

Licensing Sub-Committee

17 November 2015

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

Venue Committee Room 2 - Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

Membership

Chair Cllr Alan Bolshaw (Lab)

Labour

Cllr Keith Inston

Conservative

Cllr Patricia Patten

Quorum for this meeting is two Councillors.

Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

Contact Linda Banbury, Democratic Support Officer
Tel/Email Tel: 01902 555040 Email: linda.banbury@wolverhampton.gov.uk
Address Democratic Support, Civic Centre, 2nd floor, St Peter's Square,
Wolverhampton WV1 1RL

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Website www.wolverhampton.moderngov.co.uk1
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Tel 01902 555043

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

Agenda

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|--|
| 1 | Apologies for absence |
| 2 | Declarations of interest |
| 3 | Licensing Act 2003 - Application for a premises licence in respect of the Bilston Post Office, 4 -6 Hall Street, Bilston (10 am) (Pages 5 - 36)
[To consider the application] |
| 4 | Exclusion of press and public
To pass the following resolution:
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 item of business as it involves the likely disclosure of exempt information falling within paragraph 3 of schedule 12A to the act relating to the business affairs of particular persons. |

PART II - PRESS AND PUBLIC EXCLUDED

- | | |
|---|---|
| 5 | Deliberations and decision |
| 6 | Re-admission of press and public |

PART I - ITEMS OPEN TO THE PRESS AND PUBLIC

- | | |
|---|--|
| 7 | Announcement of decision |
| 8 | Licensing Act 2003 - Application for a premises licence in respect of Ashmore Park Co-operative Store, Griffiths Drive (1 pm) (Pages 37 - 56)
[To consider the application] |
| 9 | Exclusion of press and public
To pass the following resolution:
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 item of business as it involves the likely disclosure of exempt information falling within paragraph 3 of schedule 12A to the act relating to the business affairs of particular persons. |

PART II - PRESS AND PUBLIC EXCLUDED

- | | |
|----|---|
| 10 | Deliberations and decision |
| 11 | Re-admission of press and public |

PART I - ITEMS OPEN TO THE PRESS AND PUBLIC

12 **Announcement of decision**

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Licensing Sub-Committee

17 November 2015

Report Title

Licensing Act 2003 – Application for a Premises Licence in respect of Bilston Post Office, 4-6 Hall Street, Wolverhampton WV14 0AB

Classification

Public

Wards Affected

Bilston

Accountable Strategic Director

Tim Johnson, Education and Enterprise

Originating service

Licensing Services

Accountable employee(s)

Rob Edge

Section Leader (Licensing Services)

Tel

01902 55(0106)

Email

rob.edge@wolverhampton.gov.uk

Recommendation for action or decision:

The Licensing Sub-Committee is requested to consider this application for a new premises licence within the Bilston Cumulative Impact Zone.

1.0 Purpose of Report

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

2.0 Background

2.1 An application has been received on 9 July 2015 from Mr M Pearce, TLTC Ltd, for premises licence in respect of Bilston Post Office, 4-6 Hall Street, Wolverhampton WV14 0AB and a copy of the application is attached at Appendix 1

2.2 The premises are in Bilston ward and a location plan is attached at Appendix 2.

2.3 The application is in respect of regulated entertainment, and the sale/supply of alcohol on the premises, the precise detail of what has been applied for can be found within the operating schedule of the application of the application.

2.6 The Bilston post office is situated within the Cumulative Impact Zone. A copy of the policy and area which it covers is attached at Appendix 3.

