the area;
- Director of Public Health
- persons/bodies representative of local premises licence holders;
- persons/bodies representative of local club premises certificate holders;
- persons/bodies representative of local personal licence holders; and
- persons/bodies representative of businesses and residents in its area.
- Members of the public through the Council website

24.0 APPENDIX A .Local Area Profile produced by the Director of Public Health



Licensing profile – Public Health

The following local area profile aims to summarise existing national research regarding alcohol-related harm, as well as providing a local evidence base regarding issues relevant to the licensing objectives and geographical areas of potential risk. Data from various sources will be utilised to provide an understanding of current and emerging issues to support the statement of licensing policy, as well as identifying issues that will need to be considered by applicants during the application process.

This profile will also serve to support the decision-making process for future applications to minimise the risks associated with licensed premises. Ultimately this information will assist the Licensing Authority in terms of meeting the objectives and ensuring the specific needs of local communities are considered and vulnerable groups are protected.

The licensing process focuses on four key objectives of the Act, which include:

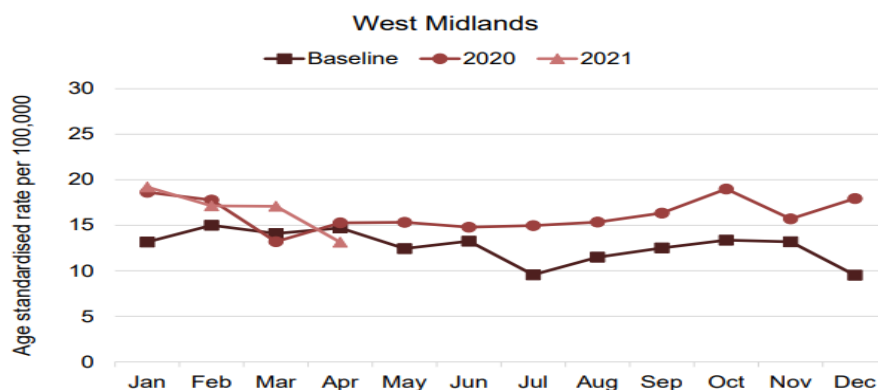
- Prevention of crime and disorder
- Promotion of public safety
- Prevention of public nuisance
- Protection of children from harm.

All applicants must serve notice on Responsible Authorities and evidence that they can satisfy these key objectives. Applications may be subject to representation, and in the event of an objection(s) to the licence that cannot be resolved through mediation with the applicant, a hearing is held to determine the outcome.

Alcohol Related Harm

In England there are currently over 10 million people drinking at levels which increase their risk of health harm. Alcohol is the leading risk factor for ill-health, early mortality, and disability among those aged 15 to 49 years, and among all ages, it is the fifth leading risk factor¹. Whilst the average age of death from all causes in England is 77.6 years, the average age of those dying from an alcohol-specific cause is 54.3 years². Alcohol harm affects younger age groups, with more working years of life lost (YLL) in England to alcohol than from the 10 most frequent cancer types combined³.

Figure 1: Monthly trend in total alcohol-specific deaths in the West Midlands⁴



¹ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

² [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

³ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

⁴ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Alcoholic liver disease is a type of damage or disease to the liver caused by excessive alcohol consumption, including fatty liver disease, alcoholic hepatitis, and cirrhosis. Liver disease is responsible for 86% of directly attributable mortality from alcohol in the UK¹.

In recent years, many indicators of alcohol-related harm have increased. There are now over 1 million hospital admissions relating to alcohol each year, half of which occur in the lowest three socioeconomic deciles². Lower socioeconomic groups often report lower levels of average consumption yet experience greater or similar levels of alcohol-related harm. This is particularly true for mortality from chronic liver disease³.

Figure 2: Local Alcohol profiles ⁴

INDICATOR PER 100,000	Period	England	West Midlands	Wolverhampton
Alcohol specific mortality (1 year range)	2021	13.9	15.8	21.5
Alcohol specific mortality (3 year range)	2017-19	10.9	12.9	20.1
Admission episodes for alcohol specific conditions	2021/22	626	619	865
Admission episodes for alcohol related conditions (Narrow)	2021/22	494	564	742
Hospital admissions rate for alcoholic liver disease	2021/22	50.3	53.9	83.9
Number of premises licensed to sell alcohol per square kilometre	2017/18	1.3*	1.3*	11.0
Successful completion of alcohol treatment	2021	36.6%	36.7%	44%
Volume of pure alcohol sold through the off-trade	2014	5.5	5.1	5.8

*Aggregated from all known lower geography values

In 2020, unplanned admissions for alcoholic liver disease were the only alcohol specific unplanned admissions to increase between 2019 and 2020. This increase was 13.5%, and from June 2020 onwards, there were significant and sustained increases in the rate of unplanned admissions for alcoholic liver disease⁵.

Given the stark trends in higher-than-expected liver deaths, long-term and sustained action to prevent liver disease remains a priority for public health.

Data shows the City of Wolverhampton as being a regional and national outlier for alcohol related harm and alcohol related hospital admissions. During 2021 Wolverhampton recorded significantly higher alcohol-specific mortality (21.5 per 100,000 population) compared to West Midlands (15.8 per 100,000) and England (13.9 per 100,000). Hospital admissions for alcoholic liver disease in Wolverhampton (83.9 per 100,00) during 2021 were again significantly higher than West Midlands (53.9 per 100,000) and England (50.3 per 100,00)⁶.

¹ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

² [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

³ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

⁴ [Local Alcohol Profiles for England - OHID \(phe.org.uk\)](https://phe.org.uk)

⁵ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

⁶ [Public health profiles - OHID \(phe.org.uk\)](https://phe.org.uk)

Additionally, Wolverhampton reports a higher number (742) of admission episodes for alcohol-related conditions than both the West Midlands (564) and England (494)⁷.

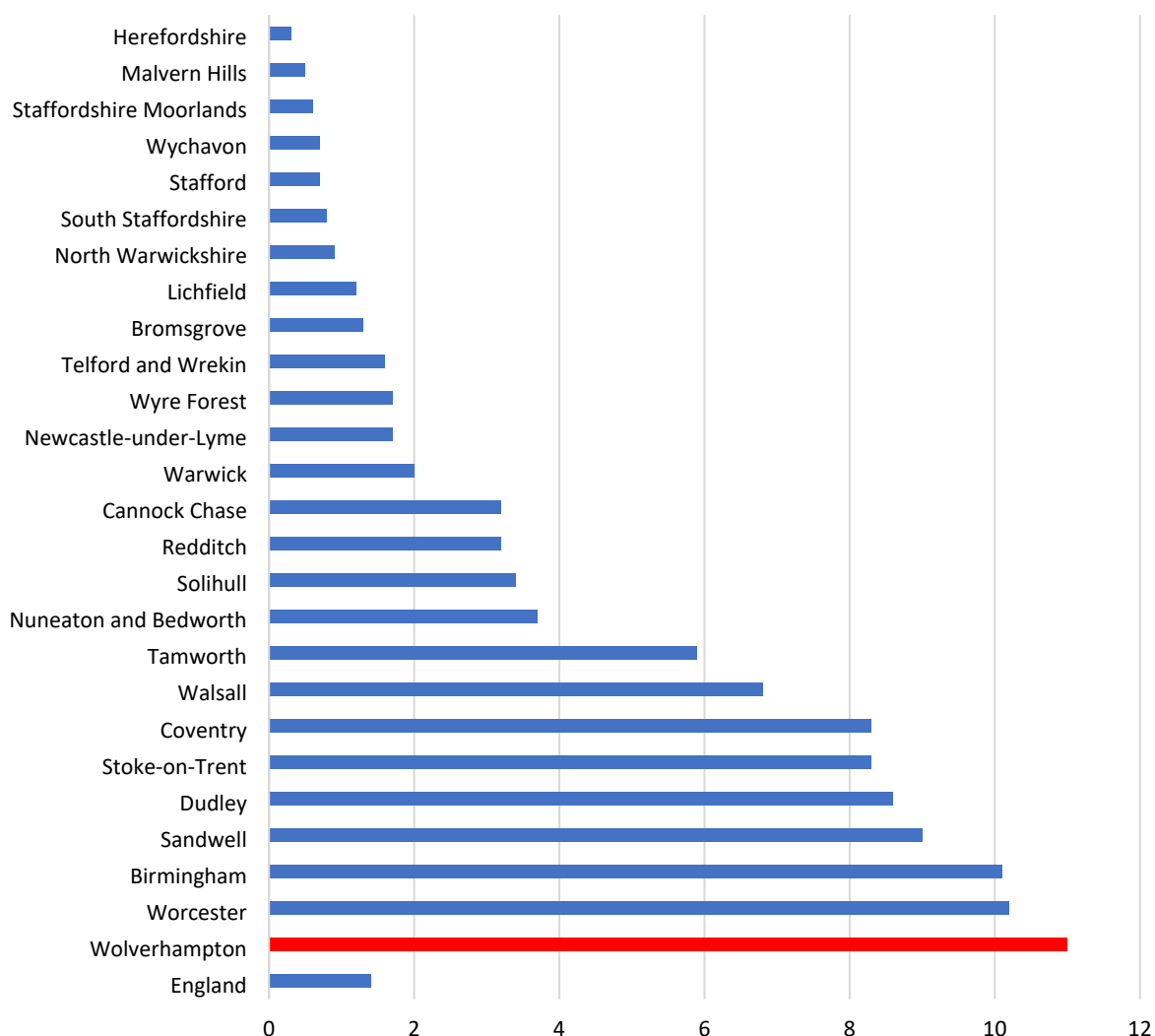
This data clearly highlights the significant impact alcohol has on the city and the extent of health implications associated to excessive alcohol consumption across the local population.

