

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee

31 July 2019

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

Venue Committee Room 5, Ground Floor, Civic Centre

Membership

Chair Cllr Alan Bolshaw (Lab)

Labour

Cllr Obaida Ahmed
Cllr Rita Potter

Conservative

Quorum for this meeting is two Councillors.

Information for the Public

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

Contact Donna Cope, Democratic Services Officer
Tel/Email Tel: 01902 554452 Email: donna.cope@wolverhampton.gov.uk
Address Democratic Services, Civic Centre, 1st floor, St Peter's Square,
Wolverhampton WV1 1RL

Copies of other agendas and reports are available from:

Website www.wolverhampton.moderngov.co.uk1
Email democratic.services@wolverhampton.gov.uk
Tel 01902 550320

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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 Review of a Premises Licence in respect of Minimart Retail Ltd, 443 Dudley Road, Wolverhampton, WV2 3AQ (Pages 3 - 34)

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub - Committee

31 July 2019

Report title	Licensing Act 2003 – Application for a Review of a Premises Licence in respect of Minimart Retail Ltd, 443 Dudley Road, Wolverhampton, WV2 3AQ	
Wards affected	Blakenhall	
Accountable director	Ross Cook, City Environment	
Originating service	Licensing Service	
Accountable employee(s)	Debra Craner	Section Leader – Licensing
	Tel	01902 556055
	Email	Debra.Craner@wolverhampton.gov.uk

Recommendation for decision:

The Statutory Licensing Sub-Committee is recommended to:

1. Consider this application for a review of a premises licence.

1.0 Purpose

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

2.0 Background

- 2.1 The current premises licence is attached at Appendix 1.

3.0 Review Application

- 3.1 An application was received from Trading Standards on 07 June 2019 for a review of the premises licence in respect of Minimart Retail Ltd, 443 Dudley Road, Wolverhampton, WV2 3AQ.

- 3.2 The premises location is in the Blakenhall ward and a location plan is attached at Appendix 2.

- 3.3 A copy of the review application is attached at Appendix 3. The review has been brought in support of the Prevention of Crime and Disorder licensing objective. Supporting evidence is detailed within the review application.

- 3.4 Representations have been received from the following:

- West Midlands Police
- Public Health
- Licensing Authority

These representations can be found at Appendix 4, 5 and 6.

- 3.5 The notice of review has been properly served on all the Responsible Authorities. The Council has complied with the legislative process and displayed the appropriate notice at the premises and on its website as required, when the application for review was made.

- 3.6 The applicant for review, the current premise licence holder, and those who have made representations have all been invited to attend the review hearing.

4.0 Financial implications

- 4.1 There is no fee for the application of a Review, and there are no direct financial implications arising from this report. The fees and charges in relation to the Licensing Act 2003 are set by the Secretary of State. This was noted by the Licensing Committee on 20 March 2019. [MK/18062019/G]

5.0 Legal implications

- 5.1 Section 51 of the Licensing Act 2003, as amended states that a responsible authority or any other person may apply to the relevant Licensing Authority for a review of a licence.

5.2 The Licensing Sub-Committee when determining an application for review, pursuant to Section 52 of the Licensing Act 2003 has power to take any of the following steps (if any) as it considers necessary for the promotion of the “licensing objectives” listed at 5.3.

- (a) Modify the conditions of the licence;
- (b) Exclude a licensable activity from the scope of the licence;
- (c) Remove the designated premises supervisor;
- (d) Suspend the licence for a period not exceeding 3 months;
- (e) Revoke the licence.

5.3 The four licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

5.4 In addition, regard shall be had to guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003 and Wolverhampton City Council’s Licensing Policy Statement. [SH/14062019/A]

6.0 Equalities implications

6.1 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.

6.2 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.