2.7 The following responsible authorities have been consulted on this application:

- Licensing Authority
- West Midlands Fire Service
- Planning
- Trading Standards
- Social Services
- Local Health Board
- Environmental Health (Commercial)
- West Midlands Police

2.8 The following have all made relevant representations and are objecting to the grant of this application citing the Cumulative Impact Policy and the licensing objectives:

- Licensing Authority
- West Midlands Police

Copies of their representations are attached at Appendices 4 and 5

2.9 The applicant, and all those who have made representations have been invited to attend the hearing.

3.0 Policy Implications

3.1 On 3 April 2015 the Statement of Licensing Policy was revised to give effect to the Cumulative Impact Policy (CIP) in four new areas of the City. This decision supported the view that the number, type and density of premises selling alcohol for consumption and/or Late Night Refreshment in areas within Wolverhampton City was causing problems of nuisance and disorder and therefore causing an adverse impact on the

licensing objectives of prevention of crime and disorder and prevention of public nuisance.

- 3.2 The effect of this CIP is to create a **rebuttable** presumption that applications in respect of the sale or supply of alcohol and/or Late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates where the premises are situated in the City Centre Cumulative Impact Zone will be refused.
- 3.3 Essentially this means that applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. (This policy does not act as an absolute prohibition on granting new licences in the Cumulative Impact Zones).
- 3.4 The premises are situated at 4-6 Hall Street, Wolverhampton WV14 0AB, which is within the Cumulative Impact Zone.
- 3.5 To rebut the presumption, explained in 3.3 above, the applicant is expected to demonstrate through their operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced and not therefore have an adverse impact in the Licensing Objectives.
- 4.0 **Legal implications**
- 4.1 Part 4(1) of the Licensing Act 2003 states that a Licensing Authority must carry out its function under the Act with a view to promoting the Licensing Objectives, namely:-
- (a) The prevention of crime and disorder;
 - (b) Public safety;
 - (c) The prevention of public nuisance;
 - (d) The protection of children from harm.
- 4.2 The general duties imposed on Licensing Authorities means proper consideration must be given to the Licensing Objectives when determining a premises licence application.
- 4.3 Regard shall be had to guidance issued by the Secretary of State under Section 182 and Wolverhampton City Council's Licensing Policy Statement which includes a Cumulative Impact Policy.
- 4.4 Section 18 of the Licensing Act 2003 provides the Licensing Authority with the power to grant an application, subject to conditions, where appropriate
- 4.5 In order for the Cumulative Impact Policy to be relevant to this application the Sub-Committee

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

And where the Cumulative Impact Policy is deemed to apply:

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

4.6 If the Sub-Committee are satisfied sufficient evidence has been produced to show the premises will not add to the Cumulative Impact already being experienced, the application should not be refused based upon Cumulative Impact Policy. [JB/06112015/O]

5.0 Human Rights and Equalities Implications

5.1 This report has human rights implications for both the applicants and the residents from the local neighbourhood. Refusal of a licence may have financial implications for a licensee's business and livelihood whereas granting a licence may have impact upon the day to day lives of residents living in close proximity to the premises.

5.2 Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the Council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

5.3 The Public Sector Duty of the Equality Act 2010 also requires the Council to pay due regards (i.e. eliminate discrimination, harassment and victimisation; advance equality of opportunity and foster good relations), in any decisions it undertakes

6.0 Financial Implications

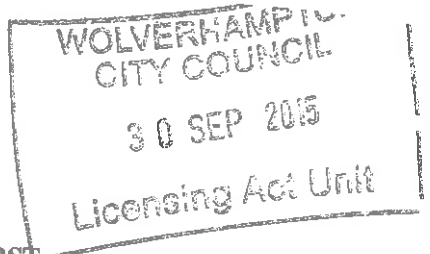
6.1 Councillors agreed fees and charges for this function on 21 January 2015; the fees are based on a cost recovery basis. The fee for this application is £190.00, and is non-refundable. [TK/09012015/H]

7.0 **Environmental Implications**

- 7.1 This report has environmental implications, in that there is a potential for disturbance caused by customers using the premises.