Licensed premises

Nationally, a considerable body of evidence exists to suggest that alcohol outlet density is related to alcohol consumption and alcohol-related harm. It is also an indicator of availability and exposure to alcohol⁸.

There has been a shift in drinking locations, in that most alcohol is now bought from shops and drunk at home⁹.

Figure 3: Number of premises licensed to sell alcohol per square kilometre 2017/18¹⁰

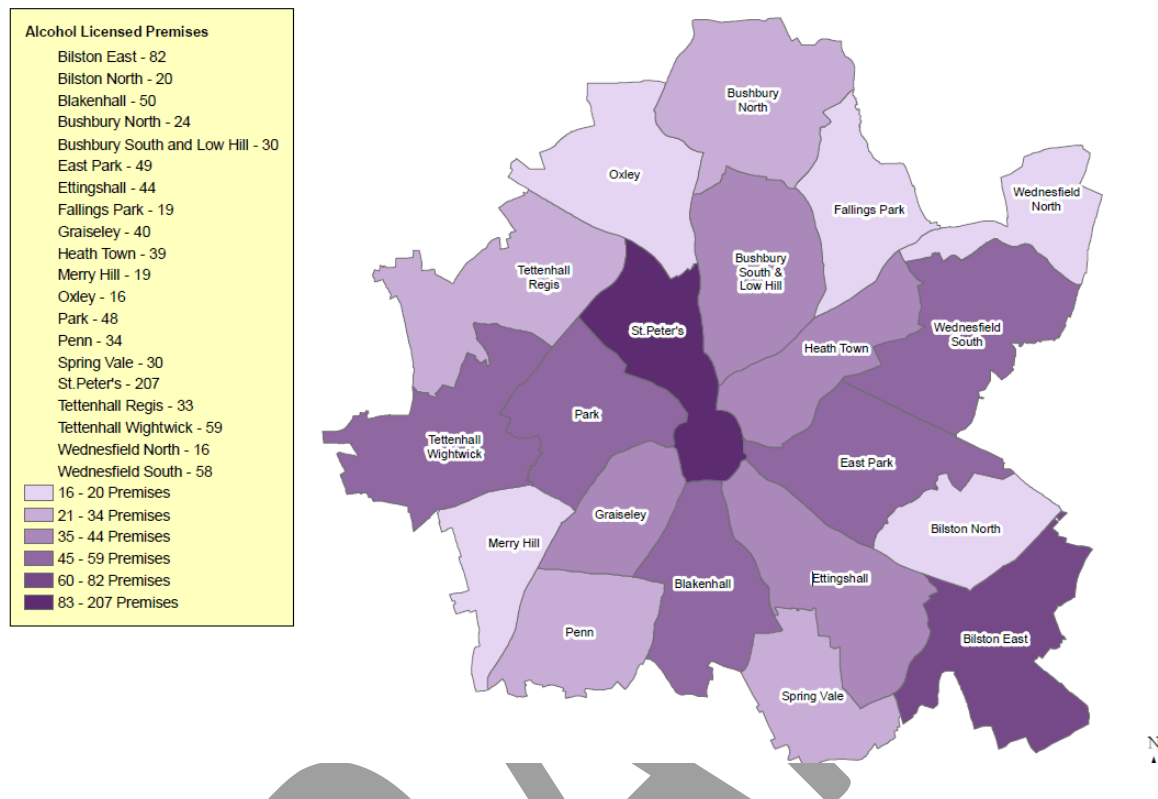


⁷ [Public health profiles - OHID \(phe.org.uk\)](https://publichealthprofiles.org.uk/)

⁸ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/)

⁹ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/)

¹⁰ [Public health profiles - OHID \(phe.org.uk\)](https://publichealthprofiles.org.uk/)

Figure 4: Heat map of licensed premises to sell alcohol in Wolverhampton

In 2017/18, Wolverhampton had a total of 917 licensed premises to sell alcohol, there has been an increase in the number of licensed premises in 2023/24, rising to 936. According to 2017/18 data, the city has the highest number of premises licensed to sell alcohol per square kilometres (11.0) in the West Midlands and much higher than the national average of 1.3.

There are a total of 577 premises licensed for off sales in the city with a further 359 premises licensed for on sales only. Almost a quarter (23%) of the premises licensed to sell alcohol are within St Peters Ward (207), in addition, a high proportion of licensed premises are located in Bilston East (82), Tettenhall Wightwick (59) and Wednesfield South (58). The volume of licensed premises are widely spread across the city, further emphasising the scale of potential alcohol related harm in the city of Wolverhampton.

Recommended conditions to be included in applicant operating schedules:

1. *Alcohol licensed premises should have clear policies and procedures in place identifying all public safety risks, alongside measures to prevent and manage those risks, such as:*
 - a. *Promotional material, signposting to local alcohol treatment provider (please liaise with Public Health) within all alcohol licensed premises across Wolverhampton to be displayed within points of entry/exit as well as toilets within pubs, clubs etc*
 - b. *Safe night-time transport: The safety of individuals leaving the premises should also be acknowledged; for example promoting safe night-time transport options.*
 - c. *Consideration should also be given to the location of licensed premises in areas with a higher rate of individuals vulnerable to alcohol related harm; for example (not exhaustive), hostels, treatment services, support services etc.*

Prevention of Crime and Disorder

National and local crime statistics and research indicate that alcohol is often a significant contributory factor to levels of crime and disorder.

Different types of premises impact upon the night-time economy in different ways according to their style and characteristics. Nightclub venues contribute disproportionately to alcohol related violent crime in comparison to other licensed venues¹¹.

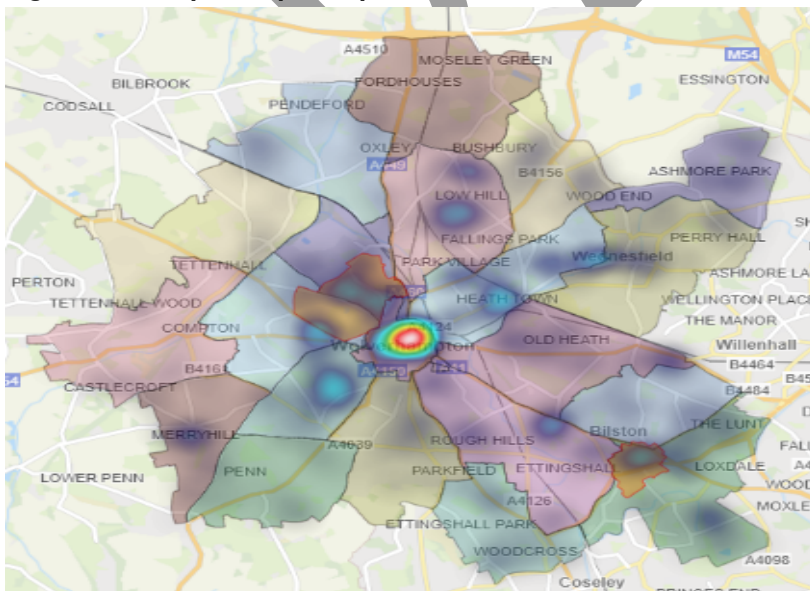
In 2017/18, in 39% of violent incidents the victims of crime believed the offender(s) to be under the influence of alcohol¹².

Alcohol-related violent incidences are more likely to occur at specific days and times during the week. Levels of violence are often disproportionately high on weekend nights. On weekends, 70% of all violent incidents are alcohol-related compared to 35% on weekdays and between midnight and 6am. 84% of all violent incidences are alcohol-related compared to 23% between midday and 6pm. Many of these assaults involve the use of glass or bottles as weapons¹³.

Ten studies have provided consistent evidence that increasing opening hours by two hours or more increases alcohol-related harm, for example road traffic collision (RTC) and injury. Most recently, a systematic review evaluating the impact of changes to trading hours of licensed premises concluded that the evidence of effectiveness is strong enough to consider restrictions, particularly on late-night operating hours, as a key approach to reducing late-night violence. One and a half years after implementation, this policy reduced police recorded assaults in the area from 99 per quarter before the restriction to 68 per quarter¹⁴.

