

# Statutory Licensing Committee

6 March 2024

**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:

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

# Agenda

## Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i>   |
|-----------------|--|
| 1               | <b>Apologies for absence</b>   |
| 2               | <b>Declarations of interest</b>  |
| 3               | <b>Minutes of previous meeting</b> (Pages 3 - 4)<br>[To approve the minutes of the previous meeting held on 10 January 2024 as a correct record].  |
| 4               | <b>Matters arising</b><br>[To discuss any matters arising from the minutes of the previous meeting].   |
| 5               | <b>Minutes of meeting Tuesday, 14 November 2023 of Statutory Licensing Sub-Committee</b> (Pages 5 - 10)<br>[To approve the minutes of the Statutory Licensing Sub-Committee held on 14 November 2023 as a correct record].   |
| 6               | <b>Minutes of meeting Thursday, 21 December 2023 of Statutory Licensing Sub-Committee</b> (Pages 11 - 14)<br>[To approve the minutes of the Statutory Licensing Sub-Committee held on 21 December 2023 as a correct record]. |
| 7               | <b>Minutes of meeting Wednesday, 17 January 2024 of Statutory Licensing Sub-Committee</b> (Pages 15 - 20)<br>[To approve the minutes of the Statutory Licensing Sub-Committee held on 17 January 2024 as a correct record].  |
| 8               | <b>Minutes of meeting Thursday, 25 January 2024 of Statutory Licensing Sub-Committee</b> (Pages 21 - 24)<br>[To approve the minutes of the Statutory Licensing Sub-Committee held on 25 January 2024 as a correct record].   |
| 9               | <b>Minutes of meeting Monday, 29 January 2024 of Statutory Licensing Sub-Committee</b> (Pages 25 - 32)<br>[To approve the minutes of the Statutory Licensing Sub-Committee held on 29 January 2024 as a correct record].     |
| 10              | <b>Minutes of meeting Monday, 12 February 2024 of Statutory Licensing Sub-Committee</b> (Pages 33 - 38)<br>[To approve the minutes of the Statutory Licensing Sub-Committee held on 12 February 2024 as a correct record].   |

### Attendance

#### Members of the Statutory Licensing Committee

Cllr Zee Russell (Chair)  
Cllr Rashpal Kaur (Vice-Chair)  
Cllr Greg Brackenridge  
Cllr Gillian Wildman  
Cllr Sally Green  
Cllr Jane Francis  
Cllr Jonathan Crofts

#### Employees

Greg Bickerdike	Licensing Manager
Emma Caddick	Service Manager, Environmental Health
Paul Dosanjh	Service Manager, Trading Standards and Licensing Act
Charlotte Rose	Team Leader, Environmental Health
Ronald Sempebwa	Solicitor
Dereck Francis	Democratic Services Officer
Jacob Stokes	Democratic Services Officer

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## Part 1 – items open to the press and public

*Item No. Title*

- 1 Apologies for absence**  
Apologies were received from Councillors Bob Maddocks and Tersaim Singh.
- 2 Declarations of interest**  
No declarations of interests were made.
- 3 Minutes of previous meeting**  
Resolved:  
That the minutes of the meeting of the Statutory Licensing Committee held on 22 November 2023 be confirmed as a true record and signed by the Chair.
- 4 Matters arising**  
There were no matters arising from the minutes of the previous meeting.

5 **Review of Fees and Charges under the Licensing Act 2003 and the Gambling Act 2005 for the year 2024-2025**

Paul Dosanjh, Service Manager: Trading Standards & Licensing Act, presented a report outlining the fees and charges under the Licensing Act 2003 and the Gambling Act 2005 for the year 2024-2025.

The Service Manager reported that the fees and charges remained the same as last year, and the payment plans that were introduced to assist businesses that had been adversely affected by Covid-19, would continue.

The Vice-Chair, Councillor Rashpal Kaur moved the recommendations within the report and Councillor Gillian Wildman seconded the recommendations.

Resolved:

That Members of the Statutory Licensing Committee:

1. Noted the non-discretionary fees and charges set by statute in relation to the Licensing Act 2003 as set out in Appendix 1 to the report.
2. Approved the fees and charges as set out in Appendix 2 to the report in relation to the Gambling Act 2005 with effect from 1 April 2024 over which the Council had fee setting powers.
3. Noted other fees and charges for permits set by the Secretary of State in relation to the Gambling Act 2005 over which the Council had no local control.

## Attendance

### Members of the Statutory Licensing Sub-Committee

Cllr Zee Russell (Chair)

Cllr Rashpal Kaur

### Premises Licence Applicant

Mr Christopher Way

Ms Tanya Willetts

Tettenhall College Cricket Pavilion and Pitches

Tettenhall College Cricket Pavilion and Pitches

### Responsible Authorities

Faye Pearson

Emma Caddick

Amitabh Singh

Kayley Nixon

Environmental Health

Environmental Health

Licensing Authority

West Midlands Police

### Other Persons

Mr Don Gwinnett

Ms Samantha Barnett

Ms Maria Walters

### Employees

Debra Craner

Ronald Sempebwa

Jacob Stokes

Section Leader – Licensing and Compliance

Solicitor

Democratic Services Officer

### Observers

Paul Dosanjh

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.

**3        Licensing Act 2003 - Application for a Premises Licence in respect of  
Tettenhall College Cricket Pavilion & Pitches, Tettenhall College, Wood Road,  
WV6 8QX**

An application for a Premises Licence in respect of Tettenhall College Cricket Pavilion & Pitches, Tettenhall College, Wood Road, WV6 8QX was considered following representations received from Environmental Health, the Licensing Authority, West Midlands Police 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 Christopher Way, Applicant, confirmed that the summary was accurate.