7.0 Environmental implications

7.1 There are no environmental implications associated with this report.

8.0 Human resources implications

8.1 There are no human resources implications associated with this report.

9.0 Corporate landlord implications

9.1 There are no corporate landlord implications associated with this report.

10.0 Schedule of background papers

10.1 None

11.0 Appendices

11.1 Appendix 1 – Premises Licence

11.2 Appendix 2 – Location Plan

11.3 Appendix 3 – Review Application

11.4 Appendix 4 – Representation West Midlands Police

11.5 Appendix 5 – Representation Public Health

11.5 Appendix 6 – Representation Licensing Authority

Premises Licence

Issued in accordance with The Licensing Act 2003

Name of Premises: Minimart Retail Ltd

Address of Premises: 443 Dudley Road
Blakenhall
Wolverhampton, West Midlands
WV2 3AQ

Premises Licence Number: 17/06051/PRE – Variation of a Premises DPS

Date Licence Granted: 12th June 2017

1. Opening hours of the premises

Normal Hours: Monday to Sunday 0900hrs to 2300hrs
Seasonal Variations: None
Non Standard Hours: None

2. Licensable activities authorised by the licence and the times the licence authorises the carrying out of these activities

Activity: Sale/Supply of alcohol off the premises
Normal Hours: As per 'on' sales
Seasonal Variations: As per 'on' sales
Non Standard Hours: As per 'on' sales

3. Name of the designated premises supervisor if the sale of alcohol is involved

Haval Ali
Personal Licence Number PER2930
Issued by Wolverhampton City Council

4. Is access to the premises by children restricted or prohibited

Provision only as prohibited or restricted under the Licensing Act 2003.

5. Name, (registered) address of the holder of the premises licence

Haval Ali
63 Powell Street
Wolverhampton
WV10 0BW

Mandatory Licensing Conditions (Licensing Act 2003)

Mandatory conditions as required by the Act will apply to the licence.

It is the responsibility of the Premises Licence Holder and the Designated Premises Supervisor to ensure that they are conversant and compliant with all current mandatory conditions in relation to the Licensing Act 2003

General

- Using the appropriate materials and equipment for storage.
- By applying strict ground rules to ensure those suspected of under 21 are supplied using appropriate identification.
- Generally being aware of potentially dangerous situations and ensuring good security in reducing risks to crime.
- For operator safety ensuring an assistant is available to reduce risk of crime whilst closing

The prevention of crime and disorder

- Locating products in visible areas of shop to reduce the risk of crime. i.e. locate spirits in unaccessible areas, behind counter so only operator has access.
- With installation of CCTV, deter potential thieves and to store away valuable items once premises has closed.
- Four CCTV cameras to be installed each one located at cash register, main entrance, rear of premises and finally overlooking products on shelf. The system will include 30 days recording time which benefits both the police authorities and our company

Public safety

- Ensuring the equipment is certified and used in appropriate manner.
- Completing regular checks and carrying out general maintenance.
- Ensuring products are in easy access and not placed in high areas.
- Also ensure the general safety by keeping tidy and organised.

The prevention of public nuisance

- By keeping strict ground rules and not to supply alcohol to those who have excess levels.
- Not to attract those who would seem to cause a nuisance.

The protection of children from harm

- Keep products out of reach of young children and greatly emphasizing on keeping products in operators vision at all times. Requesting valid identification from those who seem suspected of under 21.
- We are strongly emphasizing on 'challenge 21' and will display appropriate posters and notes. Thorough inspection of those suspected of under 18 will have to produce a valid photographic identification for a sale to be completed. If for any reason sale of alcoholic products are refused, this will be logged into the refusal book, which is kept on site at all times.

Plans

As submitted with application dated 05/09/2006 and retained by Wolverhampton City Council.

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Application for the review of a premises licence or club premises certificate 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.

I **DIANNE SLACK**

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Mini Mart Off Licence 443 Dudley Road Blakenhall	
Post town Wolverhampton	Post code (if known) WV2 3AQ

Name of premises licence holder or club holding club premises certificate (if known) Mr. Haval ALI
--

Number of premises licence or club premises certificate (if known) 17/06053/PREDPS
--

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr

Mrs

Miss

Ms

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

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Dianne Slack Tobacco Control Officer Trading Standards Service City of Wolverhampton Council Civic Centre St Peters Square Wolverhampton WV1 1RP
Telephone number (if any) 01902 556063
E-mail address (optional) dianne.slack@wolverhampton.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

The local weights and measures authority has "responsible authority" status under the Licensing Act 2003 by virtue of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.

