

# Statutory Licensing Sub-Committee

18 September 2020

**Time** 10.30 am      **Public Meeting?** YES      **Type of meeting** Regulatory  
**Venue** Online meeting

## Membership

**Chair** Cllr Alan Bolshaw (Lab)

### Labour

Cllr Rita Potter

### Conservative

Cllr Jonathan Crofts

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](http://www.wolverhampton.moderngov.co.uk1)  
**Email** [democratic.services@wolverhampton.gov.uk](mailto:democratic.services@wolverhampton.gov.uk)  
**Tel** 01902 550320

Please take note of the protocol for filming and recording of, and use of social media in, meetings, copies of which are displayed in the meeting room.

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

# Agenda

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

<i>Item No.</i>	<i>Title</i>
1	<b>Apologies for absence</b>
2	<b>Declarations of interest</b>
3	<b>Licensing Act 2003 - Application for a Premises Licence in respect of Sugar and Spice, 44 Newhampton Road West, Wolverhampton, WV6 0RY (Pages 3 - 42)</b>

<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Statutory Licensing Sub-Committee</b> 18 September 2020
--	---

<b>Report title</b>	<b>Licensing Act 2003 - Application for a Premises Licence in respect of Sugar and Spice, 44 Newhampton Road West, Wolverhampton, WV6 0RY</b>	
<b>Wards affected</b>	Park	
<b>Accountable director</b>	Ross Cook, Director of City Environment	
<b>Originating service</b>	Licensing Services	
<b>Accountable employee</b>	Debra Craner	Section Leader
	Tel	01902 556055
	Email	Debra.craner@wolverhampton.gov.uk

---

**Recommendation for decision:**

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 2020 from Sanjeev Ohri for a premises licence in respect of Sugar and Spice, 44 Newhampton Road West, Wolverhampton, WV6 0RY. A copy of the application is attached at Appendix 1.
- 2.2 The premises are in Park ward and a location plan is attached at Appendix 2.
- 2.3 The application is in respect of the supply of alcohol on and off the premises.
- 2.4 This premises is situated within the Avion Centre 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, Public Health and the Licensing Authority. Copies of the representations can be found at Appendices 4 to 6.
- 2.8 The applicant and all those who have submitted representations have been invited to attend the hearing.

## **3.0 Policy Implications**

- 3.1 In the 2020 Statement of Licensing Policy, the Cumulative Impact Policy (CIP) was revised and consideration was given to the five Cumulative Impact Zones (CIZ) and problem areas bordering them (Special Consideration Areas). Applications received for premises within these areas will be subject to a matrix approach contained within the Statement of Licensing Policy.
- 3.2 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.

- 3.3 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 Cumulative Impact Zone will be refused.
- 3.4 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).
- 3.5 To rebut the presumption, explained in 3.4 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 There are no direct financial implications associated with the recommendations in this report. The fee for this application is £190.00 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 Statutory Licensing Committee on 22 January 2020. [NC/06012020/K]

#### **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 of the Licensing Act 2003 and City of Wolverhampton's Council 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 City of Wolverhampton Council has five Special Policies or Cumulative Impact Zones (CIZ's)

- 5.6 Within the WCC Statement of Licensing Policy, Cumulative Impact is defined as the potential impact upon the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.
- 5.7 The special policy will only be overridden in exceptional circumstances. The effect of this special policy is that applications for new premises licences within the area which are likely to add to the existing Cumulative Impact, will be refused following relevant representations. This presumption can be rebutted by the applicant if they can show that their application will have no negative Cumulative Impact.

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) The likelihood that the activity will have an impact on the licensing objectives.

And where the Cumulative Impact Policy is deemed to apply:

- II. Should refuse an application following relevant representations, unless the applicant can show that their application will have no negative Cumulative Impact. [JB/03092020/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 Covid implications**

10.1 There are no Covid implications arising from this report

## **11.0 Schedule of background papers**

11.1 None

## **12.0 Appendices**

12.1 Appendix 1 – Application

12.2 Appendix 2 – Location plan

12.3 Appendix 3 – Culminative impact policy

12.4 Appendix 4 - West Midlands Police Representations

12.5 Appendix 5 - Public Health Representations

12.6 Appendix 6 - Licensing Authority Representations

This page is intentionally left blank



**Wolverhampton**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[city.direct@wolverhampton.gov.uk](mailto:city.direct@wolverhampton.gov.uk)  
Telephone: 01902 551155

