

Statutory Licensing Sub-Committee

17 December 2021

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

Membership

Chair Cllr Phil Page (Lab)

Labour

Cllr Keith Inston
Cllr Anwen Muston

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,
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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 new Premises Licence in respect of Al Sorriso, 18A Upper Green, Wolverhampton, West Midlands, WV6 8QH (Pages 3 - 96)

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee

17 December 2021

Report title	Licensing Act 2003 – Application for a new Premises Licence in respect of Al Sorriso, 18A Upper Green, Wolverhampton, West Midlands, WV6 8QH	
Wards affected	Tettenhall Wightwick	
Accountable director	Ross Cook, Director of City Housing and Environment	
Originating service	Licensing	
Accountable employee	Debra Craner	Section Leader
	Tel	01902 556055
	Email	Debra.craner@wolverhampton.gov.uk

Recommendation for decision:

The Statutory Licensing Sub Committee is recommended to:

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 An application was received on 29 October 2021 from Luciana Palmieri for a premises licence in respect of Al Sorriso, 18A Upper Green, Wolverhampton, West Midlands, WV6 8QH. A copy of the application can be found at Appendix 1.
- 2.2 The premises are in the Tettenhall Wightwick ward and a location plan is attached at Appendix 2.
- 2.3 The application is in respect of the provision of Live Music, Recorded Music, Late Night Refreshment and Supply of alcohol for consumption on the premises.
- 2.4 Is it the understanding of the licensing Authority that the application for the premises licence has been made properly. The statutory requirements to give notice of the application has also been complied with.
- 2.5 All Responsible Authorities have been consulted on this application.
- 2.6 Relevant representations have been received from The Licensing Authority, Environmental Health, West Midlands Fire Service and Other Persons. Copies of the representations can be found at Appendices 3 to 10 respectively.
- 2.7 The Licensing Authority have mediated with the applicant's agent. The signed mediation document can be found at Appendix 11.
- 2.8 The applicant has also signed a West Midlands Fire Service voluntarily undertaking, a copy of this can be found at Appendix 12.
- 2.9 The applicant and all those who have submitted representations have been invited to attend the hearing.

3.0 Financial implications

- 3.1 There are no direct financial implications associated with the recommendations in this report. The fee for this application is £190 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 of Licensing Committee on 20 January 2021 [SB/05012021/W]

4.0 Legal implications

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

(a) The prevention of crime and disorder

- (b) Public Safety
- (c) The prevention of public nuisance
- (d) The protection of children from harm

Section 18 of the Licensing Act 2003 provides that where a relevant licensing authority receives an application for a premises licence properly made in accordance with section 17 of the act it must grant the licence, subject to any relevant conditions. However, where relevant representations are made the authority must hold a hearing (unless all parties agree this is unnecessary) and having regard to the representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives.

The steps are:

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

- 4.2 The general duties imposed on Licensing Authorities means proper consideration must be given to the Licensing Objectives when determining a premises licence application.
- 4.3 Regard shall be had to guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003 and the City of Wolverhampton Councils Licensing Policy Statement. [SH/091221/A]

5.0 Equalities implications

- 5.1 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 on the day to day lives of residents living in close proximity to the premises.
- 5.2 Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private 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 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.

6.0 All other Implications

- 6.1 There are no direct implications associated with this report.

7.0 Schedule of background papers

- 7.1 None.

8.0 Appendices

- 8.1 Appendix 1 – Application
- 8.2 Appendix 2 – Location Plan
- 8.3 Appendix 3 – Licensing Authority Representations
- 8.4 Appendix 4 – Environmental Health Representations
- 8.5 Appendix 5 – West Midlands Fire Service Representations
- 8.6 Appendix 6 – Other Persons (1) Representations
- 8.7 Appendix 7 – Other Persons (2) Representations
- 8.8 Appendix 8 – Other Persons (3) Representations
- 8.9 Appendix 9 – Other Persons (4) Representations
- 8.10 Appendix 10 – Other Persons (5) Representations
- 8.11 Appendix 11 – Licensing Mediation
- 8.12 Appendix 12 – West Midlands Fire Service Voluntarily Undertaking

* 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: Not Currently In Use. This is the unique reference for this application generated by the system. Your reference: [empty]. 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. Radio buttons: Yes, No (selected).

Applicant Details

* First name: Luciana. * Family name: Palmieri. * E-mail: [redacted]. Main telephone number: [redacted]. Other telephone number: [redacted]. Include country code.

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

Are you: Radio buttons: Applying as a business or organisation, including as a sole trader (selected), Applying as an individual. A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Radio buttons: Yes, No (selected). Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK? Radio buttons: Yes, No (selected).

Business name: Al Sorriso. VAT number: - 331635227. Legal status: Sole Trader. If your business is registered, use its registered name. Put "none" if you are not registered for VAT.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

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

Street

District

City or town

County or administrative area

Postcode

Country

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

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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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

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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	<input type="text" value="16a"/>
Street	<input type="text" value="High Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Albrighton"/>
County or administrative area	<input type="text" value="Shropshire"/>
Postcode	<input type="text" value="WV7 3JT"/>
Country	<input type="text" value="United Kingdom"/>

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	<input type="text" value="[REDACTED]"/>
Telephone number	<input type="text" value="[REDACTED]"/>
Other telephone number	<input type="text" value="[REDACTED]"/>
* Date of birth	<input type="text" value="[REDACTED]"/> / <input type="text" value="[REDACTED]"/> / <input type="text" value="[REDACTED]"/> dd mm yyyy
* Nationality	<input type="text" value="[REDACTED]"/>
Right to work share code	<input type="text" value="[REDACTED]"/>

Documents that demonstrate entitlement to work in the UK

Right to work share code if not submitting scanned documents

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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.

It is an Italian pizzeria, 68m2 in area and plans for 22 covers with toilet facilities and a small bar to prepare alcoholic and non alcoholic drinks and has small terrace out front with a couple of tables and also contains a commercial kitchen with extractor

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

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

Standard Days And Timings

Continued from previous page...

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

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

State any seasonal variations for the performance of live music

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

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live music 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.

Xmas eve end time 00:00
New Years Eve end time 01:00

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

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

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

Background music streamed at a low volume from a music distributing service such as spotify

State any seasonal variations for playing recorded music

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 playing of recorded music 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.

Xmas Eve end time 00:30
New Years Eve end time 01:30

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

- Yes No

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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

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Continued from previous page...

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

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

State any seasonal variations

Continued from previous page...

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 late night refreshments 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.

Xmas Eve end time 00:30
New Years Eve end time 01:30

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

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.

TUESDAY

Start
Start

End
End

WEDNESDAY

Start
Start

End
End

THURSDAY

Start
Start

End
End

FRIDAY

Start
Start

End
End

SATURDAY

Start
Start

End
End

Continued from previous page...

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.

Xmas Eve end time 00:30
New Years Eve end time 01:30

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 / /

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'.

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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.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

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.

Continued from previous page...

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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 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.

Xmas Eve end time 01:00
New Years Eve end time 02:00

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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.

This application for a new Premises Licence is restricted to the supply of alcohol as ancillary to meals. The applicant as the Designated Premises Supervisor and the restaurant staff will at all times ensure that the premises are run in a safe and orderly manner and in accordance with the four licensing objectives.

b) The prevention of crime and disorder

The premises are fully secured. The areas around the entrance to the premises are sufficiently illuminated to discourage acts both of nuisance and disorder. The restaurant premises are designed to provide full and uninterrupted supervision of the behaviour of its patrons by the attendant staff. The restaurant has always and will be run as a high class restaurant which will only be available to diners and it is not anticipated that any disorder or crime will be encountered at the premises. Should there be any disorder or difficulty caused then the applicant would have no hesitation in calling for the assistance of the local Police.

c) Public safety

A fully tested emergency lighting facility is in place which covers the eventuality of any loss of power at the premises and also to assist customers to identify emergency exits quickly. The emergency exits will be adequately maintained and kept clear at all times. Fire extinguishers and a fire blanket are strategically positioned at the premises to deal with any fire emergency. The applicant and the restaurant staff will make special arrangements for all diners with special needs or restricted diets.

d) The prevention of public nuisance

The restaurant premises are situated on the upper green in Tettenhall village amongst other commercial premises such as shops, offices and licensed premises. There will be no off sales of alcohol at the premises. The applicant and the restaurant staff will run the premises in a safe and orderly manner to prevent any occurrence of public nuisance. Patrons will be encouraged to leave the premises and the surrounding street parking areas in a quiet and orderly manner. The Designated Premises Supervisor, and the staff will ensure that bottles, cans and other such recyclable items shall only be disposed of in the bottle bank between the hours of 09:00 and 17:00 any day and that the lids of the waste disposal bins shall be kept in place.

e) The protection of children from harm

Unaccompanied children will not be permitted on the premises. The applicant and the restaurant staff will operate a strict proof of age policy to ensure that no persons under 18 will be permitted to purchase, acquire or consume alcohol save for the exception provided in Section 150 of the Licensing Act 2003 in respect of young persons over the age of 16. For small children the restaurant will provide high chairs with harness design according to British Standards

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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

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 you 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 (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

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.

Continued from previous page...

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

* Capacity

* Date / /

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

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

Luciano Palmieri
[name of applicant]

concerning the supply of alcohol at

18A Upper Green WOLVERHAMPTON WV6 8QH
[name and address of premises to which application relates]

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.