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

1.        Mediation had been undertaken on this application, and Tettenhall College was more than happy to accept the recommendations put forward by the Responsible Authorities.
2.        The application was for four events. He provided details on these events.
3.        He recognised resident concerns regarding noise and had agreed to mediation that would limit noise.
4.        As per the mediation, Tettenhall College would notify the Safety Advisory Group at least twelve weeks prior to the fireworks event.
5.        There was an excellent CCTV system in place at the school.
6.        The planned events were family orientated, and there had been no trouble in the six years that they had been running.
7.        Professional security was hired for events.
8.        The Henwood Road gate was only available for emergency use or for the small number of disabled persons who had agreed to use this access point in advance.

9. Tettenhall College took parking complaints very seriously. There was sufficient parking on site and any hirers had to sign an agreement to use the school's parking facilities.
10. The fireworks event took place between 17:00 and 21:00 hours, and Tettenhall College was happy to take any measures necessary and work with all relevant bodies to ensure the amount of disturbance caused was minimal.
11. The sale of alcohol would be at limited times. A Challenge 25 policy was in place, staff had been trained on this, and all events were ticketed.
12. Risk assessments were carried out for all events.

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

1. The music played at events was background music, and he was happy to reduce the volume of music or remove it entirely, if necessary.
2. Areas would be patrolled to ensure noise was not unduly audible beyond the perimeters of the site. He was happy to equip those patrolling with noise monitoring devices.
3. Tettenhall College had not received a single complaint following this year's fireworks event.
4. Any hirers found to be in breach of the terms and agreements would have their contract terminated.
5. Tettenhall College was very careful on who they let use their facilities and had turned down a lot of bookings.
6. A lessons learned exercise would be undertaken following this year's fireworks event.
7. Tettenhall College was happy to have a point of contact for residents to contact with their concerns during events.
8. There was no record of the Pavilion having been hired out in the Summer.
9. A member of security was always present on site to ensure that only authorised parties were using the facilities.
10. The fireworks event was a community event, and virtually all those who attended walked to the site.
11. The application was for the supply of alcohol on the premises only.
12. During events, the Henwood Road gate was monitored by staff and security.

The Chair invited Environmental Health to make representations. Faye Pearson, Senior Officer – Food and Health and Safety, did so, as per Appendices 3 and 45 of the report. She stated that Environmental Health had successfully mediated with the Applicant, and conditions had been agreed. She outlined these conditions for the Sub-Committee.

The Chair afforded all parties present the opportunity to question Environmental Health in relation to its submission. The Senior Officer – Food and Health and Safety and Emma Caddick, Service Manager – Environmental Health, responded to questions asked.

The Chair invited the Licensing Authority to make representations. Amitabh Singh, Licensing Section Leader, did so, as per Appendices 4 and 46 of the report. He stated that the Licensing Authority had successfully mediated with the Applicant, and conditions had been agreed. He outlined these 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 West Midlands Police to make representations. Kayley Nixon did so, as per Appendices 5 and 47 of the report. She stated that West Midlands Police had successfully mediated with the Applicant, and conditions had been agreed. She outlined these conditions for the Sub-Committee.

The Chair afforded all parties present the opportunity to question West Midlands Police in relation to its submission. Kayley Nixon responded to a question that was asked.

The Chair invited Other Persons to make representations. Mr Don Gwinnett did so. He stated the following:

1. Residents had suffered abuse from people leaving the site after events and this would be made worse by alcohol.
2. Wardens and security cameras had failed to prevent intruders onto the site, and this posed a danger.
3. There would be significant disturbances to wildlife on the site and in the nature reserve opposite the site.
4. The fireworks event had caused considerable nuisance, and resident phone calls to Tettenhall College had not been answered.
5. Residents he had spoken to had expressed grave concerns about the application.
6. The arrangements put in place have failed to allay the concerns from residents.

The Chair clarified that any new evidence could not be considered by the Licensing Sub-Committee as it had not been submitted prior to the hearing.

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

Ronald Sempebwa, Solicitor, provided legal advice to the Sub-Committee and clarified that parking issues did not fall under the remit of the Licensing Objectives and could not be taken into account by the Sub-Committee in their decision making.

He stated that the application related to the Applicant's own specific events and not those organised by external providers.

He outlined that the main concern for the Sub-Committee was the promotion of the four Licensing Objectives.

He reminded the Sub-Committee of their available options when determining this application.

The Chair invited Ms Samantha Barnett to make representations. She stated the following:

1. Many residents had not been aware of the application, meaning that some concerns from residents had not been submitted prior to the hearing.



2. Consultation with residents on behalf of Tettenhall College may have alleviated a lot of the concerns of residents.
3. It would be beneficial to establish a working group to ensure that these issues could be discussed with the school.

The Solicitor confirmed that the application had been properly made and had been advertised in the required places.

The Applicant confirmed that the school would welcome a working group, and that this would allow for better engagement with residents.

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

The Chair invited Ms Maria Walters to make representations. She stated that the current location of the firework display posed serious safety concerns.

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

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

There were no final statements made.

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

The Sub-Committee adjourned at 12.00 hours.

The Hearing reconvened at 13.23 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 Solicitor.

