

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee

12 September 2019

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

Venue Committee Room 4, Third Floor - Civic Centre

Membership

Chair Cllr Alan Bolshaw (Lab)

Labour

Cllr Keith Inston

Conservative

Cllr Jane Stevenson

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 Kirsty Tuffin, Democratic Services Officer
Tel/Email Tel: 01902 552873 Email: kirsty.tuffin@wolverhampton.gov.uk
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Wolverhampton WV1 1RL

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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 Meat and More, 92-94 High Street, Wolverhampton, WV11 1SZ (Pages 3 - 52)

CITY OF WOLVERHAMPTON COUNCIL	Statutory Licensing Sub - Committee 12 September 2019
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Report title	Licensing Act 2003 - Application for a premises licence in respect of Meat and More, 92-94 High Street, Wolverhampton, WV11 1SZ	
Wards affected	Wednesfield South	
Accountable director	Ross Cook, City Environment	
Originating service	Licensing Services	
Accountable employee	Debra Craner	Section Leader
	Tel	01902 553834
	Email	Debra.Craner@wolverhampton.gov.uk

Recommendation for decision:

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

1.0 Purpose

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

2.0 Background

- 2.1 The application was received on 23 July 2019 from Meat and More (UK) Ltd for a premises licence in respect of Meat and More, 92-94 High Street, Wolverhampton, WV11 1SZ. A copy of the application is attached at appendix 1.
- 2.2 The application is in respect of the sale of alcohol off the premises.
- 2.3 The premises are in Wednesfield South and a location plan is attached at Appendix 2.
- 2.4 This premises is situated within the Cumulative Impact Zone. A copy of the policy and the area which it covers is attached at appendix 3.
- 2.5 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.
- 2.6 All responsible authorities have been consulted on this application.
- 2.7 Relevant representations have been received from:
- West Midlands Police
 - Licensing Authority
- 2.8 Copies of the representations can be found at appendix 4 and 5.
- 2.9 The applicant and all those who have submitted representations have been invited to attend the hearing.
- 2.10 The agent for the applicant has submitted additional information this can be found at appendix 6.
- 2.11 The Licensing Authority and the agent for the application have agreed to mediate and the documents for mediation can be found at appendix 7.

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 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 Financial implications

- 4.1 The fee for the application of a premises Licence Application is £315.00 and is non-refundable. 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. [KP/28082019/C]

5.0 Legal implications

- 5.1 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.
- 5.2 The general duties imposed on Licensing Authorities means proper consideration must be given to the Licensing Objectives when determining a premises licence application.
- 5.3 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
- 5.4 Section 18 of the Licensing Act 2003 provides the Licensing Authority with the power to grant an application, subject to conditions, where appropriate

5.5 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.

5.6 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/28082019/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 Climate Change and Environmental implications

7.1 There are no climate change and environmental Implications in relation to this report.

8.0 Human resources implications

8.1 There are no human resource implications in relation to this report.

9.0 Corporate landlord implications

9.1 There are no corporate landlord implications in relation to this report.

10.0 Schedule of background papers

10.1 None

11.0 Appendices

11.1 Appendix 1 – Application

11.2 Appendix 2 – Location Plan

11.3 Appendix 3 - Cumulative Impact Zone Policy

11.4 Appendix 4 – West Midlands Police Representation

11.5 Appendix 5 - Licensing Authority Representations

11.6 Appendix 6 – Agent additional information

11.7 Appendix 7 – Licensing Authority Mediation

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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.

I/We Meat and More (UK) 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			
92-94 High Street Wednesfield Wolverhampton WV11 1SZ			
Post town		Postcode	

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£35,000.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as:

(Please tick as appropriate)

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | 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 (by ticking yes to one box below):

- 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 <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

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		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

(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 Meat and More (UK) Ltd
Address Competitive Accountancy, Suite 15g The Saturn Centre Spring Road, Ettingshall, Wolverhampton, West Midlands, WV4 6JX
Registered number (where applicable) 09495881
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited company
Telephone number (if any) [REDACTED]
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

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)

A retail store which sells fresh, chilled and frozen food, general groceries and household goods.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all 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 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)	
Day	Start	Finish		
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)	
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 6)
Thur				
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)			
Wed						
Thur			<u>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</u> (please read guidance note 6)			
Fri						
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Wed					
Thur			<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 6)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)	
Mon				
Tue				
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)	
Thur				
Fri			<u>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</u> (please read guidance note 6)	
Sat				
Sun				