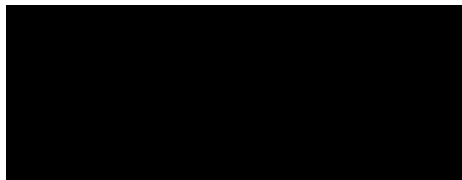
Personal licence number

00NN/PERS/M/001089
[insert personal licence number, if any]

Personal licence issuing authority

Powys
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



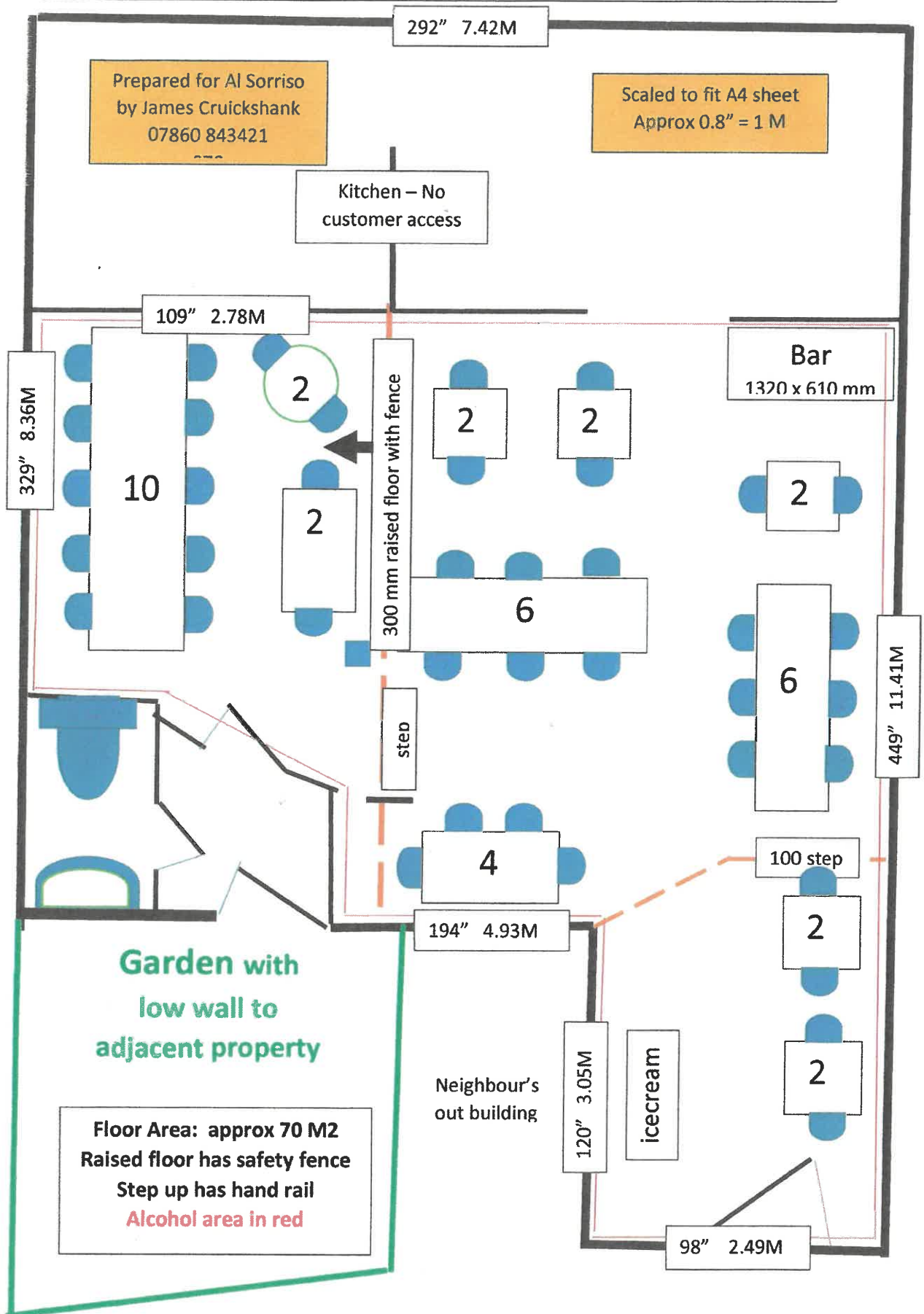
Name (please print)

MARK SMITH

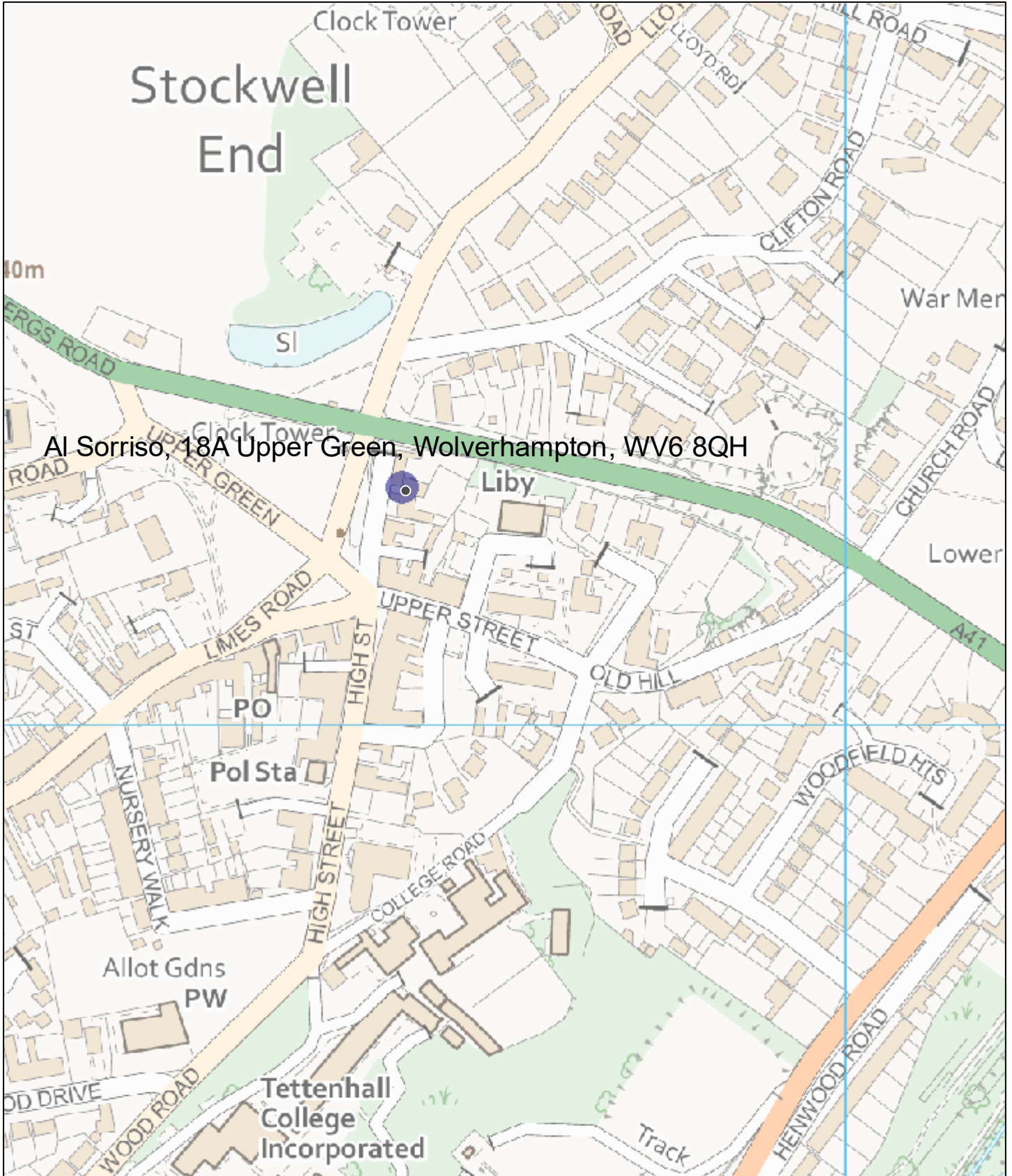
Date

25/10/21


Floor Plan – 18A Upper Green WV6 8QH

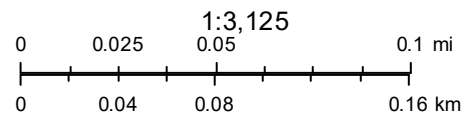


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12/7/2021 2:27:56 PM

 Cumulative Impact Zone



© Crown copyright and database rights 2015 Ordnance Survey 100019537

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From: Greg Bickerdike
Sent: 19 November 2021 11:00
To: Licensing; [REDACTED]
Subject: RE: Premises Application - Al Sorriso, 18a Upper Green, Wolverhampton, WV6 8QH - PRE1465

Sensitivity: PROTECT

Lizzie,

I write on behalf of the Licensing Authority as a Responsible Authority to submit formal representations to the above application under the licensing objectives of the Prevention of Crime and Disorder, Prevention of Public Nuisance, Public Safety and Protection of Children from Harm.

There is insufficient information within the operating schedule to show how the applicant will address these licensing objectives.

I will be looking to mediate with the applicant in order to address these concerns by way of amendments to the operating schedule prior to a Statutory Licensing Sub-Committee hearing.

Kind regards,

Greg Bickerdike
Licensing Manager
Tel. Office: [REDACTED]

E-mail: [REDACTED]
City of Wolverhampton Council

[REDACTED]

[REDACTED]

[REDACTED]

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From: Samuel Hoskins
Sent: 25 November 2021 18:57
To: Elizabeth Gregg
Subject: Premises Application - Al Sorriso, 18a Upper Green, Wolverhampton, WV6 8QH - PRE1465

Importance: High

Good evening Lizzy,

RE: Premises Application - Al Sorriso, 18a Upper Green, Wolverhampton, WV6 8QH - PRE1465

Environmental health have concerns regarding potential noise nuisance to nearby residents if live music is to be permitted at the premises. Furthermore, environmental health have concerns regarding potential noise nuisance if the premises is being used for licensable activities until the proposed end hours of 00:30hrs (weekdays and weekends) and non-standard timings - Xmas Eve end time 00:30 and New Year's Eve end time 01:30. The premises is adjacent to residential accommodation and it is foreseeable that the activities of live music and end hours of 00:30 and non-standard timings - Xmas Eve end time 00:30 and New Year's Eve end time 01:30 will cause public nuisance. I will attempt to mediate with the applicant in order to address these concerns.

Reason - Prevention of Public Nuisance.

Kind regards,

Sam Hoskins
Senior Environmental Health Officer
Environmental Health
Commercial Regulation
Place Directorate
City of Wolverhampton Council
Civic Centre, St Peter's Square , Wolverhampton, WV1 1DA
Mobile - [REDACTED]
Email - [REDACTED]

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From: Neil Aston-Baugh <[REDACTED]>
Sent: 22 November 2021 14:56
To: Licensing <Licensing@wolverhampton.gov.uk>
Cc: [REDACTED]
Subject: Fire Authority response to an application for a grant of premises licence, REPRESENTATION

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

OFFICIAL

LICENSING ACT 2003

NAME OF PREMISES: AL Sorriso Restaurant

ADDRESS: 18A upper green, Wolverhampton WV6 8QH

I refer to the application for the Grant of a Premises licence made in respect of the above premises.