Resolved:

An application was received on 21 September 2023 from Tettenhall College Cricket Pavilion and Pitches for a premises licence in respect of Tettenhall College Cricket Pavilion & Pitches, Tettenhall College, Wood Road, WV6 8QX.

The application was in respect of the provision of Live Music, Recorded Music (indoors and outdoors) and the Sale/Supply of Alcohol on the premises.

Relevant Representations were received from the Licensing Authority, Environmental Health, West Midlands Police and 39 Other Persons. The Applicant, who was represented by Mr. Christopher Way and Ms. Tanya Willetts, and all those who submitted representations were invited to attend the hearing of the Statutory Licensing Sub-Committee on Tuesday 14 November 2023.

Having regard to the Licensing Objectives and for the reasons set out above, the Statutory Licensing Sub-Committee resolved to grant the application subject to

- a) the conditions consistent with the operating schedule accompanying the application and modified to such extent as by the Responsible Authorities.
- b) mandatory conditions under sections 19, 20 or 21

An appeal may be made to the Black Country Magistrates' Court against this 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 - 21 December 2023

## Attendance

### Members of the Statutory Licensing Sub-Committee

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

### Applicant

Mr Ravi Chopra  
Tracey Dayanik  
Sonia Gill

Premises Licence Holder  
Local Resident  
Local Resident

### Responsible Authorities

Kayley Nixon

West Midlands Police

### Employees

Debra Craner  
Ronald Sempebwa  
Jacob Stokes

Section Leader – Licensing and Compliance  
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 - Temporary Event Notice in respect of Canalside,  
Castlecroft Lane, Wolverhampton, WV3 8JU**

An Objection Notice for a Temporary Event Notice in respect of Canalside, Castlecroft Lane, Wolverhampton, WV3 8JU 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 and Compliance, provided an outline of the report. She advised the Sub-Committee that West Midlands Police had submitted supporting information and that this was included in the Supplementary Agenda Pack.

The Chair invited the Applicant to present their application. Mr Ravi Chopra, Premises Licence Holder, did so as per Appendix 1 of the report. He stated that he was happy for West Midlands Police to view the premises' CCTV and was trying his hardest to keep his neighbours happy.

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

Tracey Dayanik, a neighbour in support of the premises, stated that the Premises Licence Holder had established a committee for residents to express their concerns and that the premises was a family establishment. She stated that she had never heard noise emanating from the premises.

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

The Chair invited West Midlands Police to present their Objection Notice. Kayley Nixon, West Midlands Police, presented the grounds for the Objection Notice, as per Appendix 3 and the Supplementary Agenda Pack.

She stated that West Midlands Police were seeking an Objection Notice as CCTV footage obtained from the premises had shown that a number of breaches had occurred. She stated that the Premises Licence Holder had failed to uphold the Licensing Objectives.

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

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

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

Mr Chopra made a final statement.

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 11.05 hours.

The Hearing reconvened at 11.53 hours.

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

The decision was read out in full by the Solicitor, who stated that the Decision Notice would be sent out to all parties in writing within five working days.

Resolved:

Having had regard to the Objection Notice served in accordance with Section 104 of the Licensing Act 2003, as amended, the Statutory Licensing Sub-Committee are satisfied that a counter-notice should be issued in accordance with Section 105(2)(b) & (3) of the Licensing Act 2003 as it is considered appropriate for the promotion of the Licensing Objectives, namely the Prevention of Crime and Disorder and Protection of Children from Harm.

**AND NOTICE** is given that the reasons for this decision are as follows:

West Midlands Police raised formal representations in relation to the Late TEN application relating to Canalside, Castlecroft Lane, Wolverhampton, WV3 8JU. The application was to temporarily permit the following licensable activities on 31.12.2023 to 01.01.2024 for the sale of alcohol on the premises, provisions of regulated entertainment and late-night refreshments.

West Midlands Police were aware of breaches of the Premises Licence Conditions at Canalside and believe there is significant risk to undermine the following Licensing Objectives, if this late TEN was granted.

*Protection of Children from Harm*

CCTV footage received from the premises following an event on 4 November 2023 showed evidence of a child in the premises after 21:00 hours, which is in breach of

the Premises Licence Conditions. No evidence was provided at the hearing to support the assertions made by the Premises Licence Holder for this.

*Prevention of Crime & Disorder*

a) Further, the CCTV was only made available after three visits from the Licensing Authority, in breach of the Licensing Conditions. The Premises Licence Holder is required to ensure it is made available without undue delay to the Police or any other Responsible Authority.

b) Once viewed, the CCTV had clearly been edited (only showing footage from 22:58-23:10 hours and the from midnight). This raised concerns about what had been removed. The premises are required to have a properly calibrated CCTV system in place.

c) There was a failure to notify West Midlands Police within 7 days of the pre-booked event on 4 November 2023, in breach of the Premises Licence Conditions.

## Attendance

### Members of the Statutory Licensing Sub-Committee

Cllr Zee Russell (Chair)

Cllr Rashpal Kaur

Cllr Jonathan Crofts

### Applicant for Review – Licensing Authority

Amitabh Singh

Section Leader – Licensing

### Premises Licence Holder

Mr Yuvraj Dada

Ms Kulwant Kaur

Agent

### Responsible Authorities

Michelle Marie-Smith

Kayley Nixon

Public Health

West Midlands Police

### Employees

Anita Chonk

Ronald Sempebwa

Jacob Stokes

Senior Licensing and 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 Billa Mini Market, 90 Upper Villiers Street, Wolverhampton, WV2 4NX**

An application for a review of a Premises Licence in respect of Billa Mini Market, 90 Upper Villiers Street, Wolverhampton, WV2 4NX had been received from the Licensing Authority in its capacity 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.