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L. Hartley
Office



Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

WE GB UPPAL LIMITED

(Insert name(s) of applicant)

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

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description		30/09/15	
The New Bilston Post Office, 4-6 Hall Street Bilston West Midlands		£ 100.00 <input checked="" type="checkbox"/> 100667 W/37005523 PS	
Post town	Bilston	Postcode	WV14 0AB

Telephone number at premises (if any)	None at present
Non-domestic rateable value of premises	£3,400 DC checked

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over			Please tick yes		
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	GB Uppal Limited
Address	47 Wood End Road Wednesfield West Midlands WV11 1NW
Registered number (where applicable)	9307762
Description of applicant (for example, partnership, company, unincorporated association etc.)	Limited Company
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	9	10 20 15

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
+	+	+

Please give a general description of the premises (please read guidance note 1)

The application is to licence a premises which will take over from the Post Office in Bilston when it closes in November 2015. The premises will provide new Post Office facilities for the residents of Bilston and surrounding areas. The premises are situated just off a busy main road served by local bus, taxis, and easy access to foot passengers. The premises also have car parks situated to the rear and sides of the premises. The premises have exterior roller shutters. The premises will undergo a major refurbishment by the applicant to reach the standards required by the Post Office. It is the applicants wish to sell general goods from the premises including alcohol.

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

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>		
				Outdoors <input type="checkbox"/>		
				Both <input type="checkbox"/>		
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed					State any seasonal variations for performing plays (please read guidance note 4)	
Thur						
Fri					Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7) The consumption of alcohol will be within the event field area, ‘the premise’.	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Mon	0900	1730			
Tue	0900	1730			
Wed	0900	1730			
Thur	0900	1730			
Fri	0900	1730			
Sat	0900	1730			
Sun	Closed	Closed			

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

Name Gurnam Singh Uppal	
Address 47 Wood End Road Wednesfield Wolverhampton West Midlands	
Postcode	WV11 1NW
Personal licence number (if known) TO BE ADVISED	
Issuing licensing authority (if known) Wolverhampton City Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	0900	1730	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Tue	0900	1730	
Wed	0900	1730	
Thur	0900	1730	
Fri	0900	1730	
Sat	0900	1730	
Sun	Closed	Closed	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

The applicant will apply all relevant and current legislation that promote the four licensing objectives and will establish staff awareness to the licensing objectives through a staff training manual, which will be repeated every 3 -6 months.

b) The prevention of crime and disorder

CCTV will be installed as per the plan, and retained for a minimum of 28 days, stored in accordance with the requirements of the information Commissioners, and produced to Police or authorised responsible authorities on demand. A staff training package will be used by all members of staff engaged in sales of alcohol, with an individual training record sheet for each such member of staff, which will be produced to the Police or authorised responsible authorities on demand. Persons, once identified by the police, for being involved in anti-social behaviour in the area, will not be served alcohol from the premises. Spirits will be stored behind the counter and beer and wines displayed will be in view of the counter and CCTV cameras at all times. Any persons identified by West Midlands Police as being involved in alcohol related anti- social behaviour or crimes will not be served at the premises

c) Public safety

The premises have two entrance doors to the front and the premises is of such a size that in the event of an outbreak of fire or other emergency, all persons would be able to leave the premises via the front doors without any anticipated problems. Fire Exits will be shown by the 'green running man' sign. Fire extinguishers will be in place with a fire evacuation plan in place for customers and staff to follow. Staff in the 'secure Post Office area and store room would have additional fire escape to the rear, with an evacuation point at the Town Hall.

d) The prevention of public nuisance

It is not anticipated that public nuisance will be an issue in respect of litter, noise, noxious smells, or bright lights. Signage will be displayed requesting customers to respect neighbouring properties privacy, and businesses. Any persons identified by West Midlands Police as being involved in alcohol related anti-social behaviour or crimes will not be served at the premises.

e) The protection of children from harm


A challenge 25 policy will be in place at the premises, supported by signage. In addition signage identifying the proxy sale offence will be displayed. A refusals book will be kept and used, and produced to Police and authorised responsible authorities on demand. A training package is on site and used by all non-personal licence holding staff with individual training records maintained for examination by Police or responsible authorities on demand. The training will be repeated every 3-6 months. The PASS approved identification scheme will be used and the only acceptable form of identification accepted will be a Passport, Photo Driving Licence or a PASS approved cards. This will again be supported by signage.