On the 27 December 2018 and 31 January 2019, City of Wolverhampton Council Trading Standards Service received information that illicit cigarettes and tobacco were being sold from Mini Mart, 443 Dudley Road, Blakenhall Wolverhampton.

On the 15 February 2019, officers from Trading Standards accompanied by officers from West Midlands Police visited 443 Dudley Road with a Tobacco search dog. On this occasion 14140 cigarette sticks, equivalent to 707 packs of 20 cigarettes and 3.350 kg of handrolling tobacco equivalent to 67, 50 g pouches were discovered behind the counter, and in a specially constructed, concealed area in a rear store room.

In addition West Midlands Police discovered an A4 sized bag of cannabis in the loft area.

Mr Havel Ali, Director of Mini Mart Wolverhampton Limited, the proprietor of the business; premises licence holder and designated premises supervisor, was present at the time of the inspection and admitted the products were his. The tobacco products were suspected of being counterfeit or non duty paid and were subsequently seized.

A traders notice was left with Mr Ali, He was advised during the inspection that it was a criminal offence to possess, supply or sell counterfeit products or illicit tobacco

products and any goods are marked as duty free or where UK duty has not been paid on those goods.

The seized goods included a large number of cigarettes known as 'foreign cheap whites', e.g. FEST, L & M and Business Royals which are foreign brands brought into the UK illegally, specifically to be sold on the black market. Officers also found English branded tobacco products such as Mayfair, Richmond and Rothman, that were not in the required standardised packaging, colours, text formatting nor contained the required pictorial and written health and safety warnings. Investigations are ongoing as to whether some of the tobacco products such as Mayfair contravene the provisions of the Trade Marks Act 1994.

To knowingly keep or allow to be kept on relevant premises, goods such as cigarettes, which have been imported without payment of duty or which had otherwise been unlawfully imported is a criminal offence as per section 144 (1) and (3) of the Licensing Act 2003.

Mr Ali has subsequently claimed he has sold the business on but remains as premises licence holder.

Trading Standards has "responsible authority" status under the Licensing Act 2003. Minimart has engaged in activities which have breached a licensing objective namely the prevention of crime and disorder. The Home Office publishes guidance under section 182 of the 2003 Act and at 11.27 that guidance advises that the sale and distribution of controlled drugs under the Misuse of Drugs Act 1971, that may arise in connection with licensed premises and/or the sale of contraband or counterfeit tobacco is activity that should be considered "particularly seriously." The guidance goes on to state that:

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

Additionally the sale of illicit tobacco is not a victimless crime as it:

- contributes to the shadow economy
- undermines the City's public health activity which aims to deter residents from smoking especially young people
- drives down the cost of tobacco thereby counteracting Central Government's attempts to use price as a disincentive.

Further, the discovery of cannabis in the loft, a controlled Class B drug, is also a crime that is not directly connected with licensable activities and an offence under the Misuse of Drugs Act 1971 (as amended). Proof of intention to supply a controlled drug is a matter for the Courts. The Drugs Act 2005, states that if it is proved that the accused had an amount of a controlled drug in his possession which exceeds the amount that would be considered for personal use, a court or jury must assume that he had the drug in his possession with the intent to supply it.

Licensing authorities do not have the power to judge the criminality or otherwise of this issue. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

11.25 states that Reviews are part of the regulatory process introduced by the 2003

Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives.

Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. Of course certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. However, even in such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems.

Please provide as much information as possible to support the application
(please read guidance note 2)

N/A

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

N/A

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date 07 June 2019

.....

Capacity Tobacco Control Officer: Trading Standards

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

.....

Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

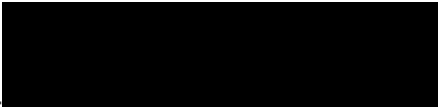
Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
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If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

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5. This is the address which we shall use to correspond with you about this application.