The premises has been inspected and there are some fire safety issues which could negatively affect the **Public Safety Objective**, if the licence is granted without remedial actions.

- changes of floor level constitute a trip hazard
- The premises requires assessing for the provision of emergency lighting
- The proposed artificial plant may constitute a fire hazard
-
- Staff have not received fire safety training

Consequently, **The Fire Authority hereby makes representation to the application.**

I can inform you that I have been in contact with the applicant and following the discussion, I can offer a voluntary undertaking to the applicant, to modify the proposed use of the premises and/or complete works to the appropriate standard. A copy of the proposed

undertaking is attached.

Should the applicant wish to agree, by signing, dating and returning the undertaking agreement to the Fire Authority, there will be no need for a hearing, providing there are no other relevant representations.

A scan or photograph of the completed document returned by email would be acceptable.

Any voluntary undertaking that the applicant gives to the Fire Authority does not constitute Licence Conditions and should not be treated as such.

You should be aware however that failure to act in accordance with the undertaking may result in the Issue of an enforcement notice under the Regulatory Reform (Fire Safety) Order 2005 and/or a review of the premises licence.

Should you require any further information or clarification, please do not hesitate to contact me.

Regards

Neil Aston-Baugh

Fire Safety Officer -LEEPS Team

Tipton Fire Station
Alexandra Road
Tipton
West Midlands
DY4 7NZ

Tel: [REDACTED] or,

[REDACTED]

Email : [REDACTED]

Team Email: LEEPSTeams.Enquiries@wmfs.net

Fire Safety Admin Email firesafety.admin@wmfs.net

LICENSING ACT 2003

Voluntary undertaking- Supplement to Application

NAME OF PREMISES: AL Sorriso Restaurant

ADDRESS: 18A upper green, Wolverhampton WV6 8QH

Before signing this document, you should be aware that failure to comply with this undertaking may result in a review of the premises licence and/or enforcement action under the Regulatory Reform (Fire Safety) Order 2005

PUBLIC SAFETY
1) If artificial decorative effects (artificial leaves, plants etc) are to be used on the pergola at the approach to the premises, they will be supplied as suitably fire retardant. A certificate of fire retardancy, will be kept, (or other suitable evidence), and will be given to the fire officer upon request.
2) The changes of floor level will be highlighted so that they are conspicuous and suitable signage will be provided to indicate the trip hazards.
3) The premises will be suitably assessed (during the hours of darkness) to check if emergency lighting is required. If required it will be provided in accordance with BS 5266-1.
4) Staff will receive suitable instruction and training on the actions to take in the event of fire which will include hands on fire extinguisher training for appropriate staff.
5) A Fire risk assessment will be undertaken as soon as is reasonably practicable.

APPLICANT'S SIGNATURE.....

(or representative authorised on behalf of the Premises Licence Holder/applicant)

APPLICANT'S NAME PRINTED.....

Date.....

AUTHORISED OFFICER...Neil Aston-Baugh (POSITION)...Fire Safety Inspecting Officer (Authorised on behalf of West Midlands Fire Authority)

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Licensing Services
City of Wolverhampton Council

Cllr. Jonathan Crofts
c/o Civic Centre
St. Peter's Square
Wolverhampton

25th November 2021

Dear Licensing,

PRE1465 - Premises Application - Al Sorriso, 18a Upper Green, Wolverhampton, WV6 8QH

I write as a Local Councillor for Tettenhall Wightwick ward and following contact by several local residents who made their views clear to me, I make representations to object to the above application.

Objections are made under the Licensing Objectives:-

I make reference to "City of Wolverhampton Council: Statement of Licensing Policy - Commencing April 2020" as "SOLP".

"We are mindful of the balance that we have to strike between the needs of our residents and those of our business community, which may sometimes conflict. We MUST ensure our residents can peacefully enjoy their homes and environment whilst also encouraging responsible and positive investment and economic growth" (SOLP, p.4- emphasis added).

Page 9 & 10 of SOLP (please see Appendix 1 below) describes the PREVENTION OF PUBLIC NUISANCE which would underpin this "peaceful enjoyment".

The starting point is to consider:-

"In determining applications when relevant representations have been received for new and varied licences, regard will be made to the **location of premises, the type and construction of the building and the likelihood of nuisance and disturbance to the amenity of nearby residents** by reason of noise from within the premises, as a result of people entering or leaving the premises or from individuals or groups of customers gathered outside (e.g. in order to smoke)" (SOLP, P.9- emphasis added).

Location – it is on Upper Green cul-de-sac, Tettenhall with proximate houses and flats (20 residents immediately, and a further 30 that could be affected if there was medium-level of noise/vibration).

It is in a Conservation Area next to two listed buildings

There are 9 nearby premises -shops/restaurants/cafés- with various alcohol licences

Type & Construction – wood and metal sheeting structure with a corrugated plastic roof

Likelihood of Nuisance & Disturbance – very high given non-brick construction, shared boundaries with homes & gardens and narrow entrance way (between a house and café) – this paved area is shared with next door house. A nearby courtyard would "broadcast" noise to a wider community.

In light of the above, there should be no live music as it would clearly interfere with the amenity of 20-50 neighbours.

All licensed activities should cease by 11pm – this would then allow customers to quietly disperse after their dining.

The Application describes “supply of alcohol as ancillary to meals” and therefore there should be NO vertical drinking permitted. P54 of SOLP suggests as a condition:

“The supply of alcohol shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.”

Within SOLP there is a recognition of noise from “within the premises” (page 9) and the noise from recorded music, customers, cooking and serving food should be recognised within the context of the building and its proximity to residents.

A condition may be imposed on new licences that entertainment noise shall **NOT (NOT added by Cllr Crofts to correct clear mistake)** be clearly audible in any residence. Noise emanating from within licensed premises should not normally affect those nearby. In such circumstances, applicants will be encouraged to supply an acoustic report confirming that there will be no noise breakout from the premises likely to cause a public nuisance to persons living or working near the licenced premises. Installation of sound limiting equipment and sound insulation may be required to minimise disturbance to the amenity of nearby residents by reason of noise from the licensed premises. This may be added as a condition where relevant representations have been received.

(SOLP page 10, emphasis added)

The application describes “background, low music” from a digital music streaming service. As an evening progresses, the level of music will increase and therefore with other restaurant noise, there will come a point when a public nuisance from noise will occur. Therefore, there should be a minimum condition to sound insulate (“sound proof”) the premises.

The Committee may consider as appropriate conditions: sound limiting equipment and “an acoustic report confirming that there will be no noise breakout from the premises likely to cause a public nuisance” to neighbours.

The premises’ cooking smells & steam are vented through a low-level extractor fan into a neighbour’s garden. Given a 9am start, and from the Plan attached to the Application showing 40 chairs around 11 tables, the premises will need to be mindful not to cause a public nuisance by way of vent fumes/noise of fans. This again supports that licensed activities should end at 11pm.

(The previous business was not open every day and it had limited hours of opening. Also, it did not have an alcohol licence).

From the Application and Plan, alcohol would be sold and consumed inside the building. Therefore conditions should be attached so that customers would not take alcohol out of the premises to drink on the paved area whilst say taking a phone call or smoking/vaping.

(As pointed out above, the paved area has shared ownership with next door’s residential property).

Given the small paved area in front of the premises, customers should not be allowed to congregate/queue and should not be allowed to smoke or vape as it would cause a public nuisance.

Finally, the cul-de-sac is marked with double yellow lines and yet people inappropriately park there. This means that it can be difficult for residents to enter/exit their properties. Accordingly, licensed activities should not be permitted past 11pm and staff, customers and delivery vehicles should be informed of the parking restrictions in the immediate vicinity and the need to be respectful to residents when entering/leaving the premises.

This is most important in respect of access by any emergency vehicles that might be required for the cul-de-sac.

Conclusion

In light of all of the above, the application should only be granted with these and other amendments/conditions.

I would like to make representations at a sub-committee, if such a sub-committee is called.

Yours faithfully,

Cllr. Jonathan Crofts

Member of The Council

Appendix 1- Extract from SOLP

Prevention of Public Nuisance

We expect the operation of licensed premises not to unreasonably interfere with the personal comfort or amenity of immediate neighbours or the nearby community. It is important to note that Public Nuisance can include low-level nuisance, perhaps affecting a few people locally, as well as larger scale nuisance affecting the whole community. In determining applications when relevant representations have been received for new and varied licences, regard will be made to the location of premises, the type and construction of the building and the likelihood of nuisance and disturbance to the amenity of nearby residents by reason of noise from within the premises, as a result of people entering or leaving the premises or from individuals or groups of customers gathered outside (e.g. in order to smoke) (page 9)

Applications for new licences or for the extension in size of licensed premises submitted by way of a variation, providing relevant representations have been received, should not normally be granted if the premises will use amplified or live music and operate within or

abutting known noise-sensitive premises containing residential accommodation except that occupied by staff of the licensed premises. A condition may be imposed on new licences that entertainment noise shall **NOT (NOT added by Cllr Crofts to correct clear mistake)** be clearly audible in any residence. Noise emanating from within licensed premises should not normally affect those nearby. In such circumstances, applicants will be encouraged to supply an acoustic report confirming that there will be no noise breakout from the premises likely to cause a public nuisance to persons living or working near the licenced premises. Installation of sound limiting equipment and sound insulation may be required to minimise disturbance to the amenity of nearby residents by reason of noise from the licensed premises. This may be added as a condition where relevant representations have been received. Generally, regulated entertainment in the open-air including tents and marquees should have a maximum closure hour of 2300. Earlier hours may be imposed in sensitive open spaces or near residential areas. The Licensing Authority will have regard to relevant updated guidance. In determining applications for new licences or extensions in hours or terminal hours of licensed premises, regard will be had to late night public transport availability and location of taxi ranks to aid dispersal of customers. Reasonable controls are available to all premises operators to minimise the impact of noise from customers outside P.10

(SOLP, page 9 & 10)

Licensing Services
City of Wolverhampton Council

Cllr. Jonathan Crofts
c/o Civic Centre
St. Peter's Square
Wolverhampton

7th December 2021

Dear Licensing,

PRE1465 - Premises Application - Al Sorriso, 18a Upper Green, Wolverhampton, WV6 8QH

I write further in this matter to provide links to social media in relation to the above Premises Application.