Checklist:**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. x
- I have enclosed the plan of the premises. x
- I have sent copies of this application and the plan to responsible authorities and others where applicable. x
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. x
- I understand that I must now advertise my application. x
- I understand that if I do not comply with the above requirements my application will be rejected. x

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 11).**If signing on behalf of the applicant, please state in what capacity.**

Signature	 Michael Pearce FBll.tp
Date	30 th September 2015
Capacity	Authorised Agent for the applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

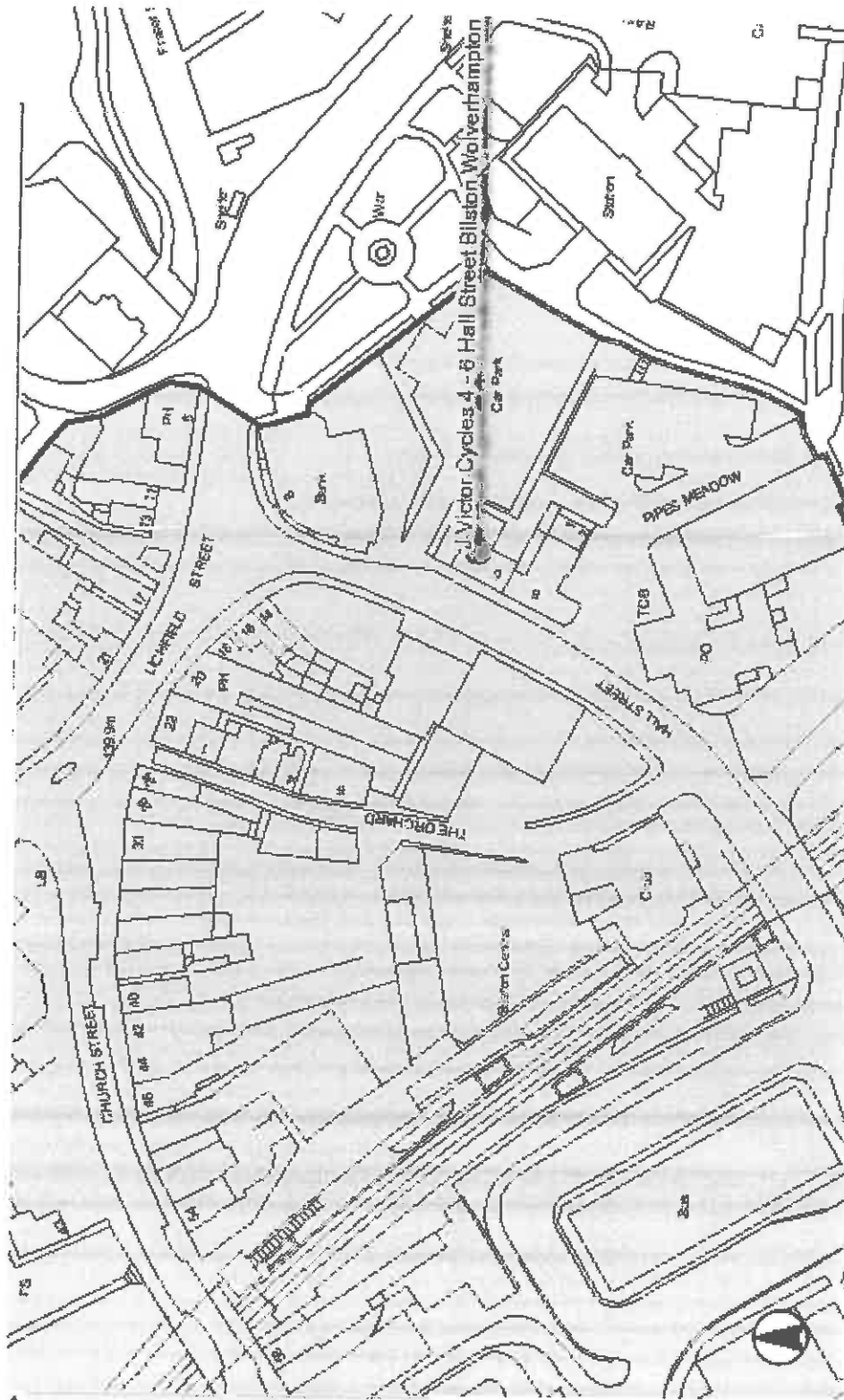
Michael Pearce FBll.tp
Michael Pearce TLTC Limited
West Midlands House
Gipsy lane, Willenhall
West Midlands