Reported alcohol related violence in Wolverhampton, predominately occurs within the city centre, as illustrated on Figure 5.

Figure 5: Hot spot map of reported alcohol related violence recorded by West Midlands Police in Wolverhampton



¹¹ [Statement of Licensing Policy final \(wolverhampton.gov.uk\)](http://wolverhampton.gov.uk)

¹² [Nature of crime: violence - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

¹³ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

¹⁴ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Single Can and Super Strength Alcohol

These products and their marketing have been said to encourage excessive drinking and harmful behaviours among vulnerable populations. A single 500 ml can of super-strength alcohol could exceed the UK health guidelines for daily alcohol consumption, while a four pack (multi-pack) of Super Strength alcohol (18 units) would exceed the weekly guidelines (14 units)¹⁵.

Super Strength alcohol sales are most commonly associated with street drinkers, although street drinkers do not aim to cause nuisance, research has identified repeated problems caused by street drinkers such as anti-social behaviour, low level crimes such as theft and littering¹⁶.

Equally, national evidence links single can sales of high strength alcohol to high levels of alcohol dependence. There is a well-established and complex link between alcohol and crime. Victims of crime believed that the offender was under the influence of alcohol in over half of all crimes (53%) across England and Wales, there is significant hidden harm associated with alcohol due to its contribution to domestic violence and child neglect¹⁷.

Further research of targeted interventions across other local authorities such as Manchester, has found where the sale of super strength alcohol was prohibited, in the 12 month period there on after its introduction, alcohol-related crime in the intervention area fell by 32% compared to the previous year. Recorded alcohol-related anti-social behaviour dropped by 15% compared to the previous year¹⁸.

Cumulative Impact Zone

In acknowledging the concerning matters of crime and disorder, street drinking and anti-social behaviour, City of Wolverhampton Council have five cumulative impact zones (CIZ) to help control and reduce these incidents. This special policy will refer to five Cumulative Impact Zones within the city, at present, the policy of this authority identifies five cumulative impact zones. The City Centre, Bilston, Wednesfield, Dudley Road and the Avion Centre¹⁹. The CIZ policy is revisited every three years and reviewable independently via the Statement of Licensing Policy.

The city centre (St Peters ward) saw Total Related Crime (TRC) increase marginally between 2019/20 and 2020/21; however, doubled between 2020/21 and 2021/22 with an increase of 724 offences.

It is **highly likely** that this increase is reflective of a reduction in TRC in 2019/20 and 2020/21 due to the COVID-19 pandemic and a number of government isolation restrictions aimed at reducing the spread of the virus. However, when comparing TRC to pre-pandemic levels (average of 930 crimes per year from 2012 to 2017), there is still a considerable increase of 454 crimes.

¹⁵ [untitled \(bmj.com\)](#)

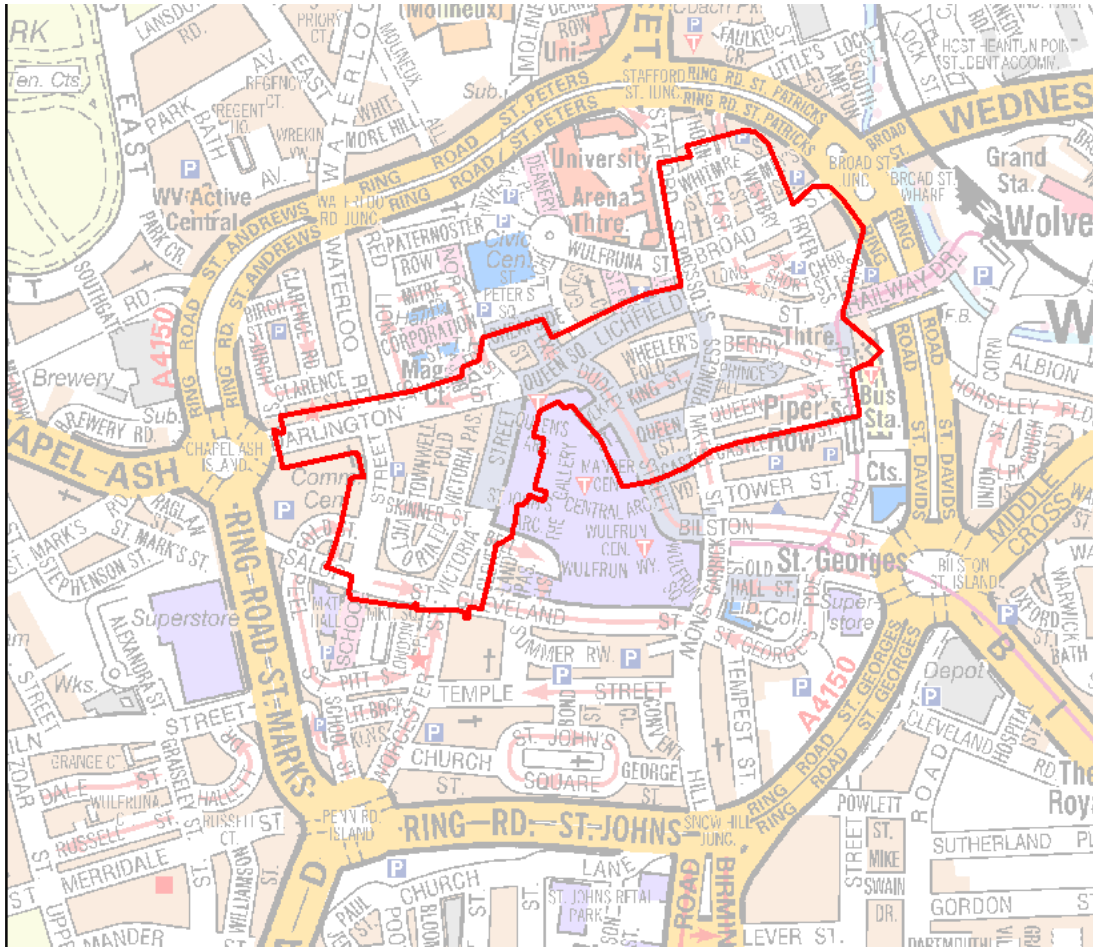
¹⁶ [street-drinking-supporting-evidence-and-best-practice.pdf \(apccs.police.uk\)](#)

¹⁷ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

¹⁸ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

¹⁹ [Statement of Licensing Policy final \(wolverhampton.gov.uk\)](#)

Figure 6: Total Recorded Crime and Violence offences from October 2019 to September 2022 within the City Centre Cumulative Impact Zone



Total related crime across the other CIZ have seen an increase when compared to 19/20, the table below highlights the changes over the two-year period:

Location – CIZ area	TRC – 19/20	TRC – 21/22
Dudley Road	142	154
Avion Centre	95	127
Bilston High Street	335	682
Wednesfield High Street	272	621

The density and proximity of local licensed alcohol premises within these localities can only further exacerbate what is an increasingly concerning issue, without further restrictions and policies put in place to reduce the likelihood of TRC.

See suggested recommendations from Public Health as a Responsible Authority,

1. All CIZ areas implement Public Spaces Protection Order, prohibiting the consumption of alcohol in a public place in order to reduce alcohol related crime and anti-social behaviour.
2. All off sale licensed premises within CIZ areas, voluntary agree to, implement a 'no sale of single can policy' and 'prohibit the sale of super strength alcohol with a 6.5 ABV both including multipack sales.

The Protection of Children from Harm

The Licensing Act 2003 states that children should be protected from harm, and as such recognises young people as a vulnerable group. If someone is under the age of 18 it is illegal to sell them alcohol, to buy (or attempt to buy) alcohol, for an adult to buy (or attempt to buy) alcohol for them, or to drink alcohol in licensed premises. Premises licence holders must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol, such as 'Challenge 25' which require individuals who appear to be under the age of 25 to provide ID.

Young people and the consumption of alcohol

Evidence shows drinking alcohol damages health, specifically a child's health. It can affect the normal development of vital organs and functions, including the brain, liver, bones and hormones²⁰. Under-age drinking is also associated with risky behaviour, such as violence, injuries, having more sexual partners, pregnancy, using drugs and suicidal ideation, furthermore, drinking before the age of 15 has a strong association with future problematic drinking and drug use²¹.

Evidence from multiple sources shows that risk taking behaviour among young people is declining at a population level. Teenagers are less likely to take drugs, to smoke, to drink alcohol or to become pregnant than the generation before them. However, levels of alcohol consumption among United Kingdom (UK) youth are higher than the European average and there are groups of young people who are taking risks and experiencing harm. A recent UK study suggests that pre-teen drinking behaviours are particularly important; while many 11 year-old children are yet to explore alcohol, examining the situations in which children drink (how they obtain alcohol, who they drink with, where, when, what they drink) could help inform effective policy and alcohol harm prevention strategies to alleviate the risk associated with drinking in youth. Furthermore, drinking before the age of 15 has a strong association with future problematic drinking and drug use²².