An excerpt from bdaily.co.uk on Al Sorriso bistro & pizzeria states:-

“The initial investment is just the start. We’ve already got exciting plans in place to bring our ‘secret garden’ back to life, explore more ‘alfresco’ dining and stage several themed evenings over the next twelve months.”

Al Sorriso will also be offering a takeaway option for most of its menu, with more details found on www.alsorriso.co.uk

<https://bdaily.co.uk/articles/2021/11/30/al-sorriso-brings-a-slice-of-pizza-heaven-to-tettenhall-with-35000-investment>

It is respectfully submitted that the range and quantity of activities envisioned are already greater than those indicated in the Application. Therefore, there needs to be the appropriate level of transparency so appropriate conditions can be attached.

Facebook provides details as to their existing business and to the bistro & pizzeria in Tettenhall – I note a reduction in hours which would need to be agreed & formalised.

Please see:-

alsorrisobistro.com

& Facebook pages

<https://www.facebook.com/AlSorrisoAlbrighton/videos>

<https://www.facebook.com/AlSorrisoAlbrighton/videos/2519136904998004>

<https://www.facebook.com/AlSorrisoAlbrighton/videos/2399663847013994>

The videos illustrate how the level of amplified music at a Live Music Event would cause the performer/s to compete in volume with those dining & dancing and therefore soon cause noise/vibration nuisance to nearby residents.

I provide 3 hyper-links below to see the area from above on "Google Earth":-

<https://earth.google.com/web/@52.59897859,-2.16803906,139.6945548a,119.73212913d,35y,-77.16989817h,41.35661798t,0r/data=Cj4aPBI2CiUweDQ4NzA4MGQ0MzlyNWQ3ZmQ6MHg1MjZkYTA5NTQ3MzgwMTI2Kg1Xb2x2ZXJoYW1wdG9uGAEqAQ>

<https://earth.google.com/web/@52.598971,-2.16767752,143.91701528a,25.42757641d,35y,57.96754671h,13.89788067t,0r/data=Cj4aPBI2CiUweDQ4NzA4MGQ0MzlyNWQ3ZmQ6MHg1MjZkYTA5NTQ3MzgwMTI2Kg1Xb2x2ZXJoYW1wdG9uGAEqAQ>

<https://earth.google.com/web/@52.59884063,-2.16774585,143.94218256a,80.50604128d,35y,83.32381712h,10.97719769t,360r?form=MY01SV&OCID=MY01SV>

which provide a 3D dynamic view of the Premises which it would be useful for all to consider.

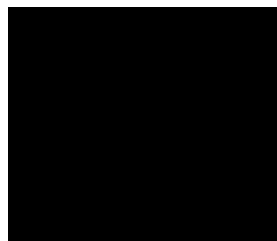
In light of all of the above additional information, the application should only be granted with extra conditions so as to uphold the Licensing Objectives.

Yours faithfully,

Cllr. Jonathan Crofts

Member of The Council

Licensing Services
City of Wolverhampton Council



25th November 2021

OBEJCTION FOR :

PRE1465 - Premises Application - Al Sorriso, 18a Upper Green, Wolverhampton, WV6 8QH

Dear Licensing,

PRE1465 - Premises Application - Al Sorriso, 18a Upper Green, Wolverhampton, WV6 8QH

Objections are made under the Licensing Objectives:-

I am writing to record my objections to the above application. [REDACTED]

[REDACTED]

I am an [REDACTED] year old [REDACTED] who has lived in this house for over 50 years. I now live on my own and cannot cope with the increased volume of customers and the extension of live music proposed in this application.

My specific objections concern the following:

1. Shared access with the business

There are complicated shared access with the building and I have concern that there are potentially implied legal liabilities should any customer accidents occur (please refer to the deeds) Given that the entrance alley way to Al Souorriso is a shared one. I own and have rights and responsibilities over the green bit and Al Soourriso own the blue bit with ditto responsibilities. This means that I could be liable if an Al Sourriso customer trips on my bit of the paving. Given that the place could be open from 9 am until 11.30 pm, 1.30 Christmas etc this is increasing the risk and probability of incidents given that the outside area is small and is [REDACTED] to my small area of garden. I have experienced this for over 20 years with the current and past businesses. The risk is increased with the increased volume on waste which overflows into this area and also presents a tripping hazard.

2. Increased customer volume

As above there is issues with the shared access but also there is no parking on Upper Green and I am concerned with projected numbers of 100 customers there will be problems with illegal parking, blocking access and potential traffic issues.

The increased numbers will also mean that footfall traffic will be increased, this will have issues with the people milling around my property and potentially with increase opening hours not being in a “fit state” due to alcohol consumption.

3. Extended hours

There are a number of issues with this the most concerning being the noise volume directly in front of my house.

Please find more generic objections related to the specific policy that impact not just on myself but others ,detailed below. These have been advised by local experts who are knowledgeable about the relevant clauses.

I make reference to “City of Wolverhampton Council: Statement of Licensing Policy - Commencing April 2020” as “SOLP”.

“We are mindful of the balance that we have to strike between the needs of our residents and those of our business community, which may sometimes conflict. We MUST ensure our residents can peacefully enjoy their homes and environment whilst also encouraging responsible and positive investment and economic growth” (SOLP, p.4- emphasis added).

Page 9 & 10 of SOLP describes the PREVENTION OF PUBLIC NUISANCE which would underpin this “peaceful enjoyment”.

Location – it is on Upper Green cul-de-sac, Tettenhall with proximate houses and flats (20 residents immediately, and a further 30 that could be affected if there was medium-level of noise/vibration).]

It is in a Conservation Area next to two listed buildings

There are 9 nearby premises -shops/restaurants/cafés- with various alcohol licences

Type & Construction – wood and metal sheeting structure with a corrugated plastic roof

Likelihood of Nuisance & Disturbance – very high given non-brick construction, shared boundaries with homes & gardens and narrow entrance way (between a house and café) – this paved area is shared with next door house. A nearby courtyard would “broadcast” noise to a wider community.

In light of the above, there should be no live music as it would clearly interfere with the amenity of 20-50 neighbours.

All licensed activities should cease by 11pm – this would then allow customers to quietly disperse after their dining.

The Application describes “supply of alcohol as ancillary to meals” and therefore there should be NO vertical drinking permitted.

Within SOLP there is a recognition of noise from “within the premises” (page 9) and the noise from recorded music, customers, cooking and serving food should be recognised within the context of the building and its proximity to residents.

A condition may be imposed on new licences that entertainment noise shall **NOT** (be clearly audible in any residence. Noise emanating from within licensed premises should not normally affect those nearby. In such circumstances, applicants will be encouraged to supply an acoustic report confirming that there will be no noise breakout from the premises likely to cause a public nuisance to persons living or working near the licenced premises. Installation of sound limiting equipment and sound insulation may be required to minimise disturbance to the amenity of nearby residents by reason of noise from the licensed premises. This may be added as a condition where relevant representations have been received.

The application describes “background, low music” from a digital music streaming service. As an evening progresses, the level of music will increase and therefore with other restaurant noise, there will come a point when a public nuisance from noise will occur. Therefore there should be a minimum condition to sound insulate (“sound proof”) the premises.

The Committee may consider as appropriate conditions: sound limiting equipment and “an acoustic report confirming that there will be no noise breakout from the premises likely to cause a public nuisance” to neighbours.

In light of all of the above, the application should only be granted with these and other amendments/conditions.



8th December 2021

Dear Licensing,

PRE1465 - Premises Application - Al Sorriso, 18a Upper Green, Wolverhampton, WV6 8QH

I am writing to provide additional factors for consideration that may influence the decision on this application. I apologise for the late submission of these additional considerations, [REDACTED]. I would be appreciative that you could give this your due consideration.

Following on from my first objection, I would like to add some further concerns on the following areas after

1. Having consulted appropriate experts about Fire safety
2. Being shown further information that has since emerged regarding the range and quantity of activities that are being promoted that are already greater than those indicated in the Application.

I do believe that these considerations need to be reviewed to ensure the appropriate conditions can be attached. I am the resident most likely to be directly impacted by this application.

I am assuming with my submission the relevant inspections have been carried out regarding fire regulations and food safety but if they have not I will be looking at reporting my concerns to the appropriate authorities specifically the West Midlands Fire Authority.

FACTORS FOR CONSIDERATION:

1. Fire safety



In respect of this application and the information provided in social media there are several articles that refer to the next phase of the investment *“The initial investment is just the start. We’ve already got exciting plans in place to bring our ‘secret garden’ back to life, explore more ‘alfresco’ dining and stage several themed evenings over the next twelve months.”*

The “secret garden” referred to is shown here. It is a small yard with no fire exit other than “vaulting” over [REDACTED] yard. The area is small and is enclosed. The white door is the fire exit from the restaurant should the access to the formal entrance be unavailable. The area is also enclosed on all sides with trees, plants and foliage which all are extremely

flammable material. If you couple this with the fact that the area is outside you also then have oxygen to fuel any fire. The kitchen area is adjacent to this area providing the third part of the fire triangle to the area a perfect storm.

Shown below is the current fire door from the café to the restaurant which is blocked from both sides. Should a fire start the only available exit is the front access – shown below which is a single point of exit. Should the restaurant be closed there is no fire exit. The means of escape from the ‘secret garden’ would also be through the enclosed kitchen and restaurant area which is the area of greatest risk.



Clearly, I am only able to provide the information on the fire arrangements that are easily available to myself and therefore I have no confirmation that there is an adequate fire alarms system or management of the extra waste to minimise the risk of a fire should it occur, I am assuming this is something the licencing committee will have audited.