Post town	Willenhall	Postcode	WV13 2HA
Telephone number (if any)	07815 746123		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
michaelpearceftltd@live.co.uk			

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Bilston Post Office

Hall Street WV14 0AB



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Bilston Post Office, 4-6 Hall Street, Bilston, WV14 0AB - New Premises Application

Dear all,

West Midlands Police wish to make formal representations against this application under the prevention of crime and disorder licensing objective.

The basis for the objection is that the proposed site, sits within the Bilston Cumulative Impact Zone.

Kind Regards,

**PC 1080 Mitch Harvey
Partnerships & Licensing Officer
Wolverhampton Central Police station**

Donna Cope

From: Mitchell Harvey <m.harvey@west-midlands.pnn.police.uk>
Sent: 29 October 2015 08:09
To: Donna Cope
Cc: Elaine Moreton; Rob Edge; Licensing
Subject: New Bilston Post Office
Attachments: Bilston Post Office signed conditions..pdf

Dear all,

I have been in mediation with the agent for the applicant and have addressed an issue I identified with the CCTV requirement.

As such, please find attached an amended schedule in relation to the above premises.

Kind Regards,



PC 1080 Mitch Harvey
Partnerships & Licensing Officer
Wolverhampton Central Police station

DDI: 01902 649 085
External: 101 ext 871 3194
Email: wv_licensing@west-midlands.pnn.police.uk

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**The New Bilston Post Office, 4-6 Hall Street, Bilston,
WV14 0AB
OPERATING SCHEDULE**


**ADDITIONS/AMENDMENTS – SUPPLEMENT TO APPLICATION MADE
ON 30/09/2015.**

CURRENT WORDING ON APPLICATION:	SIGNATURE
CCTV will be installed as per the plan, and retained for a minimum of 28 days, stored in accordance with the requirements of the information Commissioners, and produced to Police or authorised responsible authorities on demand.	
TO BE REPLACED WITH:	SIGNATURE
CCTV will be installed as per the plan, and retained for a minimum of 31 days, stored in accordance with the requirements of the information Commissioners, and produced to Police or authorised responsible authorities on demand.	

I wish for the wording above to replace the wording in the application (Part M subsection (b) The prevention of crime and disorder) I submitted on 30th September 2015, with the remaining wording being the same as submitted.

APPLICANT'S SIGNATURE.....
(Or authorised person on behalf of Applicant)

PRINT NAME/POSITION.....
DATE.....


MICHAEL PEARCE - LICENSING AGENT.
25-10-2015

AUTHORISED OFFICER SIGNATURE (WMP).....

NAME/POSITION.....
DATE.....

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From: Elaine Moreton
Sent: 28 October 2015 12:54
To: Donna Cope
Subject: PRE1288 - The New Bilston Post Office, 4-6 Hall Street, Bilston, WV14 0AB - New Premises Application

I write on behalf of the Licensing Authority to make formal representations to the above application for a new premises licence due to the fact the premises in situated in the Bilston Community Impact Zone. There is a rebuttable presumption that applications will be refused unless the applicant can demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives.