\* required information

**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes       No

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

**Address**

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

Is your business registered in the UK with Companies House?  Yes  No

Is your business registered outside the UK?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Business name

VAT number

Legal status

Your position in the business

Home country

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name	<input type="text" value="The Clock House"/>
Street	<input type="text" value="361 High St"/>
District	<input type="text"/>
City or town	<input type="text" value="West Bromwich"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="B70 9QG"/>
Country	<input type="text" value="United Kingdom"/>

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	<input type="text" value="Sugar &amp; Spice"/>
Street	<input type="text" value="44 New Hampton Road West"/>
District	<input type="text"/>
City or town	<input type="text" value="Wolverhampton"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="WV6 0RY"/>
Country	<input type="text" value="United Kingdom"/>

**Further Details**

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="4,900"/>

**Section 3 of 21****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 21****INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes  No

Continued from previous page...

**Current Residential Address**

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Applicant Contact Details**

Are the contact details the same as (or similar to) those given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

\* Date of birth   
dd mm yyyy

\* Nationality

Right to work share code

[Documents that demonstrate entitlement to work in the UK](#)  
[Right to work share code if not submitting scanned documents](#)

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

*Continued from previous page...*

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.

This is an Indian Restaurant with seating for 12 covers and Takeaway we wish to sell alcohol to diners on the premises, with takeaway orders and with food deliveries

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

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

*Continued from previous page...*

Will you be providing recorded music?

Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes  No

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

**Name**

First name

Family name

Date of birth   
dd mm yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

none

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

Start

End

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Empty box for seasonal variations.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Empty box for non standard timings.

Section 18 of 21

LICENSING OBJECTIVES

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

a) General = all four licensing objectives (b,c,d,e)

**Continued from previous page...**

List here steps you will take to promote all four licensing objectives together.

Staff will be trained on the requirements of the Licensing Act 2003 when they are recruited  
Training will be updated on a regular basis  
We will liaise with local police licensing officer on a regular basis  
Prominent signs will be displayed with regard to "Proof of Age " and for the purchase of alcohol  
CCTV Cameras are installed at the premises recordings will be kept for 28 days  
A Refusal Book is kept at the premise  
Alcohol will only be sold to diners

**b) The prevention of crime and disorder**

CCTV - It will be digital recorded for up to 28 days and will be made available on request to all licensing authorities. There will all be a member of staff on duty who is trained and able to show and download images from the system during opening hours. It will be in recording operation during opening hours and it will cover all licensable activity areas of the premises.

**c) Public safety**

There is a risk assessment in place we will fully comply and update

**d) The prevention of public nuisance**

Drinking - No drinking vessels at any time are to be taken beyond the outside perimeter of the premises and the premises licence holder must ensure notices are displayed in any designated outside smoking or drinking area to inform patrons of the restriction.  
Signage - Signage displaying to customers to "Respect Local residents, please leave quietly" to be on display around location and especially at the exits and smoking areas. We operate an approved taxi firm and order taxis well in advance to ensure customers are away from the area quickly .The DPS will carry out perimeter checks to monitor noise levels arising from the premises including the building, smoking areas. In the event that noise levels are such that disturbances are caused to occupiers of nearby residential premises, appropriate action shall be taken to stop the disturbances.  
Bins will be emptied during daytime hours.

**e) The protection of children from harm**

The Licence Holder shall ensure that children are accompanied by a person aged 18 or over at all times and no children will be allowed at the bar services.  
The premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol:- The policy must require individuals who appear to the responsible person to be under 25 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

### **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.

*Continued from previous page...*

- 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.

*Continued from previous page...*

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.

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o 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.
  - o 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.
  - o 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.
  - o 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:
  - o 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.
  - o 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.
  - o 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.

**Continued from previous page...**

- 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:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o 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;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o 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.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

Continued from previous page...

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

\* I/we understand 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.  
THE INFORMATION GIVEN MAY BE HELD IN MANUAL OR COMPUTERISED FORM AND WILL BE SUBJECT TO THE PROVISIONS OF THE DATA PROTECTION ACT 1998

\* This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text" value="[REDACTED]"/>
* Capacity	<input type="text" value="Agent for the LLP"/>
Date (dd/mm/yyyy)	<input type="text" value="23-07-20"/>

Once you're finished you need to do the following:  
1. Save this form to your computer by clicking file/save as...  
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/wolverhampton/apply-1> to upload this file and continue with your application.  
Don't forget to make sure you have all your supporting documentation to hand.