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
			<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 6)		
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 7)			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 3)	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 4)		
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 5)		
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 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon					
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Tue					
			<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 6)		
Wed					
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 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08:30		<p>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 (please read guidance note 6)</p>
		19:30	
Tue	08:30		
		19:30	
Wed	08:30		
		19:30	
Thur	08:30		
		19:30	
Fri	08:30		
		19:30	
Sat	08:30		
		19:30	
Sun	10:00		
		16:00	

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 10)

Although this premises is located in the Wednesfield cumulative impact zone we believe that the cumulative impact policy should not apply in this case and thus this statement should be considered our rebuttal of the policy under the provisions of paragraphs 13.10 & 13.11 of the City of Wolverhampton's statement of licensing policy.

We believe that the nature of our premises would not make it attractive to street drinkers and individuals looking for repeat purchases of small amounts of alcohol throughout the day. The goods we sell are broadly aimed at, and seek to attract, shoppers who are looking to purchase their family's weekly groceries in our store. Our approach to selling alcohol is similar: multi-packs will predominate and we will restrict our beers, lagers and ciders to a maximum ABV of 6.5%. We will voluntarily decline to sell single cans of beer, lager and cider.

We aim to offer our customers convenience and in a competitive market environment we need to be able to offer the opportunity to purchase an entire weekly shop in our store. Such purchases include our customers' alcohol requirements.

We propose here a robust series of conditions to add to the licence with which we will be required to comply and in addition our hours of trading are very modest: we will be closed to the public at 19:30 thus negating any chance of late night nuisance.

It is for these reasons that we believe that our premises will not contribute to cumulative impact and will have no adverse effect upon the promotion of the licensing objectives. As such we request that the cumulative impact policy is disapplied further to this application.

1 All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme ongoing and under constant review and shall be made available to a relevant responsible authority when called upon.

b) The prevention of crime and disorder

2 A properly specified and fully operational CCTV recording system shall be installed, operated and maintained. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. The CCTV system shall be in operation at the premises at all times when the premises are used for the provision of licensable activity. All CCTV recordings shall be securely stored for a minimum of one calendar month. A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested. Signage indicating that a CCTV recording system is in operation shall be displayed prominently in the premises.

3 A premises daily register shall be kept at the premises. This register shall be maintained and kept for a rolling period of 12 months. The register shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives. Such incidents shall include, but not be limited to, complaints or leaving the premises and all refusals to sell alcohol. The register shall be made to the premises alleging nuisance or anti-social behaviour by persons attending readily available for inspection by an authorised person upon reasonable request.

4 All drinks promotions shall be risk-assessed to ensure the promotion is not irresponsible. Each risk-assessment shall consider the nature of the premises, the nature of the promotion including the size and duration of any discount and the type of customer potentially attracted by the promotion.

5 Super-strength lagers, beers and/or ciders, i.e. those with an ABV of 6.5% or higher, shall not be sold at the premises.

6 All cans of beer, lager and cider in containers containing less than 500ml shall not be sold in single cans. A multipack containing a minimum of four cans shall be the only permitted purchase method.

c) Public safety

7 All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.

8 No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.

9 Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these checks shall be kept and made available to an authorised officer of the licensing authority.

10 The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.

11 An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.

d) The prevention of public nuisance

NB We do not believe that the operation of our premises will lead to issues of public nuisance; however, we will be happy to adhere to the following conditions further to this licensing objective.

12 Signage shall be prominently displayed in the premises requesting that customers take home any alcohol they have purchased to consume it rather than consume it in the street.

13 Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00.

14 The premises' frontage shall be regularly monitored to keep it clean and clear of litter.

e) The protection of children from harm

15 A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are the following recognised photographic identification cards: a driving licence, a passport, a military identification card or a Proof of Age card carrying a 'PASS' hologram.

16 All occasions when persons have been refused service shall be recorded in the premises daily register.

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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	23 rd July 2019
Capacity	Duly authorised agent

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **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 14)			
Paul Jones 			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) 			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500,

- and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National

Insurance number and their name issued by a Government agency or a previous employer.

- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and

- evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Consent of individual to being specified as premises supervisor

I, **Anton Taylor**

of



hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for a premises licence

made by **Meat and More (UK) Ltd**

relating to a premises licence for

Meat & More 92-94 High Street Wednesfield Wolverhampton WV11 1SZ

and any premises licence to be granted or varied in respect of this application made by

Meat and More (UK) Ltd

concerning the supply of alcohol at

Meat & More 92-94 High Street Wednesfield Wolverhampton WV11 1SZ

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below

Personal licence number **Awaited**

Personal licence issuing authority



Signed

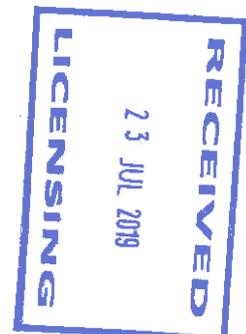
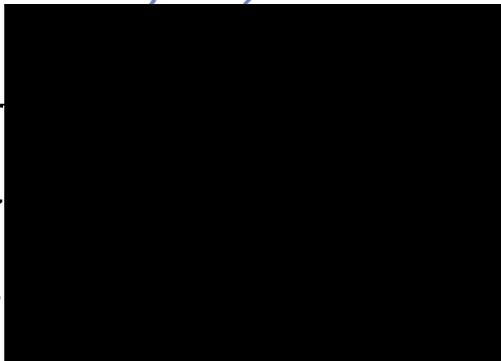
Print name **Anton Taylor**

Date **17/07/2019**

Date of birth ..

Place of birth ..

Nationality ..



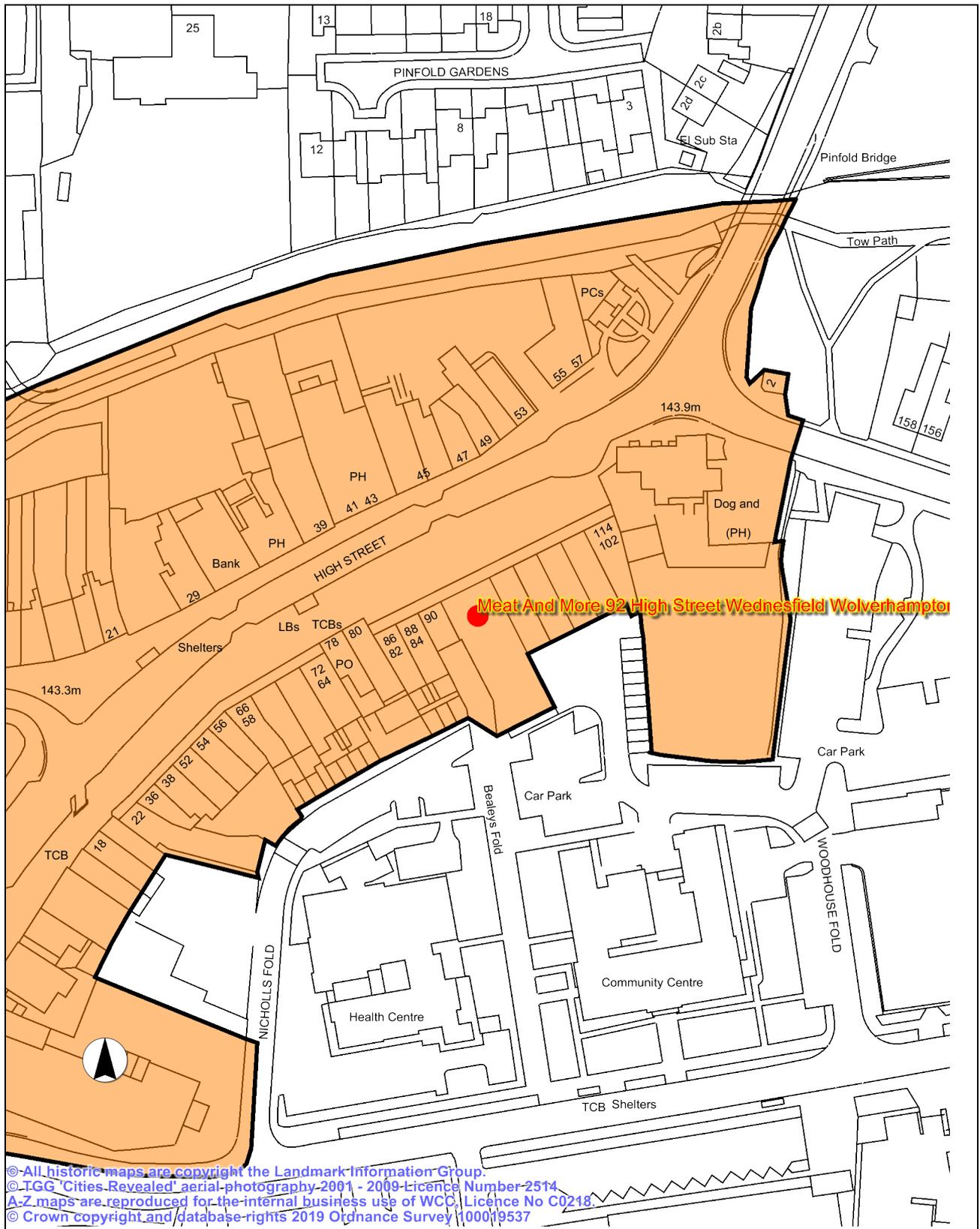
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Appendix 2

CITY OF
WOLVERHAMPTON
COUNCIL

Meat and More, 92-94 High Street, Wolverhampton, WV11
ISZ

IMAGINE - Powered by



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Asset Management
 Civic Centre
 St Peters Square
 Wolverhampton
 WV1 1RL

Plan Produced 3.9.2019
 Scale 1:1,250

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CUMULATIVE IMPACT POLICY

It is not proposed to set quotas for particular types of licences. Applications will be considered on their individual merit thus ensuring that the characteristics of the many different types of licensed activity are fully considered. If crime and disorder or general disturbance/nuisance does prove to be linked to the concentration of customers of licensed premises or activities in these or any other particular areas, then it may be necessary to seek controls over the issue of new licences through a 'Cumulative Impact Policy'.

It would first be necessary to establish that, because of the number and density of licensed premises in a particular area, there are exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect. Where particular premises are identifiable as being responsible for the problems, action will be taken against them.

Before deciding whether to adopt a Cumulative Impact Policy, the Council must be sure that the imposition of individual conditions to particular premises would not solve the problem. The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder.

In the Guidance issued under the Act there are four steps specified to be followed in considering whether to adopt a Cumulative Impact Policy:

- Identification of serious and chronic concern from a responsible Authority or representatives of residents about nuisance or disorder.
- Assessment of causes.
- Where it can be demonstrated that disorder and nuisance is arising as a result of customers of licensed premises, identifying the area from which problems are arising and the boundaries of that area.
- Adopting a policy about future licence applications from that area.

The Licensing Committee will keep any Cumulative Impact Policy under review and modify or remove it, as considered appropriate.

As detailed above the Council recognises that because of the number of and density of licensed premises selling alcohol and/or Late Night Refreshment in particular areas there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect. In these cases it may be necessary to seek controls over the issue of new licences through a 'Cumulative Impact Policy'.

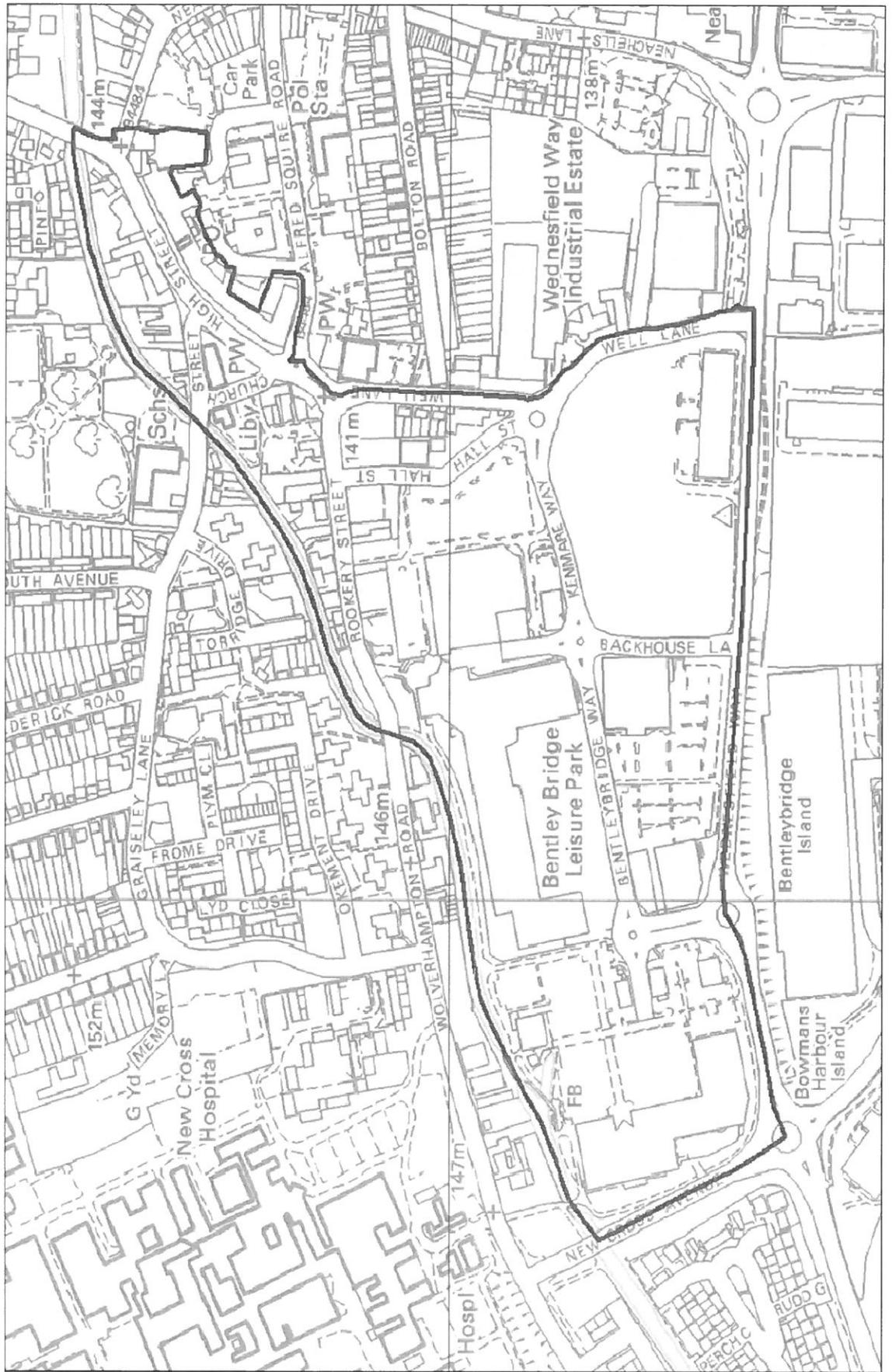
The Licensing Authority is now of the view that in these areas this is causing cumulative impact and designates these areas as Cumulative Impact Zones. The details of the policy specific to each area are described below.

The effect of the Cumulative Impact Policy is to create a **rebuttable** presumption that applications in respect the licensable activities detailed below for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity) where the premises are situated in one of the Cumulative Impact Zones will be refused.

To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting new licences in the Cumulative Impact Zones.

The Cumulative Impact Policy will not be used to revoke an existing licence or certificate and will not be applicable to the review of existing licences.

Wednesfield CIZ



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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: WV Licensing <wv_licensing@west-midlands.pnn.police.uk>
Sent: 16 August 2019 12:33
To: Licensing <Licensing@wolverhampton.gov.uk>
Cc: Elaine Moreton <Elaine.Moreton@wolverhampton.gov.uk>
Subject: RE: New Prem Licence- PRE1388 - Meat And More (UK) Ltd, 92-94 High Street, Wolverhampton, WV11 1SZ

Licensing,

In relation to this application WMP make the following representations.

Under the Prevention of Crime and Disorder

The application has not suitably addressed how they will not contribute to the CI in the area.

The application states they will “voluntarily” decline single sales. This is not enforceable and is then optional and cannot be controlled.

The alcohol sales times are in line with opening hours from 08.30hrs until 19.30hrs. There is nothing in the application that justifies the reason for alcohol sales that early.

It has not been established what proportion of the shops stock will be utilised for alcohol sales.

The application does not state whether spirits will be sold and if so where they will be located.

The premises is situated in a CIZ

Regards,

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

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

From: Elaine Moreton
Sent: 20 August 2019 13:38
To: Kully Bains-Sabharwal <Kully.Bains-Sabharwal@wolverhampton.gov.uk>
Cc: Licensing <Licensing@wolverhampton.gov.uk>
Subject: FW: New Prem Licence- PRE1388 - Meat And More (UK) Ltd, 92-94 High Street, Wolverhampton, WV11 1SZ

Sensitivity: PROTECT

Dear Kully,

I write on behalf of the Licensing Authority as a Responsible Authority to make formal representations to the above application for a new premises licence as the premises falls within Wednesfield C.I.Z.

There is a rebuttable presumption that applications within a C.I.Z will be refused unless the applicant can demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives; Prevention of Crime and Disorder, Prevention of public nuisance, Protection of Children from Harm and Public Safety.

Further clarity is required within the operating schedule to rebut the presumption of none grant.

Regards,

Elaine Moreton
Section Leader
Tel. Office: 01902 552772

[E-mail: Elaine.Moreton@wolverhampton.gov.uk](mailto:Elaine.Moreton@wolverhampton.gov.uk)
City of Wolverhampton Council

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23rd August 2019

Dear Ms Moreton

I am the licensing consultant representing Mr Taylor in the matter of the premises licence application for Meat & More against which you have made representation. Having received a copy of your representation today I wonder if I might present our response for your consideration?

Your representation states the following:

I write on behalf of the Licensing Authority as a Responsible Authority to make formal representations to the above application for a new premises licence as the premises falls within Wednesfield C.I.Z.

There is a rebuttable presumption that applications within a C.I.Z will be refused unless the applicant can demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives; Prevention of Crime and Disorder, Prevention of public nuisance, Protection of Children from Harm and Public Safety.

Further clarity is required within the operating schedule to rebut the presumption of none grant.

Your representation indicates that our premises falls within Wednesfield CIZ which is, of course, correct. The representation continues in its second paragraph by quoting the CI policy and concludes in paragraph three with a statement to the effect that further clarity is required within the operating schedule to rebut the presumption of refusal.

These brief three paragraphs might appear to contribute to the end effect of preventing the grant of our application. With that in mind we might reasonably have hoped for a rather more structured argument to support your position; for example, in which area(s) of the operating schedule is more clarity required? What are the perceived deficiencies of the operating schedule? How is it that you feel this application, should it be granted, will contribute to CI? How will the operating schedule adversely impact upon the promotion of the licensing objectives? Essentially, how is this application lacking in clarity further to the rebuttal of CI as we would like to address that concern?

Embedded within Wolverhampton's CI policy are the grounds on which the policy can be set aside: the presumption of an application's refusal may be overridden if the applicant can demonstrate that there will be no negative cumulative impact. Clearly, none of us have a crystal ball into which we can see the future so none of us is able to predict with certainty that CI *will* result from the grant of an application. What we can assess, however, is the potential areas of concern and hence put into place measures to mitigate these concerns. We feel we have done this by proposing a series of robust conditions to ensure we successfully promote the licensing objectives and negate any potential for a negative impact upon CI. What might appear to be absent from your representation is any supporting evidence to suggest that our operating schedule is less than robust, is inadequate to aid the promotion of the licensing objectives and will therefore lead to a negative impact upon CI.

The thrust of your representation appears to be that we need to provide further clarity in our operating schedule. If that is so I'm unsure why we were not given the

opportunity during the consultation period to address your concern in order that we might have had a chance to provide the clarity you seek?

To counter the point made in the third paragraph of your representation I would argue that we have provided a full rebuttal of the CI policy in section M(a). We argue that the nature of the premises as a large grocery store will place it outside the scope of the type of low-cost alcohol-only off-licence which attracts street drinkers and those individuals looking to buy cheap high-strength alcohol. We have proposed conditions restricting beer and lager to a minimum of a four-pack purchase and also proposed a restriction upon the strength of beer, lager and cider to that at 6.5%ABV or below.

In addition we have proposed conditions on staff training, full CCTV coverage, the use of an incident/refusals log, drinks promotions assessments and Challenge 25 among other proposals. The hours we seek are fewer than those we would have been legally entitled to under the 1964 Licensing Act which, as you know, was repealed almost 14 years ago when the 2003 Act came into force. Finally, we will be closed each evening at 19:30, long before any pubs and clubs close for the night thus effectively removing our premises from any involvement in any ASB which may result during the night economy period.

The nature of our customer base is predominantly families buying their weekly shopping. Our business operation is unlikely to be attractive to those individuals likely to go on to create ASB in the town and thus cause us to add to CI.

Based upon these proposals I must confess that I am struggling to see where further clarity might be needed? Obviously I would be pleased to receive your thoughts on this as we are keen to work with you in order that your concerns may be satisfied. If you have any conditions you would be reassured to see on our licence I will be pleased to receive them to present to the applicant for consideration with a view to adding them to our operating schedule.

Naturally we would prefer that there is no need for a hearing to determine this application so would like to suggest that based upon the matters detailed above you might give consideration to withdrawing your representation. Failing that we would respectfully request that you provide us with further information so that we may have an idea of what is meant with regard to providing further clarity within the operating schedule.

Having read this submission I hope you are able to reconsider your position and feel able to withdraw it. If I can assist further please do not hesitate to contact me.

I look forward to your response.

Many thanks

Kind regards

Paul Jones

Licensing Consultant
Innpacked



23rd August 2019

Dear PS Reynolds

I am the licensing consultant representing Mr Taylor further to the Meat & More premises licence application against which you have submitted a representation. With a view to mediation, working with the responsible authorities and seeking the withdrawal of your representation I wonder if I might address the points in your representation in order as I think that perhaps there may be a couple of areas for which I may be able to provide further clarification?

[Under the Prevention of Crime and Disorder](#)

[The application has not suitably addressed how they will not contribute to the CI in the area.](#)

Section M (a) of the application provides our response to the requirements of cumulative impact (CI). We feel that we have made a strong rebuttal argument further to CI. This, coupled with the conditions we have proposed and the nature of our premises, should be taken overall as our argument to rebut the CI policy. Our premises is similar in approach to an outlet like *Iceland*, that kind of grocery store. What we are not is a '*pile 'em high and sell 'em cheap*' off licence. Alcohol will be only a small part of the groceries we sell. More of this later.

[The application states they will "voluntarily" decline single sales. This is not enforceable and is then optional and cannot be controlled.](#)

With respect I think that this is a misunderstanding of the final sentence of paragraph two in section M (a). The point I made here was that we have *voluntarily* proposed a condition - M(b) condition 6 - preventing the sale of single cans so this *will* be conditional upon the licence. Our proposed condition 6 states:

All cans of beer, lager and cider in containers containing less than 500ml shall not be sold in single cans. A multipack containing a minimum of four cans shall be the only permitted purchase method.

As you can see, we are voluntarily self-imposing a condition preventing the sale of single cans. The condition is therefore enforceable and alcohol supplies can be controlled with the aid of this condition. Proposed condition 6 is also coupled with condition 5 restricting the strength of beers and lagers we sell to a maximum of 6.5%ABV. Clearly we are addressing the potential for street drinking issues with these two voluntarily self-imposed conditions.

[The alcohol sales time are in line with the opening hours from 08:30 hrs until 19:30 hours. There is nothing in the application that justifies the reason for alcohol sales that early.](#)

The s.182 Guidance states at para. 10.15:

"Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail

outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours."

This provides the justification for commencing alcohol sales at 08:30, i.e. the point at which we open our doors to the public – a public we should remember, who will be unable to buy single cans or cans of high-strength beer.

We should also consider that Guidance paragraph 10.10 includes the following provision:

Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions.

Placing differing alcohol supply hours to opening hours on a premises licence can lead to the premises licence holder having to go to additional costs further to buying lockable display cabinets and the potential discord this can provide when a customer wants to purchase a bottle of wine with their shopping.

Additionally, we are looking to remain open to the public for eleven hours a day and six on a Sunday. Under the 1964 Licensing Act, repealed almost 14 years ago, off licences were permitted to remain open and selling alcohol for twelve hours a day. As we can see we have applied for fewer hours than we would have been entitled to 14 years ago and have not taken advantage of our right to apply for up to 24 hour alcohol supply. Our application, then, might appear to be quite modest in that regard. We will also be closed at 19:30, which I would suggest places us entirely outside any potential late night alcohol-fuelled town centre ASB problems which may arise in this CIZ.

It has not been established what proportion of the shops stock will be utilised for alcohol sales.

This is not entirely correct. The alcohol display area is clearly defined on the premises plans, i.e. the bottom right corner of the premises plans. As you can see the alcohol display area is very restricted and constitutes only a small proportion of the premises.

The application does not state whether spirits will be sold and if so where they will be located.

As I am sure you are aware there is no requirement within the Act to state in an application the types of alcohol to be sold from a premises. The licensable activity to be authorised is 'the supply of alcohol'; there is no necessity to clarify in an application whether spirits will be sold. All the alcohol will be located as per the premises plans. I can confirm, however, that spirits will not be sold at the premises and we will be happy to adopt a suitably worded condition further to this if it will offer you reassurance.

The premises is situated in a CIZ

The premises is indeed located within a CIZ. This alone is not a justification to refuse an application as applications which will *not* add to CI are able to be granted under a CI policy. The CI policy is not justification for a blanket refusal

of every application made with the CIZ. The policy itself states quite clearly that it is rebuttable, that is to say that written within the policy are grounds for disregarding that same policy. We have provided above and in section M (a) of the application form our grounds for disregarding, i.e. rebutting, the CI policy. We firmly believe that our premises will not contribute to CI and neither will it have an adverse effect upon the promotion of the licensing objectives.

I hope therefore that the matters I have listed above can offer you the reassurance that you need to be able to reconsider your position with regard to Police opposition against the application. While the Police are able to take a view on our submissions and have the right to disagree with our argument what might appear to be absent from the representation is any suggestion of how our operation is likely to *add* to CI or how our operation may be likely to adversely impact upon the promotion of the licensing objectives. What is either missing from, or included in, this application to which the Police can point and say that this or that will likely add to CI?

As a responsible authority the Police are entitled to make representation as they see fit; however, we should also remember that a premises licence application is not a paper exercise. This application represents Mr Taylor's livelihood, effectively the survival of the business. As we all know, in these challenging economic times surviving in a retail environment, particularly in the grocery sector, means having parity with your competition. It may be a harsh fact, but without the ability to sell alcohol a grocery business will struggle to compete with other businesses who are able to sell alcohol. We are not asking for more than our competitors, simply parity with them. An ability to compete and make a success of the business. Successful businesses contribute to successful towns, which is, after all, what we all want I would suggest.

Having read this submission I hope you are able to reconsider your position and give thought to withdrawing it. If I can assist further please do not hesitate to contact me.

I look forward to your response.

Many thanks

Kind regards

Paul Jones

Licensing Consultant
Innpacked



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From Elaine Moreton
Section Leader, Licensing

To Mr Paul Jones
Agent

cc. Chris Howell – Licensing Manager

PRE1388

Tel. No/Ext: 01902 552772

Date: 03 September 2019

Mediation Outcome

Meat and More, 92-94 High Street, Wednesfield, Wolverhampton, West Midlands, WV11 1SZ

Following a telephone conversation yesterday to discuss the Licensing Authority representations in its capacity as a Responsible Authority the conditions detailed below have been agreed between the authority and the applicant's agent, who has stated he is willing to modify their operating schedule accordingly:

General

Part of paragraph 1:

"1 All staff shall be suitably trained for their job function for the premises."

To be replaced with:

"1 All staff shall be suitably trained annually for their job function for the premises."

The Prevention of Crime and Disorder

Part of paragraph 3

"The register shall be made to the premises alleging nuisance or anti-social behaviour by persons attending readily available for inspection by an authorised person upon reasonable request."

To be replaced with:

"The register shall be made available to any responsible authority upon request."

Part of paragraph 6

"All cans of beer, lager and cider in containers containing less than 500ml shall not be sold in single cans. A multipack containing a minimum of four cans shall be the only permitted purchase method."

To be replaced with:

"All cans of beer, lager and cider shall only be sold in multipacks of 4 or more. Multipacks shall be the only permitted purchase."

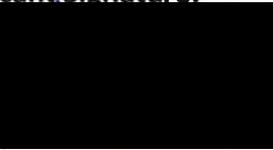
Part of paragraph 9

"A written record of these checks shall be kept and made available to an authorised officer of the licensing authority"

To be replaced with:

"A written record of these checks shall be kept and made available to any responsible authority on request."

Applicant Signature:



Date: 03/09/19

I, Paul Jones acting on behalf of my client Meat and More (UK) Ltd agree to modify the premises licence application dated 23 July 2019 to include the above conditions in their operating schedule.

Licensing Authority – Responsible Authority Signature:

.....

Date:

Subject to the above condition 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.