

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee

Friday, 18 November 2022

Dear Councillor

STATUTORY LICENSING SUB-COMMITTEE - FRIDAY, 18TH NOVEMBER, 2022

I am now able to enclose, for consideration at next Friday, 18th November, 2022 meeting of the Statutory Licensing Sub-Committee, the following supplementary information that was unavailable when the agenda was printed.

Agenda No	Item
-----------	------

- | | |
|---|---|
| 3 | <u>Licensing Act 2003 - Application for a Review of a Premises Licence in respect of Phoenix Express and International Food, 715 Parkfield Road, Wolverhampton, WV4 6EE (Pages 3 - 12)</u> |
|---|---|

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

Contact Jacob Stokes
Tel 01902 552873
Email Jacob.stokes@wolverhampton.gov.uk
Address Democratic Services, Civic Centre, 1st floor, St Peter's Square,
Wolverhampton WV1 1RL

Encs

This page is intentionally left blank

STATEMENT OF WITNESS

**(Criminal Procedure Rules r16, Criminal Justice Act 1967 s 9,
Magistrates' Courts Act 1980 s 5A(3)(a) and 5B)**

Agenda Item No: 3

STATEMENT OF *Elizabeth Gregg*
AGE **Over 18 years**
OCCUPATION ***Senior Licensing & Compliance Officer***

This statement, consists of 4 pages signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Date 8 November 2022

Signed [REDACTED]

-
1. I am employed by Wolverhampton City Council as a Senior Licensing and Compliance Officer within the Council's Licensing Department, based at the Civic Centre, St Peter's Square, Wolverhampton, WV1 1SH. I have worked for this local authority in this position since April 2019 and previously had 5 years' experience in various officer positions within the local authority. I am specifically authorised under the Licensing Act 2003
 2. On 10 February 2022 at approximately 14:03 I attended Phoenix Express and International Food, 715 Parkfield Road, Wolverhampton, West Midlands, WV4 6EE. The purpose of my visit was to conduct a routine licensing compliance inspection.
 3. On arrival I spoke with an individual in the shop who confirmed they did not work there however were serving customers. This individual said that he would phone the owner of the shop [REDACTED] This name differed to the name of the current premises licence holder and designated premises supervisor at the

Signed [REDACTED]

Date 8 November 2022

Continuation Sheet:

Statement of Elizabeth Gregg

time of my visit. On the telephone the man claiming to be [REDACTED] confirmed that he applied for the relevant applications in July 2021, and he provided the application reference numbers for these applications. I advised I would check the information provided when returning to the office and proceeded to check the conditions of licence, breaches were identified and listed in a trader's notice attached as exhibit EG1 signed and dated by me. The traders notice allowed 7 days for the breaches to be rectified.

4. On 11 February 2022 it was confirmed by checking the council's licensing record that applications were received by licensing services in 2021 however both Transfer and Vary DPS applications were incomplete and unable to be processed. The records also showed that advice had been provided to the applicants by licensing on 07 July 2021, and followed up by me on 11 February 2022.
5. On 11 February 2022 the transfer application was received transferring the Premises Licence Holder to Mr Hamid Idris.
6. On 24 February 2022 at approximately 14:03 hours I attended Phoenix Express and International Food, 715 Parkfield Road, Wolverhampton, West Midlands, WV4 6EE. The purpose of my visit was to follow up issues highlighted during the visit conducted on 10 February 2022.
7. Upon arrival at the premises, an individual called the Premises Licence Holder who was not present at the time of my visit. I advised as the application to Vary DPS had not been submitted and as a result alcohol sales must cease.

Signed [REDACTED]

Date 8 November 2022

Continuation Sheet:

Statement of Elizabeth Gregg

8. On 02 March 2022 part of the application was received to Vary DPS, an email was sent requesting the full application.
9. On 03 March 2022 at approximately 12:00 hours I attended Phoenix Express and International Food, 715 Parkfield Road, Wolverhampton, West Midlands, WV4 6EE. The purpose of my visit was to ensure alcohol sales were not taking place. Alcohol was seen to be covered up and confirmed to individuals in the shop that alcohol sales still could not take place.
10. On 07 March 2022 a Vary DPS application was submitted nominating Kerry Eskandari.
11. On 8 September 2022 at approximately 15:55 hours I attended Phoenix Express and International Food, 715 Parkfield Road, Wolverhampton, West Midlands, WV4 6EE. The Premises Licence Holder and Designated Premises Supervisor were not present on my arrival however following a phone call the premises licence holder, Hamid Idris attended the premises. The purpose of my visit was to conduct a compliance inspection.
12. The inspection highlighted several conditions which were not complied with, and these were noted in a trader's notices, a copy is attached as exhibit EG2 signed and dated by me. The notice allowed 4 weeks for the breach to be rectified.
13. During my visit a single sale of cider above 6.5% ABV was observed. Photos of single cans of alcohol displayed for sale at the premises above 6.5% ABV are attached as Exhibit EG3 signed and dated by me. I requested this type of alcohol be removed from sale whilst I was present at the premises