I am currently in mediation with the applicant in order to clarify specific areas within the operating schedule prior to the application being presented to the Licensing Sub-Committee for determination. I will forward mediation document to you prior to the committee hearing

Regards

Elaine Moreton
Section Leader
Tel. Office: 01902 555033

E-mail: Elaine.Moreton@wolverhampton.gov.uk
City of Wolverhampton Council

FILE NOTE

From Elaine Moreton
Section Leader, Licensing

To Premises Licence Application File

cc. Rob Edge – Section Leader, Licensing

Tel. No/Ext: 5033

PRE 1288

Date: 27 October 2015

Mediation Outcome

New Bilston Post Office, 4-6 Hall Street, Bilston WV14 0AB

Following a telephone conversation on 27 October 2015 to discuss the Licensing Authority representations in its capacity as a Responsible Authority the amendments/conditions detailed below have been agreed between the authority and the applicant, who have stated they are willing to modify their operating schedule accordingly:

- DPPO (Designated Public Place Order) Notice provided by the Licensing Authority shall be displayed prominently on the premises visible from outside the store advising police have powers to seize alcohol.
- No sales of single cans/bottles of beer, lager or cider with an ABV of 6.5% or above to be sold.

Applicant Signature:



Date: 3-11-2015

I Michael Pearce TLTC Ltd duly authorised agent on behalf of GB Uppal Ltd agree to modify my premises licence application to include the above amendments/conditions to their operating schedule dated 30 September 2015.



Licensing Authority – Responsible Authority Signature:

Date:

Subject to the above amendments/conditions being added to the operating schedule. I Elaine Moreton, acting in my capacity as the Licensing Authority Responsible Authority agree this should negate the need for a hearing subject to no further representations from any other Persons/Responsible Authority.

R1ES0211.EM



Licensing Sub-Committee

17 November 2015

Report Title

Licensing Act 2003 – Application for a Premises Licence in respect of Co-operative store, Griffiths Drive, Ashmore Park, Wolverhampton WV11 2JL.

Classification

Public

Wards Affected

Graiseley

Accountable Strategic Director

Tim Johnson, Place

Originating service

Licensing Services

Accountable employee(s)

Rob Edge

Section Leader (Licensing)

Tel

01902 55(0106)

Email

rob.edge@wolverhampton.gov.uk

Recommendation for action or decision:

The Licensing Sub-Committee is requested to consider this application for a new premises licence.

1.0 Purpose of Report

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

2.0 Background

2.1 The application was received on 6 October 2015 from Ward Hadaway Solicitors on behalf of Co-Operative Group Foods Ltd for a premises licence in respect of Cooperative store, Griffiths Drive, Ashmore Park, Wolverhampton WV11 2JL for an off licence and convenience Store. A copy of the application is attached at Appendix 1.

2.2 The premises are in Ashmore Park ward and a location plan is attached at Appendix 2

2.3 The application is in respect of sale and supply of alcohol off the premises.

2.4 It is the understanding of the licensing authority that the application for this premises licence has been properly made. The statutory requirement to give notice of the application has also been complied with.

2.5 The following responsible authorities have been consulted on this application:

- Licensing Authority
- Environmental Health
- Planning
- Trading Standards
- Social Services
- Director of Public Health
- West Midlands Police
- West Midlands Fire Service

2.6 Relevant representations have been received from:

- Other Persons

Copies of the representations can be found at Appendices 3 and 4

2.7 The applicant and all those who have submitted representations have been invited to attend the hearing.

3.0 Legal implications

3.1 Part 4(1) of the Licensing Act 2003 states that a Licensing Authority must carry out its function under the Act with a view to promoting the Licensing Objectives, namely:-

- (a) The prevention of crime and disorder;
- (b) Public safety;

- (c) The prevention of public nuisance;
- (d) The protection of children from harm.