Anita Chonk, Senior Licensing and Compliance Officer, provided an outline of the report. She stated that the original hearing, scheduled on 14 December 2023, had been adjourned after a request was received from the Premises Licence Holder's representative.

Amitabh Singh, Section Leader – Licensing, confirmed that the summary was accurate.

The Chair invited the Licensing Authority to present their application. The Section Leader – Licensing, did so as per Appendix 3 of the report. He stated the following:

1.     On 2 May 2023, during a routine compliance inspection of the premises, neither the Premises Licence Holder or Designated Premises Supervisor were present, and several breaches of the licence conditions were noted.
2.     On 1 June 2023, a further visit was conducted, and several breaches of the licence conditions were still outstanding.
3.     On 6 June 2023, a visit confirmed that there were no longer single cans and bottles of alcohol with an ABV of 6.5 or over for sale.
4.     On 7 June 2023, the Premises Licence Holder submitted an application for a Variation of a Premises Licence to extend the licensable activity for the supply of alcohol off the premises and to amend the operating schedule to allow the sale of single cans and bottles of alcohol over 6.5 ABV. This application was withdrawn on 1 August 2023.
5.     On 14 July 2023, during a telephone conversation, it became apparent that the Designated Premises Supervisor was not involved with the premises.



6. The Premises Licence Holder was advised to submit an application to vary the Designated Premises Supervisor to reflect the day-to-day management of the premises.
7. On 10 August 2023, a Licensing and Compliance Officer entered the premises at approximately 8:20am and was able to purchase alcohol, in breach of the premises' licensable hours to trade from 09:00 to 22:45 hours, Monday to Sunday.
8. On 16 August 2023, a visit to the premises found several breaches of licence conditions remained outstanding from the visit on 1 June 2023.
9. No application to vary the Designated Premises Supervisor had been received from the Premises Licence Holder.
10. The Licensing Authority requested that the Licensing Sub-Committee consider removing the current Designated Premises Supervisor and suspending the Premises Licence for three months, or until all licence conditions had been satisfactorily complied with.
11. The Licensing Sub-Committee may instead conclude that there would be no alternative but to revoke the Premises Licence.

The Chair invited all parties present the opportunity to question the Applicant in relation to their submission. The Section Leader – Licensing responded to questions asked.

The Chair invited the Premises Licence Holder to make representations. Mr Yuvraj Dada, the Agent acting on behalf of the Premises Licence Holder, did so. He stated that:

1. This matter had had a negative impact on the mental health of the Premises Licence Holder, and she had therefore made the decision to sell the premises.
2. It was acknowledged that the Premises Licence Holder had been slow to react.
3. The premises had been sold, and the premises was in the process of being transferred to its new owners.
4. His client did not wish to continue operating the premises.
5. His client apologised for the breaches and the decision they had made to cease operating the premises was not one that had been taken lightly.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder's Agent in relation to his submission. Mr Dada responded to questions asked. It was confirmed that breaches relating to training and Challenge 25 had been rectified.

The Chair invited West Midlands Police to make representations. Kayley Nixon did so as per Appendix 5 of the report. She stated the following:

1. West Midlands Police were fully in support of the application for review.
2. The Premises Licence conditions were proportionate, and the Premises Licence Holder had been given adequate time to rectify any breaches.
3. The lack of training at the premises was concerning.
4. Alcohol had been sold outside of the designated hours.
5. West Midlands Police supported the removal of the Designated Premises Supervisor and the suspension of the Premises Licence.

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

Following a question from the Premises Licence Holder's Agent, it was confirmed that the hearing was in the public domain and was being webcasted on the Council's internet site.

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 were fully in support of the application for review.
2. The evidence presented was concerning.
3. It was clear that staff had not been trained adequately.
4. Super strength alcohol sales were most commonly associated with street and dependent drinking. Researchers had identified problems caused by street drinkers such as low-level crime and antisocial behaviour.
5. Conditions limiting the sale of super strength alcohol were considered proportionate and disregard for these undermined the actions of the Local Authority to reduce levels of harm.
6. Wolverhampton was a regional and national outlier for alcohol-related harm.
7. Premises Licence Holders should always act responsibly and promote the Licensing Objectives; it was the view of Public Health that any Licensee who didn't should have their Licence revoked.

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

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

There were no final statements made.

Ronald Sempebwa, Solicitor, provided legal guidance to Members and reminded them of their available options. He emphasised that the Sub-Committee would be considering the current circumstances of the premises as no transfer of ownership had been completed.

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

The Sub-Committee adjourned at 11.10 hours.

The Hearing reconvened at 12.00 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 five working days.

Resolved:

An application was received from the Licensing Authority on 25 October 2023 for a review of a premises licence in respect of Billa Mini Market, 90 Upper Villiers Street, Wolverhampton, WV2 4NX.

Relevant representations were received from the Public Health Authority and West Midlands Police. The Applicant and all those who submitted representations were invited to attend the hearing of the Statutory Licensing Sub-Committee on Wednesday 17 January 2024.

The Statutory Licensing Sub-Committee were concerned with the breaches outlined at the hearing. Whilst there was a transfer of the premises taking place, the Sub-Committee's primary responsibility was to ensure that the Licensing Objectives were promoted. Given the evidence, this could only be achieved by revocation of the premises licence.