Signed [REDACTED]

Date 8 November 2022

Continuation Sheet:

Statement of Elizabeth Gregg

14. On 1 November 2022 at approximately 16:10 hours I attended Phoenix Express and International Food, 715 Parkfield Road, Wolverhampton, West Midlands, WV4 6EE. The Premises Licence Holder and Designated Premises Supervisor were not present. The purpose of my visit was to conduct a compliance inspection, following the visit conducted on 9 September 2022.
15. A male and female were present at the premises both confirming they did not work there. However, the female was witnessed serving a customer and taking payment.
16. The male called the premises licence holder who advised work has been conducted but he was unsure if it is completed. I requested to view this in respect of the alarm system however was not shown, I continued to check the outstanding breaches of conditions to see if they were now rectified, a further traders notice was left at the premises with a friend of the premises licence holders confirming breaches should be rectified immediately. A copy of the notice is attached as Exhibit EG4 signed and dated by me.

Signed 

Date 8 November 2022

No: 00123

CITY ENVIRONMENT
LICENSING
CIVIC CENTRE
ST PETER'S SQUARE
WOLVERHAMPTON WV1 1SH
Telephone (01902) 553834
Email: licensing@wolverhampton.gov.uk

CITY OF
WOLVERHAMPTON
COUNCIL

TO: (PLH/DPS) [REDACTED]
ADDRESS: 715 Parkfield Rd, Walsley
PHONE NO: [REDACTED] DATE: 01/21/2023
LICENCE REF: [REDACTED]

Your attention is drawn to the following matters:

- Licensing Act 2003 breaches identified:
 - 1220 Licence displayed
 - Transfer + EP vary DPS applications required
 - Condition breaches:
 - CCTV images will be retained for 31 days
 - Alcohol training records, three monthly refresher courses
 - No DPPS notices
 - No single sales of single cans of alcohol
 - Beer Lager or Order with an ABV above 0.5% are to be provided from the premises
 - No refusal book or incident book
- The above breaches should be rectified in 7 days
The above breaches should be rectified within 7 days

Received by: [REDACTED] Authorised Officer

Name: [REDACTED]

Position: Senior Licensing 3
Compliance officer
Position

Page 1 of 11

D2ES2308 DC.docx (10/19)

CITY ENVIRONMENT
LICENSING
CIVIC CENTRE
ST PETER'S SQUARE
WOLVERHAMPTON WV1 1SH
Telephone (01902) 553834
Email: licensing@wolverhampton.gov.uk

No: 00393

CITY OF
WOLVERHAMPTON
COUNCIL

TO: (PLH/DPS) Idris Hamid
ADDRESS: 715 Parkfield Rd W-ton
PHONE NO: [REDACTED]
LICENCE REF: 22/08081/PREDPS DATE: 8/9/2022

Your attention is drawn to the following matters:

- Licensing Act 2003, breaches of licence conditions identified.
- The premises is not fully alarmed.
- No Designated Public Place order notice display
- The CCTV not seen recording for 31 days
- CCTV times & dates not accurate.
- No documented staff training or refresher courses, including challenge 25.
- No fire alarm, fire fighting equipment will be covered by a maintenance contract.
- Single Sale made of cider above 6.5% ABV - This alcohol was requested to be removed whilst present at the premises.
- No refusal book or incident book. Signed off weekly by DPS.

The above breaches should be rectified within 4 weeks.

Received by: [REDACTED] Authorised Officer
Name: [REDACTED]
Position: Senior Licensing & Compliance Officer
D2E52308 DC docx (10/19)

Page 1 of 1







No: 00303

CITY ENVIRONMENT
LICENSING
CIVIC CENTRE
ST PETER'S SQUARE
WOLVERHAMPTON WV1 1SH
Telephone (01902) 553834
Email: licensing@wolverhampton.gov.uk

CITY OF
WOLVERHAMPTON
COUNCIL

friend of pub
TO: (PLH/DPS) [redacted]
ADDRESS: 715 Parkfield Rd, Wlton
PHONE NO: DATE: 1/11/2019
LICENCE REF: 22/08081/PPEOPS

Your attention is drawn to the following matters:

- Licensing Act 2003 breaches of licence conditions:
- No licence summary displayed
 - No alarm system could be seen
 - The CCTV not seen recording for 3 days
 - No documented staff training or refresher courses, including challenge
 - No fire alarm, firefighting equipment not covered by a maintenance contract
 - No refusal book or incident book signed off by OPS weekly.

The above breaches should be rectified immediately

Received by: [redacted] Authorised Officer
 Name: [redacted]
 Position: Senior Licensing
 B Compliance Officer
 0283208 57, 500 (0919)

Page 1 of 1