WOLVERHAMPTON TRADING STANDARDS - EVIDENCE STORAGE RECORD SHEET

Defendant: Havel Ali Mini Mart 443 Dudley Road	Officer in Charge of Case: Dianne Slack	Type of Evidence: Cigarettes, tobacco Hand Rolling Re-counted and resealed 20 February 2019 by Dianne Slack. 4 mobile phones sent for examination
Date Seized: 15 February 2019	Date into Storage: 15 February 2019	
Case Reference: RS/18/53		
Number of Bags/Boxes: 6		

Columns to be completed when items logged into storage and initially examined

Original Seal	Bag Ref	Item/Description	Quantity	New Seal
0523006	DS/MM/D/2.	Mayfair Mayfair Business Royal Fest Red Richmond Marlboro Gold	600 1000 1200 800 1000 200	05231231
0523004	DS/MM/D/1	Business Royals Rothmans Demi Rothmans Demi Click L&M Richmond	4800 200 2000 1200 800 400	0523134
0523005	DS/MM/I/3	Amber Leaf x 14 Golden Virginia x 8 Marlboro Gold L&M Rothmans Blue Business Royal	1.1kg 4600 1.1kg 1600 400 600 400	0523133
0523035		Amber Leaf x 13 Golden Virginia x 13	3000 1.3kg	
0523018	DS/mm/F/1	Amber Leaf x 11 GV x 8	0.950kg	

WOLVERHAMPTON TRADING STANDARDS - EVIDENCE STORAGE RECORD SHEET

Original Seal	Bag Ref	Item/Description	Quantity	New Seal
		Business royal Fast Red Marlboro Gold L&M Forward L&M Blue Rothmans Demi Rothmans less smell Rothmans Blue Richmond Mayfair	180 240 120 240 120 80 160 300 200 100	
N08790787	DS/MM/G/1	Nokia TA- mobile telephone	1740	2018-101-03
N08790785	DS/MM/G/2	Samsung S9	1	2018-101-04
N08790789	DS/MM/G/3	Samsung A5	1	2018-101-05
N08790784	DS/MM/G/4	Samsung S6	1	2018-101-06
				Passed to analysis on 21 February 2019

TOTAL SEIZURES

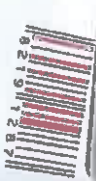
Foreign, Counterfeit, non duty cigarettes = 14140 sticks or 707 packs of 20 All old packaging!
 Foreign, Counterfeit, non duty HRT = 3,350g or 67 pouches



BUSINESS
ROYALS

FILTER CIGARETTES

200 KING SIZE



Куріння
шкідливе

L&M

15 02 2019





15 02 2019



Patentne zabija - rzuc teraz!
Patentne zabija - rzuc teraz!

Patentne zabija - rzuc teraz!

Dym tytoniowy zawiera ponad 70 substancji pseudokarcynogennych rak.

Patentne zabija - rzuc teraz!
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15 02 2019

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: WV Licensing <wv_licensing@west-midlands.pnn.police.uk>
Sent: 25 June 2019 11:27
To: Licensing <Licensing@wolverhampton.gov.uk>
Cc: WV Licensing <wv_licensing@west-midlands.pnn.police.uk>
Subject: RE: REVIEW - PRE897 Minimart Retail Ltd, 443 Dudley Road, Wolverhampton, WV2 3AQ

West Midlands Police as a Responsible Authority make representations regarding this review notice.

The evidence provided by Trading Standards clearly shows that a number of offences have been committed in relation to possession of illegal drugs and illegal cigarettes and tobacco.


This discovery shows that the licensing objective of prevention of crime and disorder has been seriously undermined, and it is the decision of the Licensing sub-committee to determine what steps are suitable to ensure the licensing objectives are upheld in the future.

This is a serious matter, and not a victimless crime and given this it would be WMP representation that the licence be revoked.