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

**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**

**Consent of individual to being specified as premises supervisor**

**I Sanjeev Ohri**



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

**New Premises Licence**

**By Sanjeev Ohri**

**relating to premises licence no**

**for**

**Sugar & Spice**

**44 New Hampton Rd West**

**Wolverhampton WV6 0RY**

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

**Sanjeev Ohri**

**concerning the supply of alcohol at**

**Sugar & Spice**

**44 New Hampton Rd West**

**Wolverhampton WV6 0RY**

**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 TBA**

**Personal licence issuing authority**

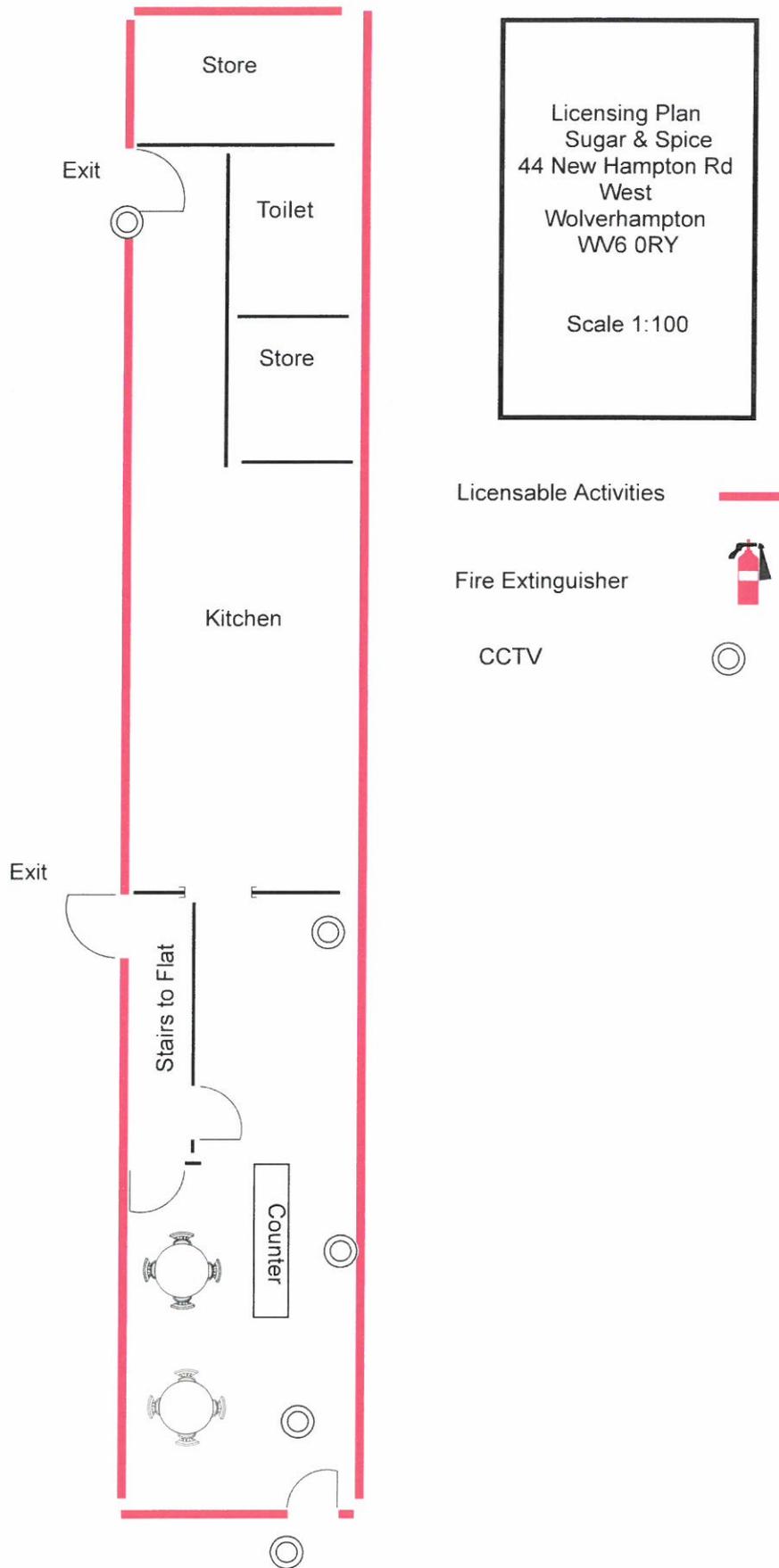
**Wolverhampton City Council**

**Signed**

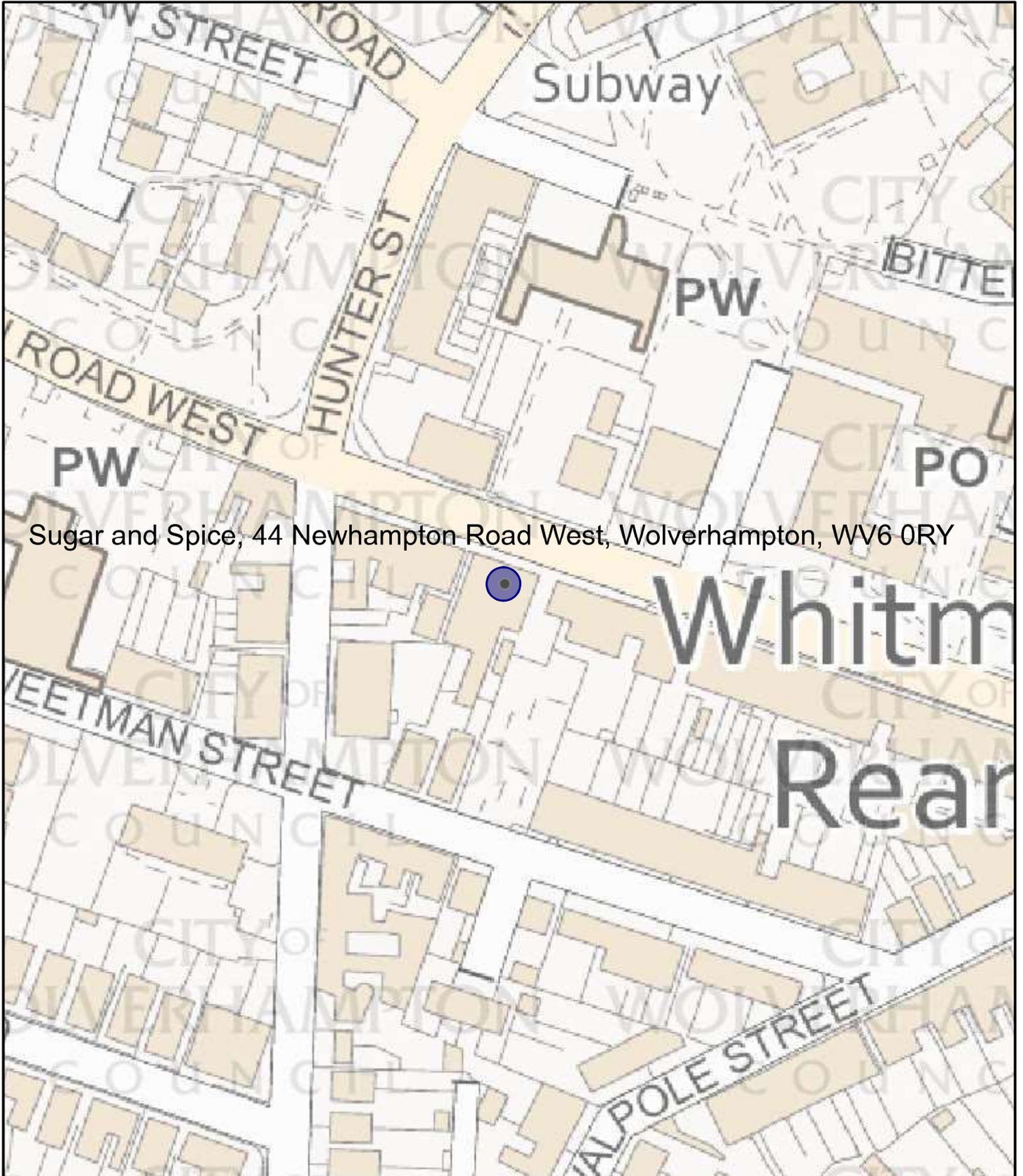


**Name Sanjeev Ohri**

**Date 21/07/20**

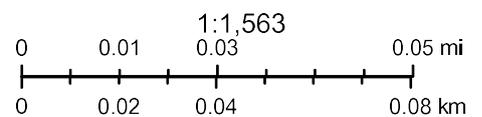


This page is intentionally left blank



Sugar and Spice, 44 Newhampton Road West, Wolverhampton, WV6 0RY

9/4/2020 11:04:15 AM



© Crown copyright and database rights 2019 Ordnance Survey 100019537

This page is intentionally left blank

## **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.

# Avion Centre CIZ



This page is intentionally left blank