Young white populations are much more likely to drink than those from a Black and Minority Ethnic group background²³. Patterns of drinking vary by deprivation group with young people in the least deprived areas being more likely to have had an alcoholic drink (66%) and to be regular drinkers (8%) than those in the most deprived areas (44% and 4% respectively). This is similar to the pattern observed for adult drinkers²⁴.

Contrary to the above, there is some evidence that the alcohol-harm paradox seen amongst adults is also present for young people living in the most deprived areas. There is a strong relationship between smoking and drinking, with current smokers much more likely to drink alcohol frequently than non-smoker²⁵.

Children and young people in Wolverhampton reported in the 2022 Health Related Behaviour Survey that 27% of secondary aged school young people (11-16 years) had drunk alcohol (just a sip or taste) with only 4% of those young people reporting they had been drunk. However, there are instances of self-reported alcohol consumption being considerably higher for Pupil Referral Unit and College students, rising significantly up to 70% and up to 20% reporting they had been drunk²⁶.

Further consideration should be given to interventions which will ensure the prevention of underage drinking such as, education within schools through PSHE curriculum, limitation on exposure to alcohol

²⁰ [Should my child drink alcohol? - NHS \(www.nhs.uk\)](https://www.nhs.uk)

²¹ [Should my child drink alcohol? - NHS \(www.nhs.uk\)](https://www.nhs.uk)

²² [Factsheet \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

²³ [Factsheet \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

²⁴ [Factsheet \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

²⁵ [Factsheet \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

²⁶ [Health Related Behaviour Survey results published | City Of Wolverhampton Council](#)

related products within nearby off licenses. Additionally, the location of premises should be taken into consideration, for example the proximity to schools.

Parental & Guardian effects of substance misuse on Young People

During childhood, experiences in the home and family are often a child's primary source of what is normal or acceptable drinking, and parents exert a powerful influence on drinking behaviour in their offspring. There is a body of literature from studies of identical and non-identical twins demonstrating that alcohol dependence has an inherited component of between 40% and 60% and also affects the likelihood of developed alcohol-related physical diseases including liver cirrhosis²⁷.

The impact of parental substance misuse on children can be anything from abuse (physical and emotional) and neglect, exposure to criminal activities as well as the psychological damage such incidents have on the development of a young person, parents and carers who misuse substances can have chaotic, unpredictable lifestyles and may struggle to recognise and meet their children's needs²⁸.

Behaviour

Men have almost a 60% higher risk of getting hypertension compared to their non-drinking counterparts. As well as the volume of alcohol consumed, the frequency of drinking occasions affects the risk of harm. For example, repeated heavy drinking is associated with dependence whereas, a single bout of heavy drinking is associated with injuries and risk of cardiovascular disease²⁹.

Most alcohol is now bought from shops and drunk at home. In 2012, 6.4 litres of alcohol per person was consumed off-trade compared to 3.2 litres on-trade. This price differential has added to the motivation to drink at home before arriving in night-life venues³⁰.

Those drinking >75 units per week comprise of 1.3% of the population. This group, alongside the higher-risk drinkers comprise only 4.4% of the population but consume over one third of all self-reported alcohol intake³¹.

People of lower socioeconomic status show greater susceptibility to the harmful effects of alcohol and are more likely to die or suffer from a disease relating to their alcohol use³².

Figure 6: Variations in alcohol related mortality and drinking patterns by deprivation status in England³³

²⁷ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

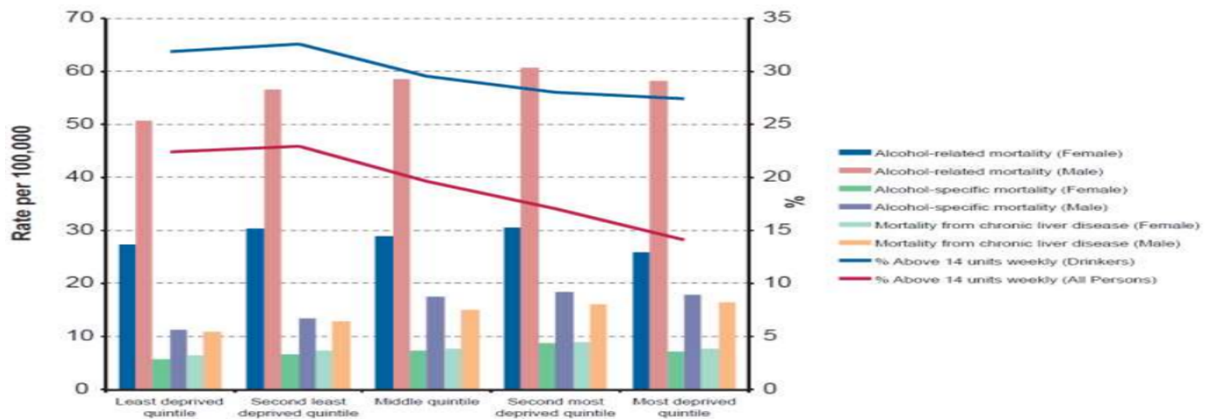
²⁸ [Parental substance misuse | NSPCC Learning](#)

²⁹ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

³⁰ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

³¹ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

³³ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)



Data from a consumer purchasing panel that measures off-trade volume sales of alcohol shows that between 2019 and 2020 (before and during the pandemic), volume sales increased by 25.0%.

This increase was consistent and sustained for most of 2020. Increases for all product types were observed, with the largest relative increase for beer (+31.2%), followed by spirits (+26.2%), wine (+19.5%), and cider (+17.6%). It is noted that cider and beer saw the largest relative decreases when looking at the trends in duty-paid volume of alcohol³⁴.

Compared to 2019 (before the pandemic), in 2020 (during the pandemic) off-trade volume sales were up by 25.0%, amounting to an extra 685,943,736 litres of alcohol. Between the announcement of social distancing (16 March 2020) and the end of the first national lockdown (4 July 2020), there was a 35.9% increase in volume sales (based on changes between the week ending 19 March 2020 and week ending 5 July 2020). During this first lockdown, volume sales peaked in the week ending 31 May 2020 at 86,516,246, which was 60.0% higher than for the corresponding week in 2019³⁵.

Alcohol Concern found that 51% of people drinking more since the start of lockdown drank 5 units or more on a typical day. Also, 50% of those who reported drinking “a lot more” in the past 2 weeks also drank 5 units or more on a typical drinking day. A follow up survey from Alcohol Concern found that heavier drinkers were more likely to report increasing the amount they drank. For example, 38% of those who typically drank heavily on drinking days pre-lockdown (7 units or more) said they drank more during lockdown, compared to 23% of those who drank 2 units or less on a typical drinking day³⁶.

Societal impact

The public health burden of alcohol is wide ranging, relating to health, social or economic harms. These can be tangible, direct costs (including costs to the health, criminal justice and welfare systems), or indirect costs (including the costs of lost productivity due to absenteeism, unemployment, decreased output or lost working years due to premature pension or death)³⁷.

The spectrum of harm ranges from those that are relatively mild drinkers, through to those that are severe, and who may experience associated family breakdowns, unemployment, illnesses, health

³⁴ [Monitoring alcohol consumption and harm during the COVID-19 pandemic \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

³⁵ [Monitoring alcohol consumption and harm during the COVID-19 pandemic \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

³⁶ [Monitoring alcohol consumption and harm during the COVID-19 pandemic \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

³⁷ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

conditions and a reduced life expectancy. Many of these harms impact upon other people, including relationships, children, relatives, friends, co-workers and the general public³⁸.

The direct costs of alcohol misuse are typically borne by government, whereas indirect costs tend to be borne by society at large and intangible costs by drinkers and their families.³⁹

Policies

Aside from environmental factors, the health and social harm caused by alcohol is determined by three related dimensions of drinking:

- The volume of alcohol consumed
- The frequency of drinking occasions
- The quality of alcohol consumed

It is recognised that stronger overall policy environments are associated with lower levels of binge drinking and alcohol-related cirrhosis mortality⁴⁰.

The Organisation for Economic Co-operation and Development (OECD) suggests that combining alcohol policies may create a 'critical mass' effect, changing social norms around drinking to increase the impact on alcohol-related harm. Alcohol policy should be coherent and consistent. For example, warning labels highlighting the risks of alcohol consumption should not be undermined by a unit price that encourages heavy consumption⁴¹.

Such consistency is essential to creating a supportive environment for society, including for those who wish to adopt healthier lifestyles by reducing their alcohol consumption, and for those who drink at hazardous and dependent levels.

Taxation and price regulation policies affect consumer demand by increasing the cost of alcohol relative to alternative spending choices. Policies that reduce the affordability of alcohol are the most effective, and cost-effective, approaches to prevention and health improvement.

Overall consumption in the population did not change suggesting that increases in opening hours may facilitate the drinking of male heavy drinkers⁴².