An appeal may be made to the Black Country Magistrates' Court against this 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.

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## Attendance

### Members of the Statutory Licensing Sub-Committee

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

### Applicant for Review – Trading Standards

Dianne Slack Tobacco Control Officer  
Gurdip Gill District Officer

### Premises Licence Holder

Sonia Kaur  
Geoff Dixon Agent

### Responsible Authorities

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

### Employees

Debra Craner Section Leader  
Ronald Sempebwa 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 made.

**3        Licensing Act 2003 - Application for a Review of a Premises Licence in respect of Saver Express, 19 Finchfield Road West, Wolverhampton, WV3 8AY**

An application for a review of a Premises Licence in respect of Saver Express, 19 Finchfield Road West, Wolverhampton, WV3 8AY 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

Debra Craner, Section Leader Licensing, 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 of the report and the Supplementary Agenda pack.

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, did so. He stated the following:

1. His client and her husband, Mr Singh, had held three premises licences over the last 13 years and had never had any issues before.
2. His client was horrified at what had happened and acknowledged the severity of it.
3. The member of staff who made the sale had undergone training but made a mistake and would be retrained.
4. Since the incident his client had done a refresher course and would be returning to work at the store following a period of absence. Her husband, Mr Singh would also undertake the refresher training.

5. His client was unaware that the vapes were illegal and had not tried to conceal them.
6. His client had addressed the other issues raised during the visit from Trading Standards and the licence was now properly displayed.
7. A suspension of the licence to enable robust training would be the appropriate and proportionate action.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder in relation to their submission. Mr Geoff Dixon and Mrs Sonia Kaur responded to questions asked.

The Chair invited West Midlands Police to make representations. Kayley Nixon did so as per Appendix 6 of the report. She stated that West Midlands Police fully supported the application for review and agreed that the licence should be revoked or suspended to allow the delivery of training.

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 5 of the report. He stated that Public Health supported the application for review and recommended that the licence be revoked.

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

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 the Licensing Authority fully supported the application for review and believed that the actions at the premises had undermined the Licensing Objectives. He agreed that the licence should be revoked or suspended to allow the delivery of training.

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 Geoff Dixon made a final statement.

Ronald Sempebwa, Licensing 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 Hearing adjourned at 14.10 hours.

The Hearing reconvened at 15.06 hours.

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

Ronald Sempebwa, Licensing Solicitor, circulated a paper copy of proposed conditions that the Sub-Committee wanted adding to the licence. The Premises Holder and her Agent accepted the conditions and agreed to notify Licensing Services when the training had been carried out.

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 received on 1 December 2023 from Trading Standards to review the premises licence in respect of Saver Express, 19 Finchfield Road West, Wolverhampton, WV3 8AY. The review was brought in support of the Prevention of Crime and Disorder and the Protection of Children from Harm Licensing Objectives.

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

The Statutory Licensing Sub-Committee considered all written evidence and listened carefully to all representations made. They heard from the Applicant, Premises Licence Holder ('PLH') and their Agent, Licensing Authority, West Midlands Police and Public Health Authorities.

The Statutory Licensing Sub-Committee 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 was very concerned with the underage sales as well as other breaches of licensing conditions which have been set out by the applicant.

Considering all the evidence it had heard, and the circumstances outlined by the applicant, a period of suspension of the Premises Licence of 3 months is appropriate to note the gravity of the situation during which time the PLH, DPS and all other staff to undertake the training outlined by their agent.

Further, and in view of the current inappropriate conditions, the Premises Licence conditions be modified, and the proposed conditions which were agreed by the PLH be uploaded onto the licence schedule.

An appeal may be made to Wolverhampton 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.



## Attendance

### Members of the Statutory Licensing Sub-Committee

Councillor Zee Russell  
Councillor Rashpal Kaur  
Councillor Gillian Wildman

### Applicant for Review – Trading Standards

Stefan Polatajko                                      Senior Trading Standards Officer

### Premises Licence Holder and Applicant to Transfer / Vary DPS

Andrea Forrest                                      Solicitor  
Sahib Singh Chawla                                Premises Licence Holder's Son

### Previous Premises Licence Holder

Sukhwinder Singh

### Responsible Authorities

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

### Employees

Debra Craner                                        Section Leader  
Ronald Sempebwa                                 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 made.

**3        Licensing Act 2003 - Applications in respect of Family Shopper, 289 Wood End Road, Wednesfield, Wolverhampton, WV11 1YQ**

Applications in respect of Family Shopper, 289 Wood End Road, Wednesfield, Wolverhampton, WV11 1YQ had been received by the City of Wolverhampton Council.

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

The Sub-Committee's statutory duty was to consider the applications 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.

Andrea Forrest, Solicitor for the Premises Licence Holder, Mr Manmeet Chawla, requested a short adjournment so she could speak with the previous Premises Licence Holder, who was in attendance, privately.

The request was granted and all parties, with the exception of the Solicitor and the Democratic Services Officer, withdrew from the meeting.

The Hearing adjourned at 10.42 hours.

The Hearing reconvened at 10.47 hours.

All parties returned to the meeting.

Debra Craner, Section Leader Licensing, provided an outline of the report which had been circulated to all parties in advance of the meeting.

Stefan Polatajko, Senior Officer for Trading Standards, and Andrea Forrest, Solicitor for the Premises Licence Holder, confirmed that the summary was accurate.

**Application to Transfer the Premises Licence**

The Chair invited Andrea Forrest, Solicitor for the Premises Licence Holder, to present the application to Transfer the premises licence.