With these specific issues that relate to the interests of safety, I am requesting that the Committee please attach conditions that deal with these issues in accordance with the SOLP. I am also requesting that the committee acknowledge that the relevant Fire Safety checks have been conducted on the premises for its proposed use. For your information, no one has been to speak to me to review the fire arrangements with regards to this application. In particular I believe that there has been no review of the measures to reduce the more significant likelihood of the risk of fire to ensure they are legal

and complaint and do not put myself or my property at risk. ■ property, as you can see from the accompanying pictures is within metres of the restaurant , and we have shared access of the pathway,I have concerns there is no formal process in place if a fire should occur and I have no reassurance that the risk would not impact myself. My house is a listed building and is more at risk from fire because of its age and any potential claims would increase my insurance liability. This has not been a problem before as there has not been the level of people involved (24) and the opening hours have not been as long. The previous restaurant did not use social media to promote its business and did not have the volume of traffic that this business is forecasting.

I have also been advised that there are specific clauses in the SLOP that need to be reviewed that are detailed below. I would appreciate your confirmation that these have been met under the application.

1. **P24** – premises and their operators will be regulated by general duties under current fire safety regimes and the Regulatory Reform (Fire Safety) Order 2005 rather than licensing provisions.
2. **P59** The premises shall operate a preopening and closing checklist to ensure that all appropriate steps have been taken before the premises are open to the public and at the close of business each day. These checks shall be recorded and kept for a minimum of six months and made available for inspection upon request by a responsible authority, police officer or authorised officer.
3. **P.60** The designated premises supervisor shall attend a formal public safety type training course, provided by West Midlands Fire Service, (responsible person course) where such training is available, and provide evidence of attendance if requested.
All staff on duty at the premises shall be trained in the Fire Safety and Evacuation procedures for the premises and aware of their individual responsibilities. This includes any door supervisors. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed. Training records shall be made available for inspection upon request by a police officer or an authorised officer of City of Wolverhampton Council.
4. **P61-62:-** All windows and external doors shall be kept closed between [XX:XX] hours and [XX:XX] hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance. A tamper-proof noise-limiting device shall be fitted to the sound system within the premises and all amplified music played at the premises must pass through this sound limiter at a level agreed by the Council's Environmental Health section. The noise limiter shall not be altered without prior agreement with the Council's Environmental Health section. Speakers shall not be located/operated in the entrance lobby or outside the premises, nor shall they be located or positioned in such a manner as to cause a nuisance outside the premises. While live or recorded music takes place, the licensee or management shall undertake regular monitoring of noise levels at the nearest noise-sensitive locations. A record shall be kept of any monitoring, including the date, time and location of monitoring; the name of the monitor; and

any action taken. Records shall be kept for no less than six months and shall be made available upon request by a police officer or an authorised officer of City of Wolverhampton

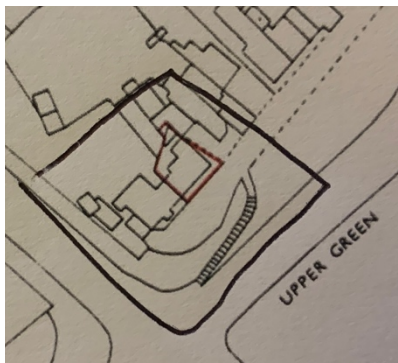
5. **P62** Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public

I am more than happy to allow the Fire authorities to visit my property to allow them to robustly investigate these concerns.

Noise/Nuisance/Environmental health

In the original objection I did highlight the significant impact on myself due to the number of covers, the opening hours and the noise from the music. There will be several “nuisances” I will have to deal with. Not only the increase in traffic as mentioned previously, but also the increased amount of cars parking near the property when this is a double yellow area. The business has been open a few weeks and already I have been impacted by the parking of the owners’ cars [REDACTED].

The promotion of “themed events” in the secret garden needs to be specifically raised. The pictures above show the proximity to [REDACTED] bedroom, bathroom, and upstairs space of the secret garden. This will severely impact me through not only noise but also the number of people in the proximity of my residence. I am constantly having to tidy up the mess left by the customers- cigarette butts, beer bottles and other litter. I have had to remove my bins from the drive (that is my property as shown in the deeds below) because of customers filling them with their own litter.



Shared access

I am sure the committee has taken into consideration the challenges of the shared access as detailed in the picture below. This has created many issues over the years which have been resolved amicably but there has never been such a commercial business on this site. The restaurant building is little more than a shed that is positioned at the bottom of a shared pathway. Its original purpose was a workshop /garage that was connected to the café. Its purpose was never to be a commercial business and nor should it be. There are several concerns I have on reading the proposed future plans for the business as these imply that there will be additional numbers of people and traffic. I am particularly concerned that there will be an increased probability that there may be accidents on the shared access due to the alcohol consumption. I am not prepared to have these happen on my “land” as this would be an insurance risk and a potential liability I am not insured for.

The area that is deemed on my property as shown in the deeds and below has already been used for the positioning of a “sandwich” board which restricts my access to put my bins out and for access to my rear gate with things like my fishing tackle etc



In light of all of the above additional information, I am extremely concerned about the impact on my safety, my property and my way of living, as at my age I am not prepared to put up with increased noise and disturbance at late hours. I would request that the application should be reviewed taking these objections into consideration and only be granted with extra conditions to uphold the Licensing Objectives.

I would strongly recommend that the Fire Safety services are consulted about the safety of the premises and their compliance to the relevant rules and that the relevant Environmental health and Food safety services have also passed the premises for food consumption

Thank you

██████████

SUPPORTING INFORMATION REGARDING THE USE OF THE PROPERTY

alsorrisobistro.com

<https://www.facebook.com/AlSorrisoAlbrighton/videos>

<https://www.facebook.com/AlSorrisoAlbrighton/videos/2519136904998004>

<https://www.facebook.com/AlSorrisoAlbrighton/videos/2399663847013994>

The videos illustrate how the level of amplified music at a Live Music Event would cause the performer/s to compete in volume with those dining & dancing and therefore soon cause noise/vibration nuisance to nearby residents.

There are 3 hyper-links below to see the area from above on "Google Earth":-

<https://earth.google.com/web/@52.59897859,-2.16803906,139.6945548a,119.73212913d,35y,-77.16989817h,41.35661798t,0r/data=Cj4aPBI2CiUweDQ4NzA4MGQ0MzlyNWQ3ZmQ6MHg1MjZkYT A5NTQ3MzgwMTI2Kg1Xb2x2ZXJoYW1wdG9uGAEGAQ>

<https://earth.google.com/web/@52.598971,-2.16767752,143.91701528a,25.42757641d,35y,57.96754671h,13.89788067t,0r/data=Cj4aPBI2CiUweDQ4NzA4MGQ0MzlyNWQ3ZmQ6MHg1MjZkYTA5NTQ3MzgwMTI2Kg1Xb2x2ZXJoYW1wdG9uGAEGAQ>

<https://earth.google.com/web/@52.59884063,-2.16774585,143.94218256a,80.50604128d,35y,83.32381712h,10.97719769t,360r?form=MY01SV&O CID=MY01SV>

which provide a 3D dynamic view of the Premises which it would be useful for all to consider.

SUPPORTING PICTURES

1. Blocked fire door from café to the restaurant



2. "Secret Garden " space as seen from [REDACTED]





3. Restaurant roof structure and external space as seen from [REDACTED]





4. Rear gate access from [REDACTED]



6. Shared access between [REDACTED] and Al Sorisso



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 24 November 2021 16:39
To: Licensing <Licensing@wolverhampton.gov.uk>
Subject: Al SSORRISO 18a Upper Green.

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

To whom it may concern
We have been informed and read a notice in the window of the restaurant premises Al SSORISO,18a. Upper Green. Tettenhall. WV6 8QH. This notice is requesting extending opening hours from 10pm until 12 midnight and at Christmas eve / New years eve 1.30am. The previous owner Little Italy closed at 10pm each evening and had no live or loud music. This proposed change would include live and loud music. We live at [REDACTED] away, we share the courtyard with [REDACTED] other residents and always respect our neighbours privacy. Music would most definitely be heard and cause disturbance of the peace around our properties.
There is already antisocial behaviour problems in the High street [REDACTED]. Our small road is a cul-de-sac and parking is only for loading and unloading, people park and loiter in the area even now, even though it is a turning point only. Many seem to disregard the signs and yellow lines, late night opening hours would only escalate this problem, and emergency exit, for residents. After drinking people are less respectful. I hope that you will give consideration to our concern.

Yours faithfully
[REDACTED]

Sent from [Mail](#) for Windows

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From: [REDACTED]
Sent: 19 November 2021 16:09
To: Licensing
Subject: Premises Application - Al Sorriso, 18a Upper Green, Wolverhampton, WV6 8QH

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

Dear Sir/Madam,

Premises Application - Al Sorriso, 18a Upper Green, Wolverhampton, WV6 8QH

We've seen the blue notice in the window for the above Premises Application and have some concerns if the licence is granted, as requested, without measures being put in place to control public nuisance and public safety.

The restaurant building is wood and tin with a corrugated plastic roof sandwiched between buildings in a residential area. [REDACTED]

Noise

If drinking and music is allowed to go on until midnight every day this has the potential to cause considerably more noise nuisance than the previous restaurant Little Italy that did not have live music and was generally closed by 10pm. If Al Sorriso is granted its Licence we believe it would be necessary to put measures in place to limit noise levels and durations to avoid noise nuisance to neighbours in this residential street.

Antisocial behaviour

Drinking alcohol until midnight has potential for causing nuisance. There is already late night drinking in Tettenhall High Street. Antisocial behaviour spilling in to the High Street is far enough away from the residential area not to bother us but it would be a problem to have it next door. If Al Sorriso is granted its Licence we believe measures will be required to stop alcohol-fuelled antisocial behaviour spilling in to the [REDACTED].

Traffic and illegal parking

Traffic and parking is already a big problem in the [REDACTED]. We have a front drive that we are unable to use for our car because illegal parking in the [REDACTED] opposite our house prevents us from entering and exiting our drive. Some people will move when asked but others can be aggressive and intimidating even when requested politely by an [REDACTED]. We wrote to Parking Services at the Council in November 2016 about the nuisance and safety issues caused by illegal parking in the [REDACTED], supported by numerous photographic examples. [REDACTED] agreed to send out Civil Enforcement Officers in the evenings as resources allow but I don't think there have been any for several years and parking on the double yellow lines is now a free for all.