These levels are heavily influenced by access to alcohol, which comprises three variable factors or drivers: (1) How easy it is to purchase or consume alcohol (availability), (2) How cheap alcohol is (affordability) and (3) The social norms surrounding its consumption (acceptability)⁴³

³⁸ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

³⁹ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

⁴⁰ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

⁴¹ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

⁴² [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

⁴³ [Alcohol public health burden evidence review 2016 \(publishing.service.gov.uk\)](#)

This page is intentionally left blank

Total Recorded Crime, Violence, Public Safety and Welfare, and Anti-Social Behaviour within the Cumulative Impact Zones in Wolverhampton



Contents:

1.0 Introduction	3
2.0 Analysis	4
2.1 City Centre	4
2.2 Dudley Road	7
2.3 Avion Centre	9
2.4 Bilston High Street	10
2.5 Wednesfield High Street	12

Document Control:

Version	Date	Author	Department
0.5	15 May 2023	Amy DAVIES	Partnership Intelligence Liaison Team (PILT)

Version	Date	Authorised for Release	Department
1.0	15 May 2023	Stuart KEY	PILT

Copyright & Restrictions:

Any maps within this report are reproduced from the Ordnance Survey mapping with the permission of the Controller of His Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. West Midlands Police Licence No. 100022494 (2017).

Handling Conditions:

This assessment is produced and owned by West Midlands Police, and shared with our partners under statutory provisions to effectively prevent crime and disorder. The document is protectively marked at **OFFICIAL** but can be subject of disclosure under the Freedom of Information Act 2000 or Criminal Procedures and Investigations Act 1996. There should be no unauthorised disclosure of this document outside of an agreed readership without reference to the author or the Director of Intelligence for West Midlands Police. The information contained in this report is supplied in confidence and may not be disclosed other than to the agreed readership/ handling code recipient without prior reference to Force Intelligence. This cover sheet must not be detached from the report to which it refers.

1.0 Introduction

The purpose of this report is to provide an overview of Total Recorded Crime (TRC), with a focus on violence, within the five Cumulative Impact Zones (CIZs) in the City of Wolverhampton. Public Safety and Welfare (PSW) and Anti-Social Behaviour (ASB) data is also included for each zone. The areas outlined in red on the map below show the CIZs currently in operation within the City of Wolverhampton:

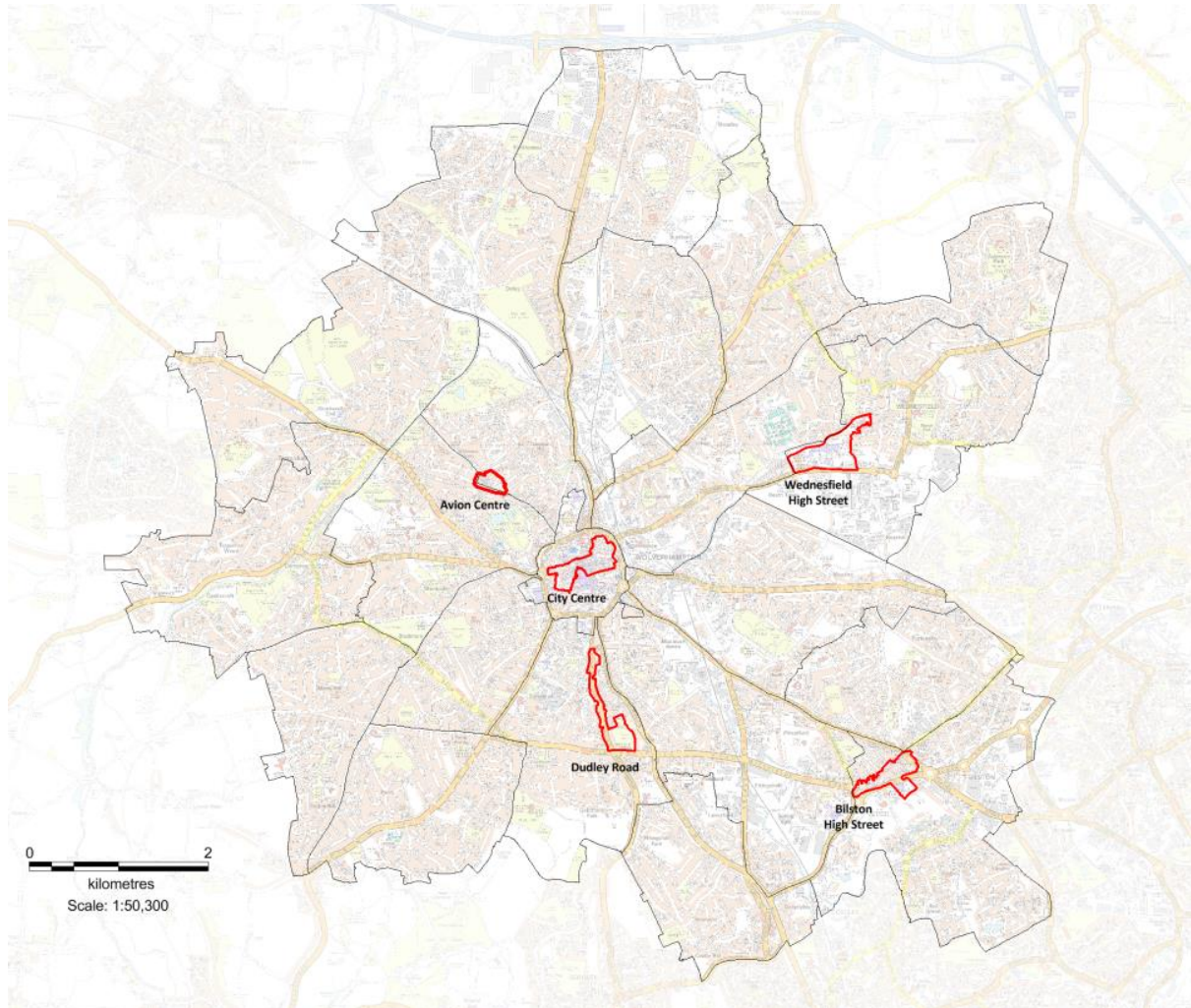


Figure 1: Map of the five Cumulative Impact Zones in Wolverhampton

Methodology

Data used in this report was sourced from West Midlands Police systems. All data refers to the date on which an offence or incident was recorded, and was downloaded for the period of the 01 October 2019 to the 30 September 2022. Data from prior to 2019 has not been included due to changes in both intelligence and crime systems used by West Midlands Police, making the data inaccessible within the timeframe required, and the assessed low level of threat, harm and risk compared to other Force priorities. In previous reports, data around the involvement of alcohol was used; however, as this relied on the accurate use of markers and was often found to not represent a true picture of offending. Consequently, this report will use offences that fall within the category of Violence instead

to assess performance within the CIZs. For the purposes of this document, violence was categorised as the offence sub categories of Violent with Injury, Violence without Injury and Violent Disorder.

For the City Centre CIZ only, offences or incidents that were committed or occurred during the Night Time Economy (NTE) were determined by offences or incidents first committed between the hours of 21:00hrs and 06:00hrs the following morning.

ASB and PSW data was sourced from the ControlWorks and Oasis Command and Control systems, where all logs finalised as ASB or PSW and recorded as first occurring between the 01 October 2019 and the 30 September 2022 were retrieved for analysis.