Ms Forrest did so as per Appendix 3 of the report and supplementary evidence bundle. She stated the following:

- She had been instructed by her client in December but had been extremely busy.
- Her client did not know that the vapes were illegal and had surrendered them immediately. They were on display and not hidden.
- It was confusing for retailers to know what vapes were legal and her client had made an honest mistake.
- The vapes were purchased from a cash and carry, and private seller.
- The illicit cigarettes found at the premises belonged to someone else and there was written evidence to support that.
- Her client had a gold standard for cigarettes.
- There must be exceptional circumstances to object to a transfer application.
- The licence was for the sale of alcohol and there were no alcohol issues at the premises.
- If the transfer application was granted, the DPS would be varied to a more suitable person as her client was ill.
- Due diligence was now in place at the premises.

The Chair afforded all relevant parties the opportunity to question the Applicant in relation to their submission. Andrea Forrest and Mr Sahib Singh Chawla, the Premises Licence Holder's son, responded to questions asked.

They stated the following:

- Moving forward, vapes would not be bought from private sellers.
- The illicit cigarettes belonged to a member of staff.
- Her client would return to the premises when he was better and would undertake further training.
- An online application to transfer the licence over to her client had been made in June 2022 but had not been processed correctly.

The Chair invited West Midlands Police to make their representations. Kayley Nixon did so as per Appendix 4 of the report. She stated that West Midlands Police sought the Licensing Sub-Committee to make a decision on the matter.

The Chair afforded all relevant parties 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.

### **Application for a Review of the Premises Licence**

Additional information had been submitted by Andrea Forrest, Solicitor for the Premises Licence Holder, on Sunday 28 January 2024. As there had been insufficient time for all parties to consider the late submission the Chair instructed that the Hearing be adjourned for a short time to allow for this.

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

The Hearing adjourned at 11.28 hours.

The Hearing reconvened at 11.47 hours.

All parties were invited back to the meeting.

The Chair invited Trading Standards to present their application to Review the Premises Licence. Stefan Polatajko, Senior Officer for Trading Standards, did so as per Appendix 5 of the report. He requested that the licence be suspended for 3 months and for training to be undertaken by all staff.

The Chair afforded all parties present the opportunity to question the Applicant in relation to his submission. Stefan Polatajko, Senior Officer for Trading Standards, provided responses to questions asked.

The Chair invited the Premises Licence Holder to make representations. Ms Andrea Forrest, Solicitor for the Premises Licence Holder, did so as per the supplementary evidence bundle. She stated the following:

- Revocation of the licence was not proportionate and would not achieve anything.
- Staff training, robust policies and appropriate conditions would be implemented.
- She would assist with the staff training, and the proposed conditions would strengthen the licence.
- Her client had made a genuine mistake with the vapes, and the cigarettes belonged to someone else.
- Her client was a charitable man and the whole community supported him.
- There were no issues regarding alcohol at the premises.
- Trading Standards called the review after one incident and did not offer any support or mediation.
- Her client tried to transfer the licence into his name in June 2022, but it hadn't been processed correctly.
- It was confusing for retailers to know what vapes were legal and there was little to no training available.
- Her client took full responsibility for the mistakes and welcomed further training.
- Revocation and suspension were not proportionate.

The Chair afforded all parties present the opportunity to question the Premises Licence Holder in relation to their submission. Ms Andrea Forrest and Mr Sahib Singh Chawla, the Premises Licence Holder's son, responded to questions asked.

The Chair invited West Midlands Police to make representations. Kayley Nixon did so as per Appendix 6 of the report. She stated that West Midlands Police supported the review application and requested that enforceable conditions be added to the licence.

The Chair invited all parties present to question West Midlands Police in relation to its submission. Kayley Nixon responded to questions asked and confirmed that she was happy with the conditions proposed by the premises.

The Chair invited Public Health to make representations. Ryan Hollings, Senior Public Health Specialist, did so as per Appendix 7 of the report. He stated that Public Health fully supported the application for review and recommended that the licence either be suspended to allow for robust training and conditions, or revoked.

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 8 of the report. He stated that the Licensing Authority fully supported the application for review and requested that the licence be suspended for 3 months whilst appropriate conditions, policies and further training were implemented.

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

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

Ms Andrea Forrest made a final statement, highlighting that the police, who were the leading authority on crime and disorder, were happy with the proposed conditions.

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 Hearing adjourned at 12.48 hours.

The Hearing reconvened at 14.02 hours.

All parties returned to the meeting.

### **Application to Vary the Designated Premises Supervisor.**

The Chair invited Andrea Forrest, Solicitor for the Premises Licence Holder, to present the application to Vary the Designated Premises Supervisor (DPS).

Ms Forrest did so as per Appendix 24 of the report and supplementary evidence bundle. She stated the following:

- There must be exceptional circumstances to object to a vary DPS application.
- The Police objection was based on the review application.
- There had been successful test purchases at the premises.
- The Police were happy with the proposed conditions.
- Everything was now in place to ensure the Licensing Objectives were upheld.
- The DPS would be fully refresher trained.
- It was difficult for retailers to find information on vapes and her client had made an honest mistake.
- Her client was a charitable man and the whole community supported him.

The Chair afforded all relevant parties the opportunity to question the Applicant in relation to their submission. Andrea Forrest responded to questions asked.

The Chair invited West Midlands Police to make their representations. Kayley Nixon did so as per Appendix 25 of the report. She stated that West Midlands Police sought the Licensing Sub-Committee to make a decision on the matter taking into account what had been said during the Review Application.