Regards,

Steph Reynolds
PS 6222
Licensing
Partnerships Team
WV NPU
External Tel 01902 649 085
Internal Tel 871 3196

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Licensing Officer
City of Wolverhampton Council

04 July 2019

Dear Anita,

Minimart Retail Ltd, 443 Dudley Road, Wolverhampton, WV2 3AQ – review of premises licence

Thank-you for your email dated 07/06/2019 in reference to the request made by Trading Standards to review the premises licence for Minimart Retail Ltd.

I have reviewed the documentation put forward by Trading Standards and would support the request to review the premises licence under the licensing objective of:

- The prevention of crime and disorder

Public Health have very serious concerns regarding the significant amount of illicit tobacco seized on 15 February 2019. As a Responsible Authority we would expect any business licensed to sell alcohol to act responsibly at all times and promote the key objectives of the Licensing Act 2003. Public Health is not reassured that the business is operating in adherence to the Licensing Act and therefore supports Trading Standards request to review the current licence.

I, or a suitable representative from Public Health, will be available to attend the hearing and provide further information as required.

Yours sincerely


Parpinder Singh
Senior Public Health Specialist

Direct: 01902 555475

Email: parpinder.singh@wolverhampton.gov.uk

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CITY OF
WOLVERHAMPTON
COUNCIL

Mrs Debra Craner
Licensing Services
City of Wolverhampton Council
St Peter's Square
Wolverhampton
WV1 1SH

04 July 2019

Application for a review of a premises licence under Licensing Act 2003
Minimart Retail Ltd, 443 Dudley Road, Wolverhampton, WV2 3AQ

I write on behalf of the Licensing Authority as a Responsible Authority. I write in support of the above review application made by Trading Standards Service. Representations are made against Crime and Disorder and Public Safety licensing objectives the failure of the current management of the premises to promote these objectives.

The premises licence holder/DPS, Mr Ali Haval have not demonstrated he is operating in accordance with his premises licence and is therefore not promoting the licensing objectives of Crime and Disorder and Public Safety.

The issues raised by trading standards relate to the possession, supply/sale of counterfeit/illicit cigarettes and tobacco at the premises. In addition an A4 sized bag of cannabis was found on the premises. This shows blatant disregard to the licensing objectives by the premises licence holder/DPS.

If Councillors are satisfied that illegal activities have taken place at the premises and are in breach of promoting the licensing objectives, the licensing authority would request the Statutory Licensing Sub-Committee ensure these issues are addressed by considering modification of the current premises licence in accordance with section 52 of the Licensing Act 2003 and paragraphs 11.27 and 11.28 of guidance issued by the secretary of state under 182 of the Act together with City of Wolverhampton Councils Statement of Licensing Policy.

- “11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
 - for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
 - for prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;
 - for the organisation of racist activity or the promotion of racist attacks;
 - for employing a person who is disqualified from that work by reason of their immigration status in the UK;
 - for unlawful gambling; and
 - for the sale or storage of smuggled tobacco and alcohol.

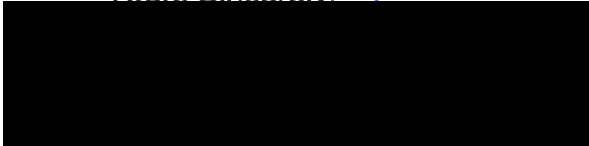
11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.”

Councillors may conclude from the evidence given within the review application and at the hearing in order to promote the licensing objectives of Crime and Disorder and Public Safety that modification of the premises licence or suspension of the licence to ensure the current management of the premises fully understands their roles and responsibilities is not a suitable option and that there is no alternative but to revoke the licence.

The Licensing Authority fully supports the review application brought by Trading Standards Service and concludes the above issues should be resolved in order to promote the licensing objectives of Crime and Disorder and Public Safety.

I shall be in attendance at the hearing should councillors have any questions or require any further assistance.

Yours Sincerely



Mrs Elaine Moreton
Section Leader
On behalf of the Licensing Authority

Direct: 01902 552772
Email: licensing@wolverhampton.gov.uk

CC: Premises Licence Holder/DPS