2.0 Analysis

2.1 City Centre Cumulative Impact Zone

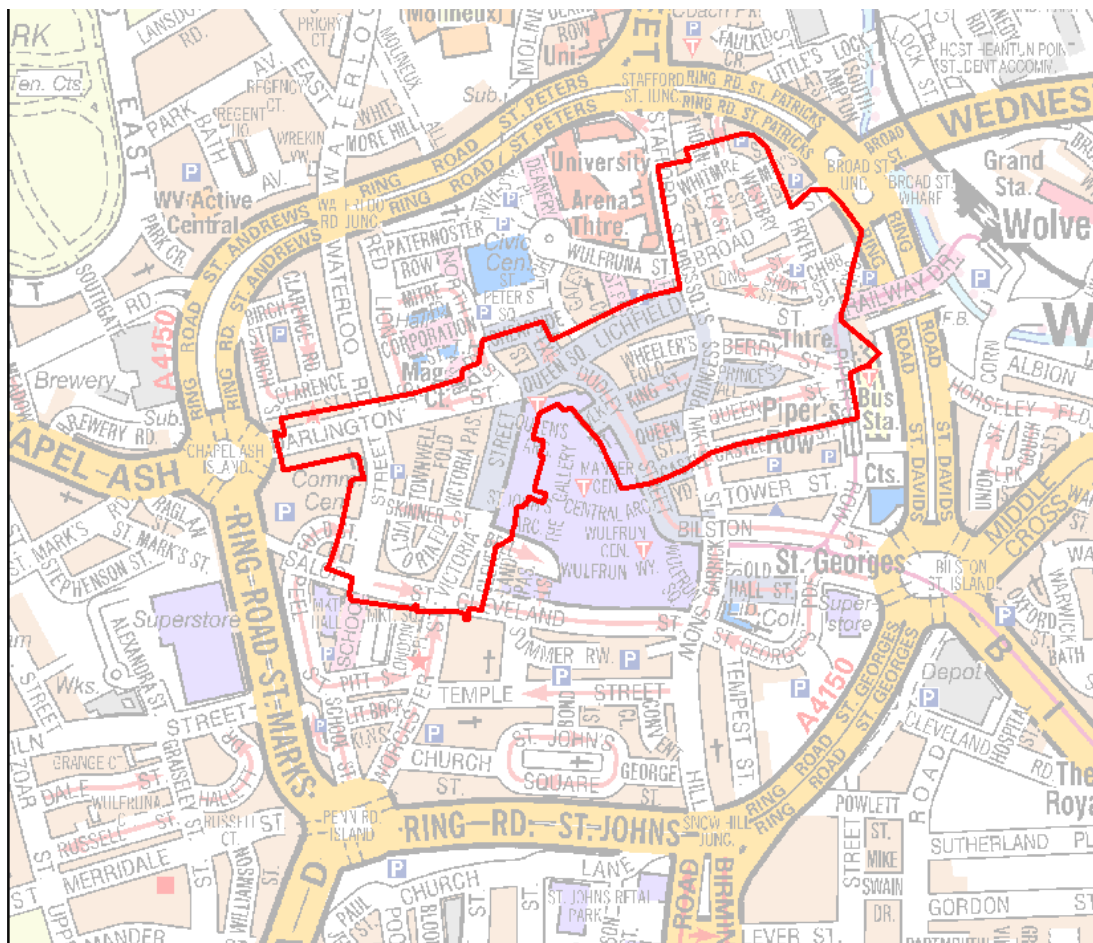


Figure 2: Map of the City Centre Cumulative Impact Zone

As would be expected in a city centre, there is a high transient population who frequent the area for a variety of reasons including working, shopping or for entertainment venues. TRC within the City Centre CIZ increased marginally between 2019/20 and 2020/21; however, doubled between 2020/21 and 2021/22 with an increase of 724 offences. It is **highly likely** that this increase is reflective of a reduction in TRC in 2019/20 and 2020/21 due to the COVID-19 pandemic and a number of different

government restrictions aimed at reducing the spread of the virus. However, when comparing TRC to pre-pandemic levels (average of 930 crimes per year from 2012 to 2017), there is still a considerable increase of 454 crimes.

Year	Total Recorded Crime (TRC)			Violence		
	Within CIZ	Within CIZ during NTE	% Within CIZ during NTE	Within CIZ	Within CIZ during NTE	% Within CIZ during NTE
01 October 2019 - 30 September 2020	647	269	42%	207	128	62%
01 October 2020 - 30 September 2021	648	239	37%	215	126	59%
01 October 2021 - 30 September 2022	1363	701	51%	566	382	67%

Table 1: Total Recorded Crime and Violence offences from October 2019 to September 2022 within the City Centre Cumulative Impact Zone

Total Recorded Crime

The highest offence types in 2019/20 in the City Centre CIZ were Theft from Shops and Stalls and Assault with Injury occasioning actual bodily harm. There were 69 (10.6%) Theft from Shops and Stalls offences and 69 (10.6%) Assault with Injury offences. The highest offending location was the Greggs store on Dudley Street with 29 (4.5%) offences.

The highest recorded offence in the City Centre CIZ for 2020/21 was Assault without Injury (common assault and battery) with 92 (15.5%) recorded crimes. The second highest crime was Theft from Shops and Stalls with 59 (10%) recorded crimes. In comparison to the previous year, the top crimes are the same, with Assault with Injury increasing by 23 offences; however, Theft from Shops and Stalls decreased by 10 offences. The highest offending location in 2020/21 was the street record of Dudley Street with 23 offences, accounting for 3.5% of TRC.

The highest recorded offence in the City Centre CIZ for 2021/22 was Assault without Injury (common assault and battery) in line with previous years. This offence recorded 211 (15.2%) offences. The next highest recorded offence was Assault with Injury - assault occasioning actual bodily harm with 129 offences (9.3%). The highest offending location was the Grain Store Bar on King Street (60; 4.4%).

Violence

Violence remained stable in the City Centre CIZ for the first two years analysed. In 2019/20, there were 207 violent offences. 65 offences were recorded as Assault without Injury (Common assault and battery). The Gorgeous Nightclub on School Street was the top offending location with 17 recorded offences (8.2%).

In 2020/21, there were 215 violent offences in the City Centre CIZ. 92 offences were recorded as Assault without Injury (Common assault and battery). The top repeat offending location was again the Gorgeous Nightclub on School Street with three offences. The next highest offence, with 46 recorded crimes, was Assault with Injury (occasioning ABH). The top offending location with nine recorded offences was the street record for School Street (4.2%).

In 2021/22, there were 566 violent offences in the City Centre CIZ. 211 (37%) of these were classed as Assault without Injury (Common assault and battery). The top repeat offending locations were Grain Store Bar on King Street (43; 7.6%) and Gorgeous Nightclub on School Street (40; 7.1%). The next highest offence, with 129 (22%) recorded crimes, was Assault with Injury (occasioning ABH). The top repeat offending locations were the Grain Store Bar on King Street and the Planet Nightclub on Westbury Street, both with eight recorded offences. Approximately two thirds of offences have occurred at NTE venues. Violence reported within the City Centre CIZ increased marginally between 2019/20 and 2020/21; however, doubled between 2020/21 and 2021/22. It is **likely** that this is due to the impact of the COVID-19 pandemic and a number of different government restrictions aimed at reducing the spread of the virus being relaxed, and more people returning to the City Centre and NTE venues.

Violence (NTE)

For the purposes of this document, the NTE is considered as between the hours of 21:00hrs and 06:00hrs. There were 126 violent offences during the NTE in 2020/21 and 382 during the NTE in 2021/22. This is an increase of 256 offences. Between 2020/21 and 2021/22, the Grain Store and Gorgeous Nightclub on School Street have featured in the top three locations. Assault without Injury (common assault and battery) was the highest recorded offence accounting for 26% of violent crime in 2019/20, 41% in 2020/21, and 34% the following year 2021/22.

The table below shows ASB and PSW levels within the City Centre CIZ during the last three years analysed:

Year	Antisocial Behaviour (ASB)			Public Safety Welfare (PSW)		
	Within CIZ	Within CIZ during NTE	% Within CIZ during NTE	Within CIZ	Within CIZ during NTE	% Within CIZ during NTE
01 October 2019 - 30 September 2020	82	25	30%	384	189	49%
01 October 2020 - 30 September 2021	109	52	48%	425	125	29%
01 October 2021 - 30 September 2022	86	34	40%	558	238	43%

Table 2: ASB and PSW incidents within the City Centre Cumulative Impact Zone

ASB incidents increased by 27 between 2019/20 and 2020/21, before reducing to a similar level again in 2021/22. PSW incidents increased year by year since 2019/20, with a large increase of 133 incidents between 2020/21 and 2021/22. The highest locations within the City Centre CIZ for ASB and PSW were McDonalds on Dudley Street for ASB, and a domestic dwelling on Queen Street for PSW.

2.2 Dudley Road Cumulative Impact Zone



Figure 3: Map of the Dudley Road Cumulative Impact Zone

The Dudley Road is one of the main arterial routes in the Wolverhampton Borough. It runs from the City Centre to the North towards the Dudley Borough boundary. It is densely populated with retail premises such as jewellers, grocers and clothing shops, that are generally owned and operated by members of the Asian community. A number of these stores have off licences.

The table below shows levels of TRC, violent crime, ASB and PSW within the CIZ, broken down by year, since October 2019 for the Dudley Road CIZ:

	TRC	Violence	ASB	PSW
Year	Within CIZ	Within CIZ	Within CIZ	Within CIZ
01 October 2019 - 30 September 2020	142	34	46	121
01 October 2020 - 30 September 2021	172	46	34	118
01 October 2021 - 30 September 2022	154	41	5	101

Table 3: TRC, Violence, ASB and PSW within the Dudley Road Cumulative Impact Zone

TRC in 2019/20 was 142 offences, and 2020/21 was 172 offences, an increase of 31 offences. However, this then reduced slightly in 2021/22 to 154 offences. The highest type of offence was Assault without Injury (Common assault and battery) with 56 recorded offences over the three-year period. The top offending location was Phoenix Park with seven repeated offences.

Violence increased by 35.3% (12 offences) from 2019/20 to 2020/21; however, decreased by five offences from 2020/21 to 2021/22. The highest crime type was Assault without Injury (Common assault and battery) with 56 offences. The top offending location, with 25 repeated offences, was Phoenix Park.

ASB saw a significant decrease in incidents with a decrease of 41 between 2019/20 and 2021/22. The top incident location over the last three years was Phoenix Park.