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**From:** WV Licensing <wv\_licensing@west-midlands.pnn.police.uk>  
**Sent:** 04 August 2020 13:44  
**To:** Licensing <Licensing@wolverhampton.gov.uk>  
**Subject:** RE: [External]: FW: New Prem- PRE1425- Sugar And Spice, 44 Newhampton Road West, Wolverhampton, WV6 0RY

**CAUTION:** This email originated from outside of the council. Do not click links or open attachments unless you are sure the content is safe.

Hi,

West Midlands Police wish to make representations regarding this application under the licensing objective of Prevention of Crime and Disorder.

There is no mention of this premise being in the CIZ and therefore no mention how they will not contribute to the cumulative impact.

Aimee Taylor  
Licensing & Regulatory Officer  
West Midlands Police  
Int Tel: 8713284

[Redacted]

[Redacted]

This page is intentionally left blank

**From:** Amy Baker  
**Sent:** 18 August 2020 15:30  
**To:** Licensing  
**Subject:** RE: New Prem- PRE1425- Sugar And Spice, 44 Newhampton Road West, Wolverhampton, WV6 0RY  
**Attachments:** Public Health Representation Sugar and Spice.pdf

Sensitivity: PROTECT

Sensitivity: PROTECT

Dear Kully,

Please find attached representation on behalf of public health

Kind regards

Amy Baker  
Health Improvement Officer  
Tel. Office: 01902556219

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

[Redacted content]

[Redacted content]

[Redacted content]

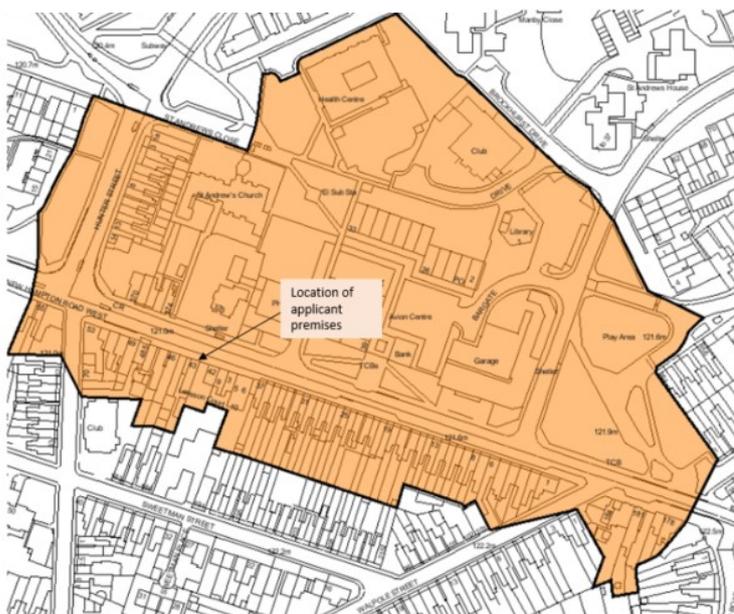
**Public Health representation to the licence application, submitted to the City of Wolverhampton Council, by Sugar and Spice, 43 Newhampton Road West, Wolverhampton, WV6 0RY**

- 1.0 Public Health is one of the Responsible Authorities as stipulated in the Licensing Act 2003. Section 182 guidance at paragraph 9.22 states 'health bodies are encouraged to make representations in respect of any of the four licensing objectives'.
- 1.1 Public Health object against the licence application made by Sugar and Spice, 43 Newhampton Road West, WV6 0RY on the basis it falls within a Cumulative Impact Zone and undermines the licensing objectives. In the opinion of Public Health, the applicant has not provided evidence which rebuts the presumption of refusal.

**2.0 Cumulative Impact Zone**

- 2.1 The premises in question falls under a Cumulative Impact Zone (CIZ). Figure 1 provides an outline of the said CIZ and the location of the proposed premises.

Fig 1: Avion CIZ



- 2.2 Wolverhampton's Statement of Licensing Policy April 2020 Page 33-34 refers to the purpose of CIZ's

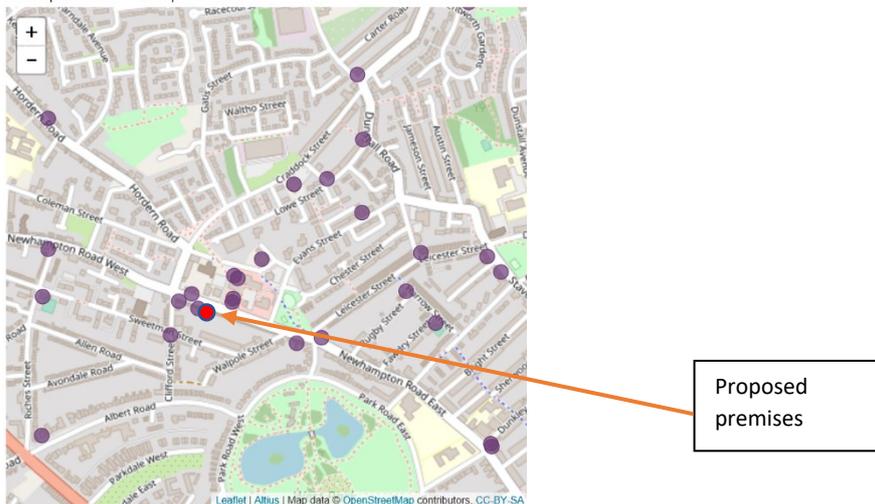
*The City of Wolverhampton Council have, over the fifteen years of alcohol and entertainment licensing, developed a sound understanding of our district and recognised where problems are arising and the concentration of premises which have exacerbated existing areas of concern.*

*To this end, we have worked with our partners to establish how we might address these concerns. Initially implementing Cumulative Impact Zones which enabled us to address areas of concern and help prevent furtherance of problems within a specified area.*

- 2.3 The Avion CIZ was agreed by the Statutory Licencing Committee in 2009. This policy has been periodically revised, with the latest review taking place in April 2018. The Statutory Licencing Committee agreed the CIZ policy remains an important part of reducing alcohol related harm and issues identified in the CIZ during inception are still of concern and relevant.
- 2.4 Alcohol related hospital admissions in the Park ward, where the application is situated, continue to be a concern to public health. Hospital admissions are worse than the City average with a value of 462 per 100,000. (2018/2019 Public Health Annual Report Wolverhampton).
- 2.5 Public Health, in conjunction with Licencing, has launched an interactive tool<sup>1</sup> which plots various data onto a spatial map. When considering an application that falls within a CIZ it is useful to view the density of outlets currently in operation within the CIZ boundary. Figure 2 provides a view of current outlets within close proximity of the license application

Fig 2: Concentration of licensed premises

Darker points indicate multiple locations.



### 3.0 Application

- 3.1 The applicant has not, in the opinion of public health, identified enhanced measures or referenced the CIZ within the operating schedule. This raises significant concerns.
- 3.2 Considering the application falls within the CIZ, and the applicant does not in the view of Public Health rebut the presumption of refusal, it is the view that granting another licence within the area will exacerbate the concerning issues already identified.

Amy Baker  
 Health Improvement Officer  
 Public Health  
 18.08.2020

<sup>1</sup> <https://www.wolverhampton.gov.uk/licences/gambling-and-gaming/gambling-premises-licence>

This page is intentionally left blank

**From:** Greg Bickerdike  
**Sent:** 19 August 2020 17:13  
**To:** Licensing  
**Subject:** RE: New Prem- PRE1425- Sugar And Spice, 44 Newhampton Road West, Wolverhampton, WV6 0RY

Sensitivity: PROTECT

Sensitivity: PROTECT

Dear Kully,

I write on behalf of the Licensing Authority as a Responsible Authority to submit formal representations to above application under the 4 licensing objectives.

This premises is situated within the Avion Centre C.I.Z. and 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.

Throughout this application there is insufficient information within the operating schedule to show how the applicant will address all four licensing objectives and not add to the existing cumulative impact.

Kind regards,

Greg Bickerdike  
Service Lead - Licensing  
Tel. Office: 01902 554030

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



This page is intentionally left blank