Since complaining about illegal parking we were forced, due to illegal parking in the [REDACTED], to reverse the length of the [REDACTED] and on to the [REDACTED] in the dark during heavy rain. We scraped another illegally parked car in the process and it cost us £600 to get the other car repaired. We have also witnessed several other bumps and scrapes caused by illegal parking. If Al Sorriso is granted its Licence then it is imperative that measures are put in place to avoid staff

vehicles, delivery vehicles and customers' vehicles exacerbating an already inconvenient and dangerous traffic situation. We believe that parking patrols will be required in the daytime and evenings or that a sign is required in the turning area to clarify that it is not a parking area and is required to be kept clear at all times for emergency vehicles and to avoid drivers having to reverse on to the High Street.

Yours faithfully,

[Redacted signature block]

Sent from [Mail](#) for Windows

[Redacted]

[Redacted]

[Redacted]

Attachments: 20211206_141613.jpg; 20211206_141710.jpg

From: [Redacted]
Sent: 08 December 2021 21:43
To: Licensing <Licensing@wolverhampton.gov.uk>
Subject: RE: Premises Application - Al Sorriso, 18a Upper Green, Wolverhampton, WV6 8QH - PRE1465

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 Elizabeth,

We mentioned the extractor fan venting in to [Redacted] garden so please find 2 photos attached to show it.

Thanks,
[Redacted]

Sent from [Mail](#) for Windows

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]





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From: [REDACTED]
Sent: 23 November 2021 09:14
To: Licensing
Cc: [REDACTED]
Subject: Representation/Objection to Application for Alcohol Licence 18a Upper Green

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To Licensing@wolverhampton.gov.uk
 [REDACTED]
 [REDACTED]

Re .Al Sourriso 18a Upper Green WV6 8QH

As an [REDACTED], I wish to object to the terms of the alcohol licence being applied for.

I am aware that the Licensing Committee considers applications in terms of its Licensing Policy ,therefore in this instance the policy should be interpreted in terms of a timber, tin and plastic shed in the middle of gardens , surrounded by houses and flats adjoining listed buildings in a Conservation Area.

The basis of my objections is that there is a clear mismatch between the application and The Statement of Licensing Policy.

Please compare and contrast the Policy underlined with the reality of the application.

"applicants should refer to the Council's Licensing Policy so that that applications are less likely to attract representations"

" responsible businesses are sensitive to communities in which they operate and seek to minimise any negative impacts they may have on their neighbours"

 This business in contrast has applied for the maximum number of late hours, live and recorded music, and late night refreshments with no details of sound proofing, fire regulations or compliance with environmental health regulations not to discharge greasy microbial fumes at low level into [REDACTED] garden below window level.

The Policy states that The Committee " will be mindful of striking a balance between the needs of residents and the business community.The Committee " cannot allow a licence free for all , being an essential buffer to residential interests and concern"."To have comprehensive knowledge of local issues .,To be more responsive and relevant to local areas."

The Licensing Policy seeks to avoid over concentration of particular uses, where they may erode local amenity."

 As this licence could be the eleventh within a hundred yards , not to mention two pubs, I did not know the balance striven for could be one "bar" to one resident.The Committee claims to be " an essential buffer to residents' concerns " given that a buffer dampens and absorbs , I would say that the homes of 51 residents within a hundred yards are the buffer and they don't absorb , they vibrate.([REDACTED] music emerges from a brick building , not a tin shed , and bounces off walls at the end of my road and up the High Street).The present application will also be concentrating two licensed premises together 18 & 18a ,wedged between three private houses.

I would recommend dismissing the application in full . However, the Committee should at least impose conditions. These would be linked to the implementation of Licensing Objectives,

1 . Prevention of Crime and Disorder

The policy says " some live music events can increase the risk of disorder"

LIVE MUSIC until 11.30 and 1.30 . Has been applied for , longer than permitted elsewhere locally ,presumably to protect the fifty one residents. It should not be permitted at all from a tin shack.

2 Prevention of Public Nuisance

Recorded music should not be allowed until sound proofing and sound limiting measures have been installed.The length of the shed [REDACTED] is clad in tin sheets which do not reach the plastic roof. The gap on [REDACTED] is open . Some thin board has been put on the inside but has no effect on noise. Escaped noise is a particular problem since the source is hemmed in very close to private dwellings and these in turn give way to echoing courtyards. The former stable yard in the middle of [REDACTED] road ,surrounded by flats and next to the source of noise at 18a ,is particularly resonant. Worse noise nuisance still will come from the narrow alley entrance to 18a which is shared with [REDACTED].This will be caused by the considerable throughput of customers the applicants are planning.

I was told by the applicant in front of witnesses that there will be 24 "covers".Even at face value over the long evening of the licence, this anticipates a turnover rate of two and a half times this number, over 50 people .However, a closer investigation reveals a different story. There seems to have been a lack of clarity between " covers" and seats.Having looked through the window , with the opening this week, tables have been carefully laid out with a mix of 2/6 and more seats per table. It's only a guess ,but there could be almost a dozen tables with possibly40 seats . Perhaps the applicant or fire authority could confirm.

THERE WILL A THRONG OF ONE HUNDRED PEOPLE PER EVENING IN THE NARROW ALLEY.

Live music will draw more people and the Late Refreshments licence will draw in even more.

THERE IS ONLY ONE NARROW COMBINED ENTRANCE AND EXIT . This means that there will be queuing, smoking and noise in the alley way shared with a private house. There is a bar a hundred yards away selling alcohol but no food, their clientele will migrate to the late refreshments at 18a .and form a noisy , boisterous crowd.

As they will have been refreshed all evening down the road I do not want to have to deal with them asking them to pipe down and not throw their cigarettes in the dry foliage which forms a hazardous quarter of the width of the [REDACTED] alley.

Traffic in the road is already, "a public nuisance affecting the personal comfort and amenity of Immediate neighbours." The licensing policy says it will have regard to the proximity of Taxi ranks for arrival and dispersal of staff and customers.With no taxi rank in sight [REDACTED] narrow cul -de -sac becomes a drop off and collection zone for the one alcohol licensed premises let alone two . The turning bay is blocked, there are no police patrols , the double yellows are ignored and [REDACTED] at the narrowest point in the road , [REDACTED] railings and walls are constantly being damaged by vehicles trying to turn where there isn't room. Alcohol -fuelled turning in the early hours will be a nightmare.[REDACTED] have already had to erect blinds and screens to shield [REDACTED] from the headlights raking our rooms.

I think I have demonstrated that the application for 18a is in conflict With the licensing policy and objectives in every paragraph, and therefore be refused.

I would wish Licensing to mediate in these matters and if not agreed, would wish to make oral representations to The Committee.

Yours faithfully

[REDACTED]

Sent from my iPad

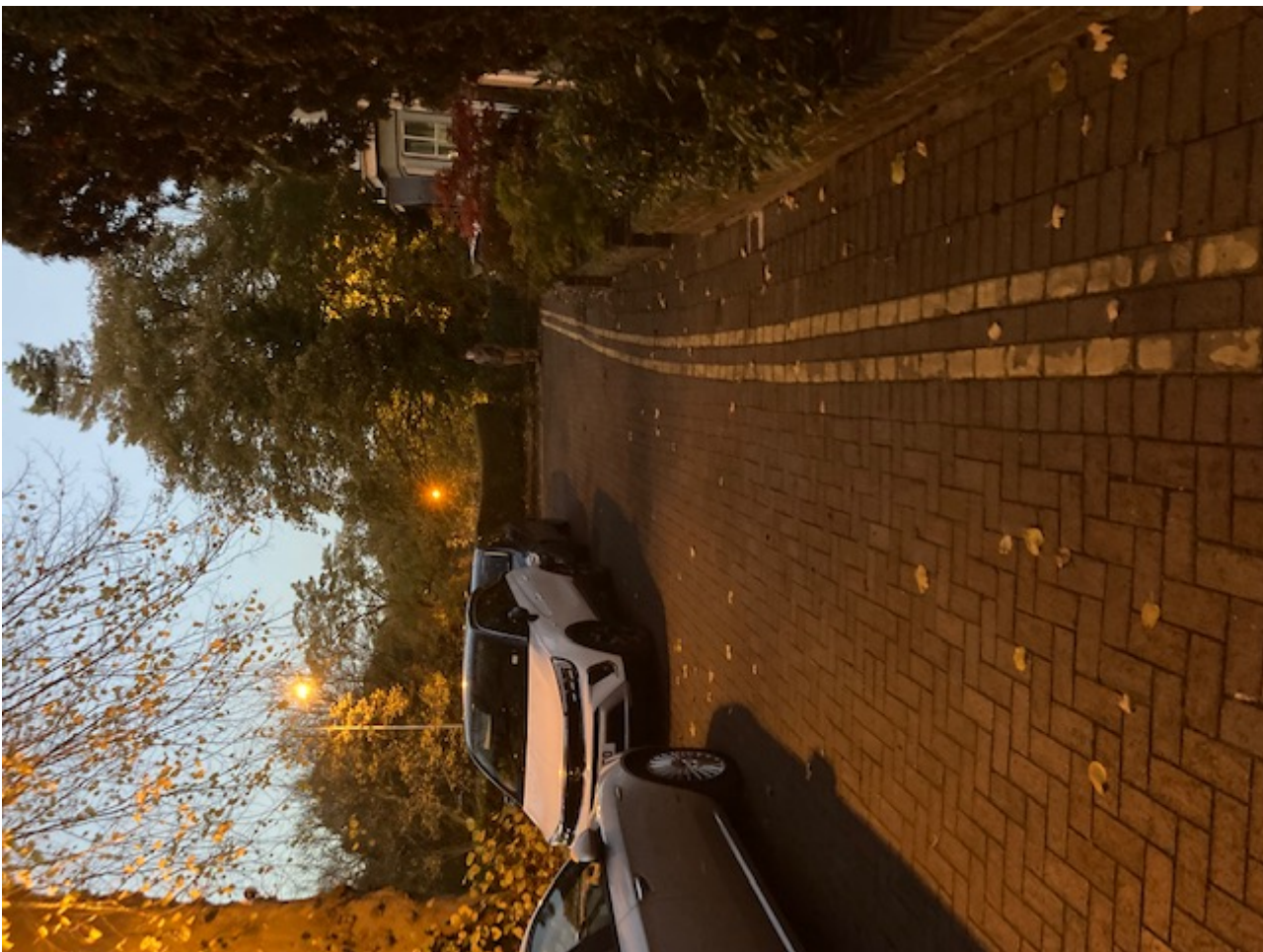
[REDACTED]

From: [REDACTED]
Sent: 23 November 2021 17:59
To: Licensing
Cc: [REDACTED]
Subject: Re Licensing Application for 18a Upper Green WV6 8QH
Attachments: IMG_0056.MOV

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

Dear Sirs

Please find recent photographs in support of my objections to the granting of this licence if it is in accordance with the arrangements set out in the application.



This photo was taken outside the entrance
Alley to 18a. It shows in the evening how the yellow lines are ignored and how [REDACTED]
[REDACTED].



This shows from the outside, the corner where the toilet is, with tin sheets running along next to [REDACTED]. Please note it is a wooden shed with galvanized tin sheet cladding to outside. As you see the tin sheets stop short of the plastic roof. The gap between the two is open with the occasional piece of rotten wood. There is no soundproofing on the inside. I don't want music recorded or live booming all over [REDACTED] and according to the licensing policy, I shouldn't have to endure it.



The Blue Tarpaulin has been put over leaks in the plastic roof. You can see part of the gap under it. In my view rotten wood is not soundproofing. I doubt the fire officer was shown this. The ovens , grills and pizza ovens have a readily available source of tinder above them. The irony is that when this photo becomes an historic document Concerning the fire which broke out uncontrollably , the applicant will not have to Replace their shack with like for like , whereas [REDACTED] , the owners of destroyed listed buildings will , at vast expense . Will

Licensing contribute ?

Please add this to representation I have already sent.



Sent from my iPhone

[REDACTED]

From: [REDACTED]
Sent: 24 November 2021 12:45
To: Licensing
Cc: [REDACTED]
Subject: Alcohol licence 18a Upper Green.

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

Dear M/s Craner
Re Al Sourriso 18a Upper Green

As you have asked to contact me and others Concerning this application , I would surmise that mediation/.negotiation is in the air.
I hadn't realised that the notice in the window of 18a was not a carefully thought out application but an invitation to treat.
In other words put in for the furthest extent of everything and then backtrack. After all The deadline is a burden on the public The applicants and there agents can muddy The waters with vague assurances beyond this date to attempt to influence neighbours or the Committee.
As you are minded to contact me , so as not to waste your time , I thought I would list a few things I would raise in our conversation for you to think about in advance.

Firstly in these days of rapid communication , I am not going to agree to any suggestions Or variations until they are put in writing before the deadline .

I would want the applicant's agreement as follows:

No live music at all.

No recorded music after 11pm

No Vertical drinking

Sound proofing to sound leaky ,rotten timbered tin and plastic shed to minimise clatter from catering equipment , alcohol fuelled conversation and music.

(You may like to know as a qualified surveyor and former experienced sound engineer I know how loud alcohol fuelled conversation can be , which leads restaurant owners to turn up the sound).

I would want details of the management of the shared residential alley .

People from the second sitting with their Half full bottle of wine on the table at 11 pm Can't legally take it home , and won't like being hassled to make way for the gang of late night refreshers and smokers hanging round in the alley way waiting to be let in.

If the Fire Authority has passed of the building as safe for a certain number, is it still a big secret as to the numbers of covers and tables?

Given the phrases in the licensing policy The Committee might possibly take notice of say as a guess , Forty people with over a dozen candles sat on the tables in front of them in a timber and tin shack with a plastic roof filled with rotten wood(see earlier pics).

Some years ago we had a bad fire in buildings in the middle block in the road Attended to by 7 fire. Engines and 27 firemen., A not particularly strong prevailing wind sent a torrent of sparks and embers northwards to [REDACTED] tinder dry two and three hundred year old properties. The eaves catching was only prevented by assiduous dousing.

Al Sorriso with its hot kitchen equipment and candles is in a wooden hut right [REDACTED].Judging from the destruction in the middle block, we would have no chance.

I would further mention that [REDACTED] and [REDACTED] are listed for their Group Value. This group value does not seem very high if they are to be exposed for so many hours to this level of risk. Please let me know if the fire officer has approved this situation.

I should be most interested in what you have to say. In any event please include this latest communication with the rest of my submission to the Committee.

[REDACTED]

Sent from my iPhone

[REDACTED]

From: [REDACTED]
Sent: 28 November 2021 21:23
To: Licensing
Cc: [REDACTED]
Subject: 18aUpper Green AI Sourriso

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Hi Debra

I should be obliged if you would add this email and photo to my objection previously submitted.

I am aware that traffic and parking in itself

Is not the concern of the Licensing Committee, however the Licensing policy

Says applicants must have due regard to residents having peaceful enjoyment of their homes and amenity. This is aimed at preventing localised public nuisance .

Unfortunately things have not begun well.

This photograph taken on the evening of 28th Nov . These three cars were associated with AI Sourriso. The [REDACTED] car, [REDACTED] parked in the turning bay , belongs to the applicants.

The turning bay is opposite [REDACTED] . [REDACTED] have asked the applicant not to illegally park in the bay .

This is for three reasons, it encourages others to park alongside and fill the bay, it prevents [REDACTED] from exiting from their front parking through their double gates .causes other people to narrow an already narrow cul-de-sac by parking further up ,(see photo) and forces other drivers to turn round outside [REDACTED] at the extremely narrow head of the cul-de_sac , where they damage [REDACTED] railings and walls.

When these cars leave the rake [REDACTED] downstairs rooms with full headlights.

Before the opening of the restaurant , a [REDACTED] [REDACTED] pointed out to the applicant the double yellow lines in the road.

It has made no difference the applicant has parked on the double yellows in the bay or the road every time they have arrived.

Having been told quite politely and been ignored we detect a certain amount of “attitude “developing with the applicants.

It is not residents’ job to deal with this.

Having read the fine words in the policy document and the Licensing Committee

Having described itself as a “buffer”, we hope that they will mention this to the applicant.

Yours faithfully

[REDACTED]



Sent from my iPhone

[REDACTED]

From: [REDACTED]
Sent: 29 November 2021 10:29
To: Licensing
Cc: [REDACTED]
Subject: Al Sourriso 18a Upper Green

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

Dear Debra

It was my understanding that Al Sourriso had a 'tens' licence from the 25 to 27th Nov.

I could be mistaken as they were open yesterday that it did not run beyond the 28th. However, I find that they have published their opening times in the window.

They are open every day except Tuesday until 22.30 or 23.00 depending on the day.

Have they applied to extend the tens?

Incidentally, they have put flowers on a table in the alley. Their Alcohol licence application did not include Serving food or drink outside. The Licensing Objectives are not keen on causing a nuisance to residents by queuing or smoking next to a private house.

What is this furniture designed to encourage?

The applicants don't seem keen on abiding by any conditions even prior to the Committee consideration.

Please let me know urgently if there is some

on-going temporary permission and we

will be subject to serving until 1.30 at Christmas and New Year, presumably before Committee consideration.

Many Thanks

[REDACTED]

I should be obliged if this could be included
With my Licence Objections.



[REDACTED]

From: [REDACTED]
Sent: 07 December 2021 19:15
To: Licensing
Subject: Google Earth 2.jpeg Al Sorriso 18a Upper Green , Licensing sub Committee
17/12/21

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Dear Licensing

Please include this image in the bundle to be sent to The Licensing Sub Committee.

The large grey square area just right of centre is the plastic roof of Al Sorriso 18a Upper Green The dark triangle on the south west end of it is the so called secret garden ,designated in the applicants social media for outdoor dining.The premises go across the back of three private house , passing within feet of [REDACTED] . The activities planned for this shed , indoors and outdoors contravene Solp and will result in public nuisance of many kinds . In the event of a fire , outside diners will have to climb a wall into [REDACTED] small yard or be incinerated.

[REDACTED]
[REDACTED]
Sent from my iPhone

[REDACTED]

From: [REDACTED]
Sent: 07 December 2021 20:35
To: Licensing
Subject: Google Earth 1.JPG Al Sorriso 18a Upper Green Licensing Sub Committee 17/12/21

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

Dear Licensing

I should be obliged if you would add this to my objections previously sent and add it to bundle for Sub Committee. The central private house in this picture is [REDACTED]. The large area of grey roof backs very closely on to [REDACTED] yard and is otherwise surrounded by the gardens of [REDACTED] and [REDACTED]. The buildings and fences abutting the plastic roof amplify any escaping noise and the tin walls are no barrier to sound permeating [REDACTED]. The picture also shows the turning bay and increasingly narrow cul-de-sac with double yellow lines. [REDACTED] experience is that patrons of the cafe and 18a, the Applicants, ignore the restrictions and park in the bay and on the road so that [REDACTED] at [REDACTED] and [REDACTED] the only ones with front parking, cannot get out and have cars turning round at the far right end damaging [REDACTED] railings. The arrangements envisaged by the application will make our lives hell. If there was a worse place to put so many sources of nuisance next to private houses, it would be hard to think of one. The picture also shows the narrow alley to the left of [REDACTED] which is the entrance and exit to the applicants premises.

Given the volume of traffic from restaurant clients, two sittings, take aways, late night refreshers and the delivery drivers, not to mention people waiting for a place and smokers it is a recipe for disaster.

[REDACTED]



Sent from my iPhone

[REDACTED]

From: [REDACTED]
Sent: 07 December 2021 21:59
To: Licensing
Subject: Licensing Application to Sub-Committee 17/12/21 Re Al Sorriso 18a Upper Green

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

Sent from my iPad

Begin forwarded message:

From:
Date: 7 December 2021 19:15:38 GMT

Subject: Licensing Application to Sub-Committee 17/12/21 Re Al Sorriso 18a Upper Green

Licensing Application to Sub-Committee 17/12/21 Re Al Sorriso 18a Upper Green

Dear Licensing,

I should be obliged if you would add the objections below to the bundle being presented to the Sub-Committee . Additional attention is being drawn to the conflict between the application and the Statement of Licensing Policy (SOLP) objectives because the Applicant's social media is clarifying the intentions to cause further public safety and public nuisance problems which the Sub-Committee in its considerations would be well placed to control.

SOLP page 4 says inter alia "we must ensure residents can peacefully enjoy their homes and environment".

SOLP page 9 says "regard will be made to the location of the premises, type and construction and likelihood of nuisance and disturbance to the amenity of residents."

Under separate cover the objectors like myself are sending photographs of how this unsound-proofed tin shed is not merely behind [REDACTED] residences but travels across [REDACTED], adjoining houses and gardens and is wedged in a particularly reverberant built environment.

Given this uniquely difficult situation, I shall be interested to see how the application can be made to conform to SOLP .

I note from social media that the Applicant has a £35,000 budget which should be adequate to pay for sound-proofing to a proper standard for walls and roof.

Sound-proofing should be made a condition of the Licence.

Also, a condition of:

No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance. (P.61 of SOLP)

Also, this bad situation is about to be compounded as the Applicant has announced on social media that they intend to develop outdoor dining (al Fresco) and themed nights. This will be across the back of [REDACTED] house , within feet of [REDACTED] back door. This open space, right next to [REDACTED] house and [REDACTED] garden, will feature everything SOLP doesn't like: light pollution, unimpeded music, dancing, loud chatter and smoking.

In the event of a fire the only way out would be by a very dangerous climb over [REDACTED] wall or [REDACTED] fence which would be contrary to public safety.

I presume that this feature promulgated on social media was not mentioned to the fire officer. Please , sub Committee nip it in the bud.

Accordingly, a final inspection and sign-off by the Fire Authority prior to commencement of Licensable Activities should be made a condition of this Licence.

Apart from the dangerous situation of the outdoor dining garden , no mention is made in the application of the traffic/parking nuisance in the cul-de-sac from "Uber eats" vehicles etc. arriving, parking and collecting multiple times. The Applicant's website demonstrates a knowledge of Internet sales and offers Uber services from their Albrighton premises. I am persuaded we shall be seeing this danger and nuisance in [REDACTED] narrow road fighting for space with bistro, pizzeria ,restaurant, live music events, late night refreshments, takeaway and deliveries. We seem to have moved a long way from serving wine ancillary to food indoors in a defined area.

Lastly, the only vantage point from which to examine the arrangements for extraction of kitchen fumes is [REDACTED] garden ,which the fire officer did not visit.

The fumes from elaborate catering equipment and extensive menu are vented directly just above head height into [REDACTED] garden. The noise of the fan is a public nuisance as is the blasting of fat molecules and bacteria at low level . I am sure this contravenes regulations.

It certainly negates any concept of peaceful enjoyment of home or garden. To counter this apparent omission in the signing off process , the following condition should be added:

There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.
(P.71 of SOLP)

In light of the above submission, the following additional Conditions should be considered:-

There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol. (P.56 of SOLP)

The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol.

The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to verify their identity against the notice. (P.56-57 of SOLP)

A direct telephone number for the manager of the premises shall be publicly available at all times the

premises are open. This telephone number is to be made available to residents in the vicinity.(P.62 of SOLP)

I should be grateful for your consideration of these points given the clear conflict between the application and the stated Licensing policy objectives.



[Redacted]

From: Greg Bickerdike
Sent: 22 November 2021 10:33
To: Licensing; [Redacted]
Subject: FW: Premises Application - Al Sorriso, 18a Upper Green, Wolverhampton, WV6 8QH - PRE1465
Attachments: mediation form 1.pdf; mediation form 2.pdf; mediation form 3.pdf; Mediation.pdf; Mediation.docx

Sensitivity: NOT PROTECTIVELY MARKED

The applicant has signed the mediation document attached. Therefore, acting in my capacity as Responsible Authority for the Licensing Authority, my concerns raised in my representations have been allayed and subject to the amendments being made to the operating schedule, this should negate the need for a hearing, subject to no further representations from any other person or Responsible Authority.

Kind regards,

Greg Bickerdike
Licensing Manager
Tel. Office: [Redacted]

E-mail: [Redacted]
City of Wolverhampton Council

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Luciana Palmieri
Al Sorriso
18a Upper Green
Wolverhampton
WV6 8QH

19 November 2021

Dear Luciana,

**Licensing Act (2003) - Premises Application - Al Sorriso, 18a Upper Green,
Wolverhampton, WV6 8QH - PRE1465**

Following a conversation with yourself on 19 November 2021, to discuss the Licensing Authority representations in its capacity as a Responsible Authority, the amendments detailed below have been agreed by yourself, and you are willing to modify the operating schedule within the application dated 28 October 2021, accordingly:

Modifications to the operating schedule

Remove:

Provision of Live Music (Indoors)

Monday to Sunday 19:00 to 23:30

Non Standard Timings Xmas eve end time 00:00, New Years Eve end time 01:00

Late Night Refreshments

Monday to Sunday 23:00 to 00:00

Non Standard Timings Xmas eve end time 00:30, New Years Eve end time 01:30

The prevention of crime and disorder

To add:

Customers permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

An electronic or written incidents log will be maintained at the premises with a record of all incidents of crime and disorder reported to or by the premises; all ejections of patrons; any complaints received; fraudulent ID or other items; any visit by a relevant authority or emergency service. The incidents log will be produced to an officer of a responsible authority upon request. Where a crime is believed to have been committed, the incident will be

reported to the West Midlands Police. The incidents log will be kept for at least 12 months and will be produced to an officer of a responsible authority upon request.

All staff to receive training before their first shift when the premises is open to the public and refresher training every six months on their responsibilities with regard to licensing legislation, underage and proxy sales. Training will also cover Challenge 25, conflict management, recognising signs of drunkenness, how to refuse service, the premises' duty of care, safe evacuation of the premises, company policies and reporting procedures, action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services, and the conditions in force under this licence. This training must be documented and produced to an officer of a responsible authority upon request.

Public safety

To add:

The premises licence holder shall ensure that at all times when the public are present there is at least one competent and fully trained person able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment.

The prevention of public nuisance

To add:

Noise and vibration should not be allowed to emanate from the premises so as to cause a nuisance to nearby properties or residents.

The protection of children from harm

To replace:

From: The applicant and the restaurant staff will operate a strict proof of age policy to ensure that no persons under 18 will be permitted to purchase, acquire or consume alcohol save for the exception provided in Section 150 of the Licensing Act 2003 in respect of young persons over the age of 16.

To: The Challenge 25 scheme will be operated to ensure that any person who appears to be under the age of 25 will provide documented proof that they are over 18 years of age. Proof of age will only comprise a passport, photo card driving licence, an EU/EEA national ID card or a card bearing the PASS hologram.

To add:

An electronic or written refusals log will be maintained at the premises with a record of all refusals of admission or service, including the sale of alcohol. The refusals log will include the basis of a refusal; the person making the decision to refuse; the date and time of refusal. The refusals log will be kept for at least 12 months and will be produced to an officer of a responsible authority upon request.

I, Luciana Palmieri, the applicant, agree to modify the premises licence application dated 28 October 2021 to include the above amendments to the operating schedule.

Applicant signature

[Redacted Signature]

Date:

19.11.2021

Subject to the above amendments to the operating schedule, I, Greg Bickerdike, 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 person or Responsible Authority.

Licensing Authority – Responsible Authority signature:

Date:

From: Neil Aston-Baugh [REDACTED]
Sent: 23 November 2021 08:29
To: Licensing <Licensing@wolverhampton.gov.uk>
Cc: [REDACTED]
Subject: Fire Authority Voluntary undertaking supplementation to premises licence application

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OFFICIAL

LICENSING ACT 2003
NAME OF PREMISES: AL Sorriso Restaurant
ADDRESS: 18A upper green, Wolverhampton WV6 8QH

I refer to the representation made by the Fire Authority regarding the application for the Grant of a Premises licence made in respect of the above premises.

The applicant has supplied a voluntary undertaking to complete works to the appropriate standards and/or restrict the use of the premises. (As attached).

The Fire Authority considers this undertaking is sufficient, to show that the Public Safety Objective (as it relates to Fire Safety), will be adequately promoted and confirms that there will be no need for a hearing, providing there are no other relevant representations.

Any voluntary undertaking that the applicant gives to the Fire Authority does not constitute Licence Conditions and should not be treated as such.

You should be aware however that failure to act in accordance with the undertaking may result in the Issue of an enforcement notice under the Regulatory Reform (Fire Safety) Order 2005 and/or a review of the premises licence.

Should you require any further information or clarification, please do not hesitate to contact me.

Regards

Neil Aston-Baugh

Fire Safety Officer -LEEPS Team

Tipton Fire Station
Alexandra Road
Tipton
West Midlands
DY4 7NZ

Tel: [REDACTED] or,

[REDACTED]

Email : [REDACTED]

Team Email: LEEPsTeams.Enquiries@wmfs.net
Fire Safety Admin Email firesafety.admin@wmfs.net



@WestMidsFire

WEST MIDLANDS FIRE SERVICE

Making the West Midlands Safer, Stronger and Healthier



West Midlands Fire Service

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West Midlands Fire Service information is available from <http://www.wmfs.net>

LICENSING ACT 2003

Voluntary undertaking- Supplement to Application

NAME OF PREMISES: AL Sorriso Restaurant

ADDRESS: 18A upper green, Wolverhampton WV6 8QH

Before signing this document, you should be aware that failure to comply with this undertaking may result in a review of the premises licence and/or enforcement action under the Regulatory Reform (Fire Safety) Order 2005

PUBLIC SAFETY
1) If artificial decorative effects (artificial leaves, plants etc) are to be used on the pergola at the approach to the premises, they will be supplied as suitably fire retardant. A certificate of fire retardancy, will be kept, (or other suitable evidence), and will be given to the fire officer upon request.
2) The changes of floor level will be highlighted so that they are conspicuous and suitable signage will be provided to indicate the trip hazards.
3) The premises will be suitably assessed (during the hours of darkness) to check if emergency lighting is required. If required it will be provided in accordance with BS 5266-1.
4) Staff will receive suitable instruction and training on the actions to take in the event of fire which will include hands on fire extinguisher training for appropriate staff.
5) A Fire risk assessment will be undertaken as soon as is reasonably practicable.

APPLICANT,S SIGNATURE

(or representative authorised on behalf of the Premises Licence Holder/applicant)

APPLICANT,S NAME

PRINTED... *Luciano Palmieri*

Date... *22.11.2021* OFFICIAL

AUTHORISED OFFICER...Neil Aston-Baugh (POSITION)...Fire Safety Inspecting Officer (Authorised on behalf of West Midlands Fire Authority)

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