PSW initially saw a decrease of three incidents from 2019/20 to 2020/21 and continued to decrease the following year with an overall decrease of 20 incidents across the three years. The top offending address, with 11 incidents, was Phoenix Park and the Manders Boutique clothes shop with six incidents.

2.3 Avion Centre Proposed cumulative Impact zone



Figure 4: Map of the Avion Centre Cumulative Impact Zone

The Avion Centre in Whitmore Reans sits across two wards; Park and St Peter's. The table below shows levels of TRC, violent crime, ASB and PSW within the CIZ, broken down by year, since October 2019 for the Avion Centre Road CIZ:

	TRC	Violence	ASB	PSW
Year	Within CIZ	Within CIZ	Within CIZ	Within CIZ
01 October 2019-30 September 2020	95	22	12	88
01 October 2020 -30 September 2021	111	41	20	79
01 October 2021 -30 September 2022	127	31	9	93

Table 4: TRC, Violence, ASB and PSW within the Avion Centre Cumulative Impact Zone

TRC within the Avion Centre CIZ increased by 16.8% from 2019/20 to 2020/21 and rose by a further 14.4% between 2020/21 to 2021/22. From 2019/20 to 2021/22, TRC rose by 33.7%. The highest crime type in 2019/20 and 2020/21 were Assault without Injury (Common assault and battery) (35 offences) and Assault with Injury (ABH) (15 offences). The top offending location for 2019/20, with six offences, was a domestic dwelling on New Hampton Road West. The top offending address in 2020/21 was the street record for New Hampton Road West.

Violence in the Avion Centre CIZ increased by 40.9% (19 offences) from 2019/20 to 2020/21; however, decreased by 10 offences from 2020/21 to 2021/22. The highest crime type was Assault without Injury (Common assault and battery) and Assault with Injury (ABH) each with seven offences. The top offending location with six offences was a domestic dwelling on New Hampton Road West.

ASB increased by eight incidents from 2019/20 to 2020/21, and there was an 11-incident decrease from 2020/21 to 2021/22. The top location between 2020/21 and 2021/22 with three repeat incidents, was the William Hill betting shop located in the Avion Shopping Centre.

PSW initially saw a decrease of nine incidents; however, from 2020/21 to 2021/22 there was an increase of 14 incidents. The top locations were a domestic dwelling in Leveson Court and the Avion Shopping Centre, both with 15 incidents.

2.4 Bilston High Street Proposed Cumulative Impact Zone

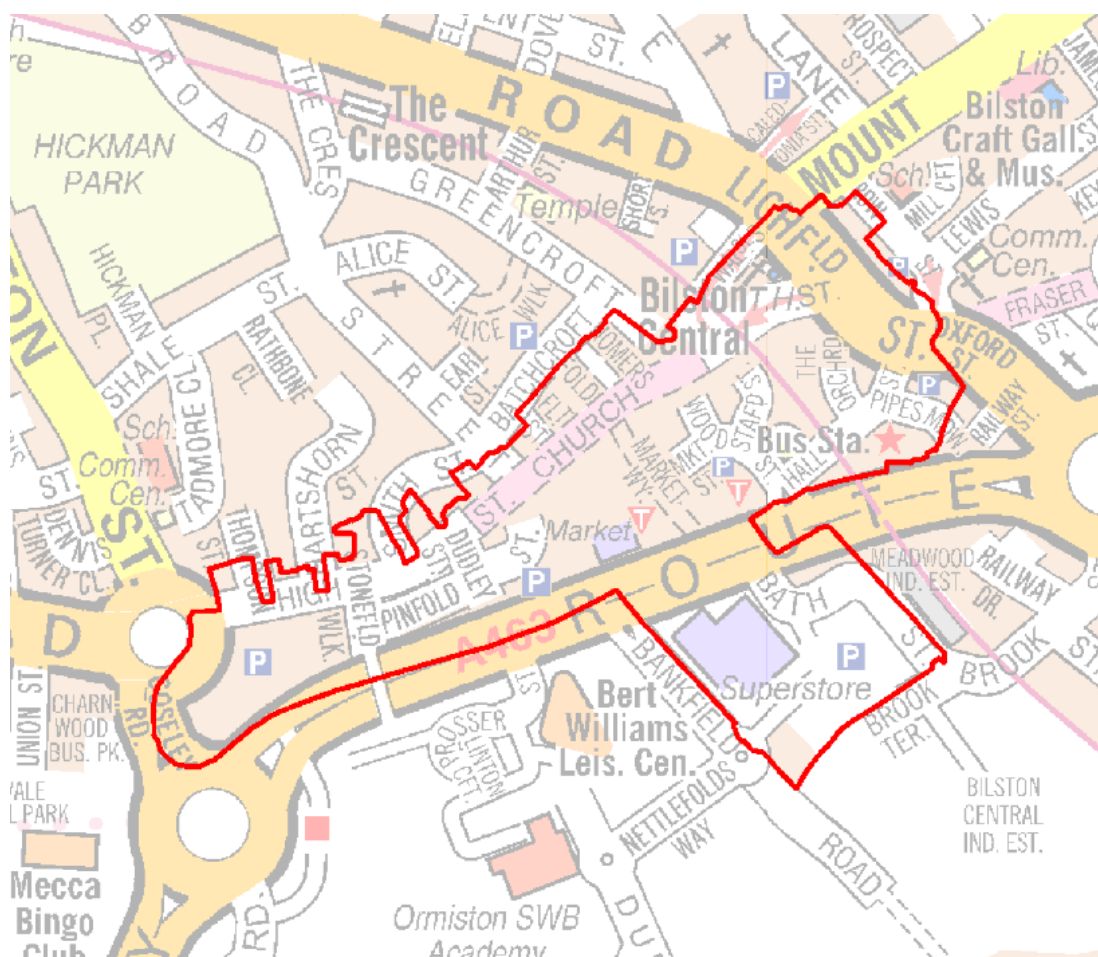


Figure 5: Map of the Bilston High Street Cumulative Impact Zone

The Bilston High Street CIZ is situated within the Bilston East ward in the South East of the Borough. The area is mostly devoted to retail, with a large indoor and outdoor market that is visited by people from outside the area. There is a large Morrison's supermarket within the zone, and also off licences and public houses in the vicinity.

The table below shows levels of TRC, violent crime, PSW and ASB within the Bilston High Street CIZ, broken down by year, since October 2019:

	TRC	Violence	ASB	PSW
Year	Within CIZ	Within CIZ	Within CIZ	Within CIZ
01 October 2019 - 30 September 2020	335	66	63	240
01 October 2020 - 30 September 2021	482	95	103	218
01 October 2021 - 30 September 2022	682	119	80	189

Table 5: TRC, Violence, ASB and PSW within the Bilston High Street Cumulative Impact Zone

TRC within the Bilston High Street CIZ has increased by 147 offences from 2019/20 to 2020/21 and increased by a further 200 offences by 2021/22. The highest recorded crime was Theft from Shops and Stalls with 239 offences recorded over the three-year period. 62 of these offences occurred at the address of 112-116 Church Street, which is a row of shops/businesses.

Violence increased by 29 offences in 2019/20 compared to 2020/21. Violence then increased further from 95 to 119 offences from 2020/21 to 2021/22. There were 121 offences of Assault without Injury (Common assault and battery) over the three-year period, 17 of these offences occurred at Morrison's on the Black Country route.

ASB increased from 2019/20 to 2020/21 by 40 incidents; however, decreased from 2020/21 to 2021/22 by 23 incidents. The highest recorded ASB address between 2020/21 and 2021/22 was the McDonalds on the High Street with 30 incidents. The next top location was the Morrison's on the Black Country route with 25 recorded incidents.

PSW has seen a significant decrease in the last three strategic years with decrease of 22 incidents and 29 incidents year on year, resulting in an overall decrease of 51 incidents. The top addresses for PSW were the same as ASB: McDonalds on the High Street (21) and Morrison's on the Black Country route (18).