Section 18 of the Licensing Act 2003 provides that where a relevant licensing authority receives an application for a premises licence properly made in accordance with section 17 of the Act it must grant the licence, subject to any relevant conditions.

However, where relevant representations are made the authority must hold a hearing (unless all parties agree this is unnecessary) and having regard to the representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives.

The steps are:

1. to grant the licence subject to conditions
2. to exclude from the scope of the licence any of the licensable activities to which the application relates
3. to refuse to specify a person as a premises supervisor
4. to reject the application

3.2 The general duties imposed on Licensing Authorities means proper consideration must be given to the Licensing Objectives when determining a premises licence application.

3.3 Regard shall be had to guidance issued by the Secretary of State under Section 182 and Wolverhampton City Council's Licensing Policy statement. [JB/04112015/S]

4.0 **Human Rights and Equalities Implications**

4.1 This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in Section 4 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.

4.2 Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the Council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

5.0 Financial Implications

5.1 Councillors agreed fees and charges for this function on 21 January 2015; the fees are based on a cost recovery basis. The fee for this application is £100.00, and is non-refundable. [TK/09012015/H]

6.0 Environmental Implications

6.1 This report has environmental implications in that there is a potential for disturbance caused by patrons using the premises and nuisance caused by litter and waste originating from the premises.

Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

RECEIVED
06 OCT 2015
LICENSING

I/We Co-operative Group Food Ltd
(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description Co-operative Car Park of The Ashmore Inn Griffiths Drive			
Post town	Wolverhampton	Postcode	WV11 2JL
Telephone number at premises (if any)			
Non-domestic rateable value of premises		New Build £315	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Co-operative Group Food Ltd
Address Dept 10227 1 Angel Square Manchester M60 0AG
Registered number (where applicable) IP26715R
Description of applicant (for example, partnership, company, unincorporated association etc.) Industrial Provident
Telephone number (if any)
E-mail address (optional)

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon				
Tue				
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>At the discretion of the premises licence holder.</p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

A complaints procedure will be maintained, details of which will be made available in store and upon request.

e) The protection of children from harm

1. All staff will receive comprehensive training in relation to age restricted products and in particular the sale of alcohol. No member of staff will be permitted to sell age restricted products until such time as they have successfully completed the aforementioned training.
2. An age till prompt system will be utilised at the premises in respect of age restricted products.
3. A refusals register (whether kept and written or electronic form) will be maintained at the premises and will be made available for inspection upon request by an authorised Officer of the Police or the Local Authority

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	[Redacted]
Date	5 October 2015
Capacity	Solicitor acting on behalf of the applicant

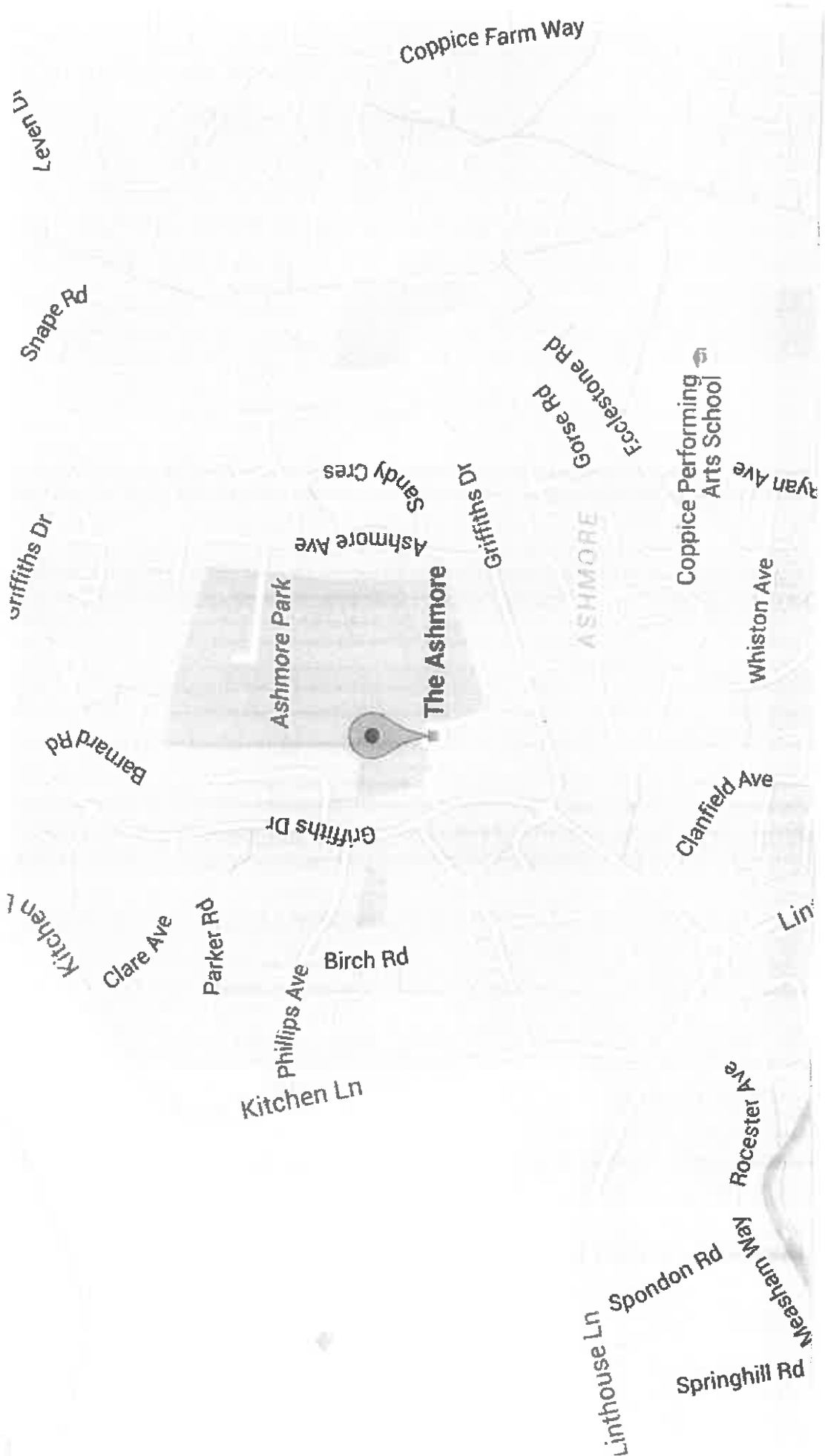
For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.



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Cooperative Store

Griffiths Drive, Ashmore Park. WV11 2JL



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MRS S. RUSSELL
28 TOWNSON ROAD
ASHMORE PARK
WEDNESFIELD
WOLVERHAMPTON
WV11 2PP
2-11-15



Dear Sir or Madam,

I have objections to the co-op been granted a licence for the sale of alcohol my objections are PUBLIC SAFETY, PREVENTION OF PUBLIC NUISANCE, and we have a lot of children living behind where they are going to build the co-op. We also have a lot of pensioners living in Hodson close. The co-op selling alcohol will have a effect on the pub selling it. I dont think this will do any good me writing to you but Who knows.

Yours Sincerely



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Kirpal Bains
News Express
50 Griffiths Drive
Wolverhampton
WV11 2JW

26.10.2015

Premises License CO-OP Car Park Ashmore Park Pub WV11 2JW

- We currently have a License at 50 Griffiths Drive as well as another at One Stop on Griffiths Drive and the Ashmore Pub which is 70 yards away.
- Therefore the area is well served and a further License is not required and will cause a catchment of nearby off licenses which will encourage youths to hang around and cause a public nuisance as gangs congregate and which will lead to crime and disorder.
- Also a lot of elderly people live around the proposed area and they may become frightened to come out at night.

Regards

A blue rectangular redaction box covering a handwritten signature.

Kirpal Bains

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