The Chair afforded all relevant parties the opportunity to question West Midlands Police in relation to its submission. Kayley Nixon responded to questions asked and confirmed that she now had more confidence in the applicant running the shop after everything she had heard during the hearing.

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

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 Hearing adjourned at 14.13 hours.

The Hearing reconvened at 16.10 hours.

All parties returned to the meeting.

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

Resolved:

Applications in respect of Family Shopper, 289 Wood End Road, Wednesfield, Wolverhampton, WV11 1YQ had been received by the City of Wolverhampton Council.

Relevant Representations were received from the Public Health Authority, West Midlands Police and Licensing Authority.

The Statutory Licensing Sub-Committee heard from the legal representative of the new Premises Licence Holder ('PLH') and Designated Premises Supervisor ('DPS'), Trading Standards, West Midlands Police, the Licensing Authority and Public Health.

The Statutory Licensing Sub-Committee considered the evidence presented and had regard to the applications, representations made, Guidance issued under section 182 of the Licensing Act 2003 and the Council's own licensing policy.

Very careful consideration had been given to the questions and answers in the hearing between the Applicant and West Midlands Police. Having considered these carefully the Statutory Licensing Sub-Committee took the view that the objections initially made by West Midlands Police fell away. Accordingly, in so far as the applications to Transfer the Premises Licence and Vary the DPS were concerned, no decision was required in light of the concessions made in the hearing.

The Statutory Licensing Sub-Committee then turned to the Review application to be considered on its own.

It noted the statutory framework and paragraph 11.21 of the Guidance which provides that *'licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual'*.

The Statutory Licensing Sub-Committee had been concerned about the evidence that came out during the hearing with regards to Mr Manmeet Chawla's day to day role, responsibility, and management. As his legal representative had observed, he was not up to speed with the due diligence, knowledge and training and it was therefore not clear how he would be able to promote the licencing objectives in those circumstances.

The Statutory Licensing Sub-Committee therefore determined to:

1. Modify the conditions of the licence to include and upload onto the premises schedule the Proposed Conditions dated 26 January 2024 within the supplementary evidence bundle.
2. Remove the Designated Premises Supervisor.

An appeal may be made to Wolverhampton 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.

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Statutory Licensing Sub-Committee  
Minutes - 12 February 2024

## Attendance

### Members of the Statutory Licensing Sub-Committee

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

### Premises Licence Applicant

Mr Simon Voysey	Agent
Mr Rashid Hussain	Applicant
Ms Nazia Khanum	Applicant's Business Partner

### Responsible Authorities

Amitabh Singh	Licensing Authority
Kayley Nixon	West Midlands Police
Ellina Bawa	Public Health

### Employees

Debra Craner	Section Leader – Licensing and Compliance
Joshua Queensborough	Licensing and Compliance Officer
Ronald Sempebwa	Solicitor
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            Licensing Act 2003 - Application for a Premises Licence in respect of One Stop, 174 Stafford Street, Wolverhampton, WV1 1NA**

An application for a Premises Licence in respect of One Stop, 174 Stafford Street, Wolverhampton, WV1 1NA was considered following representations received from the Licensing Authority, West Midlands Police and Public Health.

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.

Joshua Queensborough, Licensing and Compliance Officer, provided an outline of the application. Mr Simon Voysey, Agent for the Applicant, confirmed that the summary was accurate.

The Chair invited the Applicant to present the application. Mr Voysey did so, as per Appendix 1 of the report and the information contained within the Supplementary Agenda Pack. He stated the following:

1.     The Applicant had full regard for the Licensing Objectives, the Council's Statement of Licensing Policy, Home Office guidance, the Licensing Act 2003 and all representations received when making his application.
2.     The Applicant had spent tens of thousands renovating the derelict property to a very high standard.
3.     The Premises was not inside the Cumulative Impact Zone (CIZ).
4.     Due to the Premises' proximity to the CIZ, the Applicant was willing to introduce robust conditions in order to satisfy the concerns of the Responsible Authorities.
5.     The Applicant had made a great deal of concessions and introduced voluntary conditions in order to satisfy the concerns of the Responsible Authorities and had implemented the recommendations suggested by individual Responsible Authorities.
6.     The Premises was being prejudged on things that had not yet happened, and there was no evidence to suggest issues such as pre-loading would be a cause for concern at the Premises.

7. The Premises had a robust operating schedule that would ensure that the Licensing Objectives were upheld.
8. The Premises had contributed significantly to the local economy and was an asset to the community.
9. The Applicant's other business – a convenience store – was run with the upmost regard to the Licensing Objectives and had never had any issues.
10. The Premises Licence should be granted with the robust conditions attached.
11. The Applicant was willing to mediate further with the Responsible Authorities or have further conditions attached to the Licence, if granted.

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

1. A comprehensive staff training pack had been provided to the Applicant, and Licence Leader Ltd had committed to delivering training at the Premises every six months.
2. After mediation and being made aware that the premises was in a Special Consideration Area, the licensable hours suggested by the Applicant were 09:00 – 22:30 hours.
3. Alcohol would be secured at the premises after the end of licensable hours.
4. The Applicant's Right to Work Application was currently with the Home Office, but there was a backlog.
5. The Applicant's business partner, Nazia Khanum, held a personal licence and could be named as a Designated Premises Supervisor (DPS) if the Applicant's Right to Work had not been resolved upon the granting of a Premises Licence.
6. There would be a DPS on site nearly all the time, and two people working on most nights and all matchdays.
7. The Applicant had a good understanding of the Licensing Objectives and was confident he could uphold them at the Premises.
8. The Premises had been open for a few months, so the Applicant had a good understanding of the footfall in the area where it was situated.

Responding to questions, Mr Rashid Hussain, Applicant, confirmed the other businesses he owned and that these did not sell alcohol.

Debra Craner, Section Leader – Licensing and Compliance, confirmed that the Home Office had received the Right to Work application, that there was a backlog and that the application had been received before the Applicant's existing Right to Work had expired, meaning that he could continue to work.

The Chair invited the Licensing Authority to make representations. Amitabh Singh, Licensing Section Leader, did so as per Appendix 3 of the report. He stated the following:

1. Mediation had been unsuccessful due to the Premises' proximity to the CIZ, and its location in a Special Consideration Area.
2. The Applicant's Agent had confirmed that the hours of operation had not been finalised.
3. This Application was subject to the Matrix Approach, as outlined in the Council's Statement of Licensing Policy.
4. The Premises was located on a main entry road to the city.

5. There was a complete street-drinking ban in St Peters and Park Wards as these were hotspot areas, considered high risk for street drinking.
6. Preloading was a significant problem in Wolverhampton as it was linked to problems of drunkenness, disorderly behaviour and increased alcohol sales to children and other vulnerable people.
7. Due to the proposed licensable hours and the location of the premises, the Licensing Authority felt it appropriate for the Licensing Sub-Committee to determine the outcome of the Application and attach conditions as they saw fit.

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.

The Chair invited West Midlands Police to make representations. Kayley Nixon did so, as per Appendix 4 of the report. She stated the following:

1. The Premises was located in a Special Consideration Area.
2. The Application, as it stood, was not supported by West Midlands Police.
3. The Applicant had documented a number of conditions but had failed to outline how their business would reduce the impact on the CIZ.
4. Due to its location, any detrimental effects of the premises would directly impact the CIZ.
5. West Midlands Police believed that the hours requested would have a negative effect on the CIZ.
6. Due to the premises location, it would be very easy for street drinkers to buy alcohol and congregate in the CIZ.
7. There were a number of bars close to the premises and West Midlands Police was concerned that a late terminal time would allow many patrons to continue buying alcohol and consume it in the street.
8. There would be increased opportunities for violent crime and disorder.
9. West Midlands Police did not support a terminal time of 22:30 and, if granted, would request an earlier terminal time of between 21:00 and 22:00, with the premises' closing time also coinciding with this.

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. Ellina Bawa, Health Improvement Officer, did so as per Appendix 6 of the report. She stated the following:

1. Following discussions with the Applicant's Agent, several conditions had been agreed.
2. The Applicant had agreed to all conditions except timings and had suggested 09:00 – 22:30.
3. Public Health had collaborated with other Responsible Authorities and significant concerns had been raised, especially regarding the premises' proximity to the CIZ.
4. The licensable hours requested could potentially exacerbate levels of harm, and the risk of preloading.
5. Many similar businesses closed much earlier than the hours requested.

6. Data indicated that Wolverhampton experienced a disproportionate levels of alcohol related harm and hospital admissions compared to regional and national averages.
7. There was already a significant concentration of premises licences for off-sales in the St Peters Ward.

The Health Improvement Officer stated that a number of conditions should be adhered to if the Premises Licence was granted. These were read out for the Sub-Committee.

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

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

Mr Voysey made a final statement.

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

The Sub-Committee adjourned at 11.35 hours.

The Hearing reconvened at 12.59 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 Solicitor.

Resolved:

The Statutory Licensing Sub-Committee considered the evidence presented and had regard to the Application, representations made, guidance issued under section 182 of the Licensing Act 2003 and the Policy.

The Policy provided that where an application fell within a Special Consideration Area, as this one did, there should be more careful consideration to the potential impact that its proximity has against the already recognised problem zone i.e. the Cumulative Impact Zone. Again, consideration would be given to the type of premises the Application refers to.

This was an Application for an off-licence within a Special Consideration Area where the Policy provided that it would be unlikely to succeed where relevant representations had been made.

The Council's "matrix" approach to licensing decisions provided a framework of what the Licensing Authority would like to see within its area and gave an indication of the likelihood of success or otherwise to investors and businesses who made applications within this district. It was noted that the Applicant had invested in the proposed premises, but it was unclear whether he was aware of the Policy in advance of this investment and how it affected the proposed premises.

This matrix approach would only be implemented where there were relevant representations to the Application. The Statutory Licensing Sub-Committee has therefore implemented it in this case as a result of the representations from Public Health, West Midlands Police and the Licensing Authority.

The Statutory Licensing Sub-Committee recognised that neither the Policy nor the Matrix Approach were absolute. One Stop's application must be considered on its own merits. However, it was also clear that the onus was on the Applicant to demonstrate to the Statutory Licensing Sub-Committee that this application warranted departure from the Policy. The notes to the Matrix approach set out that departure from the Policy was expected only in exceptional circumstances, with a non-exhaustive list of exceptional circumstances.

On all the evidence in writing and at the hearing, the Statutory Licensing Sub-Committee was not satisfied that there were exceptional circumstances demonstrated to warrant a departure from the Policy.

Therefore, and in accordance with Section 18 of the Licensing Act 2003 the application was rejected.

An appeal may be made to the Black Country Magistrates' Court against this 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.