2.5 Wednesfield High Street Proposed Cumulative Impact Zone

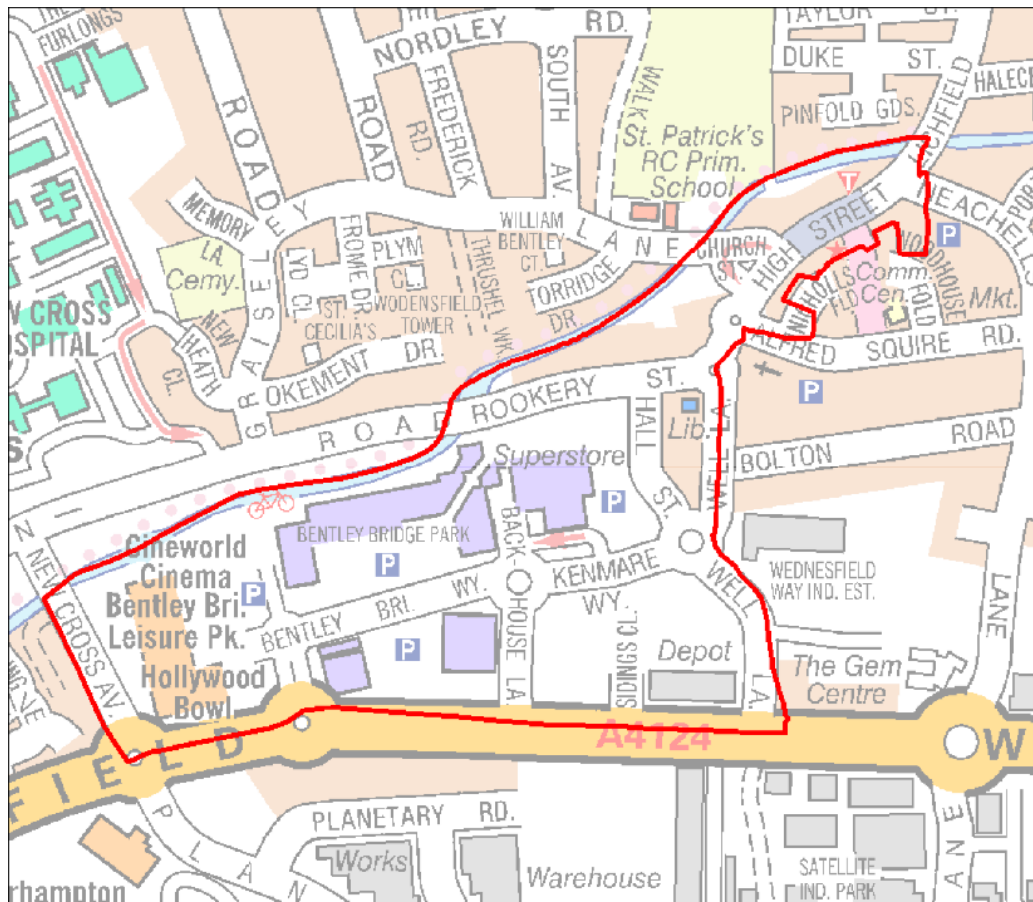


Figure 6: Map of the Wednesfield High Street Cumulative Impact Zone

The Wednesfield High Street CIZ sits on the Bentley Bridge neighbourhood in the Wednesfield South ward, and covers both the High Street area and Bentley Bridge. The High Street contains a number of retail stores as well as public houses, while Bentley Bridge has an entertainment area comprising leisure facilities, restaurants (licensed) and fast food retailers. On the other side are large retail units and a Sainsbury's supermarket. While the resident population within the CIZ is low, there are residential areas close by to the North.

The table below shows levels of TRC, violent crime, PSW and ASB within the CIZ, broken down by year, since October 2019:

	TRC	Violence	ASB	PSW
Year	Within CIZ	Within CIZ	Within CIZ	Within CIZ
01 October 2019 - 30 September 2020	272	28	50	193
01 October 2020 - 30 September 2021	416	53	64	188
01 October 2021 - 30 September 2022	621	115	40	217

Table 6: TRC, Violence, ASB and PSW within the Wednesfield High Street Cumulative Impact Zone

TRC within the Wednesfield High Street CIZ increased from 272 to 416, a difference of 144 between 2019/20 and 2020/21, and further increased by 205 crimes from 2020/21 to 2021/22. There were 394 offences classed as Theft from Shop/ Stall over the three-year period, which was the highest offending type. The top offence location was Bentley Bridge Park Unit B4 with 53 repeat offences, followed by Aldi at Bentley Bridge with 47 repeated offences over the three-year period.

Violence offences in the CIZ have increased significantly from 2019/20 compared to 2021/22, with an increase of 87 offences recorded. The top recorded violent offence was Assault without Injury (common assault and battery) with 95 offences recorded over the three-year period.

In 2020/21, ASB increased by 14 incidents in comparison to the previous year (2019/20). However, in 2021/22, ASB incidents decreased by 24 incidents. The top offending address between 2020/21 and 2021/22 was the Hollywood Bowl at Bentley Bridge with 16 recorded incidents.

PSW saw a decrease from 2019/20 to 2020/21 of five incidents; however, increased by 29 incidents in comparison to 2021/22. The top address with 62 incidents recorded between 2020/21 and 2021/22 was a domestic dwelling on the High Street.

This page is intentionally left blank

CITY OF WOLVERHAMPTON COUNCIL	Statutory Licensing Committee 22 November 2023
--	--

Report title	Amendment to Scheme of Delegations	
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	

Recommendation for decision:

The Statutory Licensing Committee is recommended to:

1. Approve an amendment to the scheme of delegation 2023-2024

1.0 Purpose

- 1.1 To seek formal endorsement of the decision made by the Chair of Statutory Licensing Committee, in consultation with Commercial Regulation Manager, to make a single amendment to the scheme of delegations previously approved at Statutory Licensing Committee on 14 June 2023.

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 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.
- 2.3 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.

3.0 Proposal

- 3.1 Following the departure of the Commercial Regulation Manager on 31 October 2023 a change needs to be made to the scheme of delegations in respect of the authority to mediate the outcome of an appeal.
- 3.2 The Licensing Authority Sub-Committee can make determinations in respect of grants, variations, transfers of reviews of a premises licence. Similar decisions are made in respect of club premises certificates, temporary event notices (TEN's), designated Premises Supervisors' personal licences, reviews of premises after the issuing of closure orders.
- 3.3 Those determinations can be appealed by any person involved in that decision, including applicants and anyone who has made a "relevant representation". The formal appeal is made to the Magistrates Court, however attempts may be made to reach a compromise between the parties so as to remove the need and cost of a court hearing. Such a compromise is only made after having received legal advice, often from outside counsel. This mediation of appeals is the matter which requires a new approval for delegation.
- 3.4 Where it is the opinion of the Licensing Authority that compliance with the licensing objectives is well served through an agreement (mediation), the scheme of delegation currently (since 14th June 2023) allows for this to be agreed by the Commercial Regulation Manager in consultation with the chair of the Licensing Committee.
- 3.5 Prior to his departure, the Commercial Regulation Manager agreed with the Chair of the Statutory Licensing Committee to amend the wording for the delegation from "Commercial Regulation Manager - recommendation to Chair" to "Service Manager

Trading Standards and Licensing Act - recommendation to Chair” with the proviso that an endorsement would be sought formally from the Committee at this meeting.

- 3.6 This change does not affect the practice and procedure for deciding when an appeal is to be mediated and is reflected on page four of the appendix to this report.

4.0 Financial implications

- 4.1 There are no financial implications arising from this decision.

[SB/09112023/D]

5.0 Legal implications

- 5.1 As this is in effect a continuation of an existing practice and procedure there are no legal implications.

[RS/08/11/2023-3]

6.0 Equalities implications

- 6.1 As this is in effect a continuation of an existing practice and procedure there are no equality implications.

7.0 All other Implications

- 7.1 There are no implications for climate change and the environment, Human Resources, Corporate Landlord, Health and Wellbeing and no implications that have arisen from the Covid-19 Pandemic.

8.0 Schedule of background papers

- 8.1 Review of decision making in 2022 - 2023 and the scheme of delegation for 2023 – 2024 - Statutory Licensing Committee - 14 June 2023

9.0 Appendices

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

This page is intentionally left blank

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	Statutory Licensing Committee 10/07/2019	none
	Representations – Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019	
Designated Premises Supervisor – Variation	No Representations - Licensing and Compliance Officer, Licensing	Statutory Licensing Committee 10/07/2019	none
	Representations - Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019	
Application Transfer Premises Licence/ Club Premises Certificate	No Representations - Licensing and Compliance Officer, Licensing	Statutory Licensing Committee 10/07/2019	none
	Representations - Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019	

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	22.11.2023. Service Manager Trading Standards and Licensing Act -Recommendation to Chair
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	Service Manager: Trading Standards & Licensing Act /Section Leader Licensing
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	
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	
Premises Licence/Suspension/Revocation	Statutory Licensing Sub-Committee	Statutory Licensing Committee 10/07/2019	

Appendix1

Licence/Consent/Permit Type	Current Delegations	Date of Committee Authorisation	Proposed Changes to Delegations 2023 - 2024
Temporary Use Notice	No Representations – Section Leader Licensing Representations - Statutory Licensing Sub-Committee	Licensing Committee 30/05/2012 Statutory Licensing Committee 10/07/2019	
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

Appendix1

Licence/Consent/Permit Type	Current Delegations	Date of Committee Authorisation	Proposed Changes to Delegations 2023 - 2024
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
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	Service Manager: Trading Standards & Licensing Act /Section Leader Licensing

Requires Delegation from the Head of Paid Service

Page 250

.....
Tim Johnson
Chief Executive

Date:

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 Residents Services

Date: