

# Statutory Licensing Sub-Committee

17 January 2024

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

**Venue** Committee Room 3 - 3rd Floor - Civic Centre

## Membership

**Chair** Cllr Zee Russell (Lab)

### Labour

Cllr Rashpal Kaur

### Conservative

Cllr Jonathan Crofts

Quorum for this meeting is two Councillors.

## Information for the Public

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

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

Copies of other agendas and reports are available from:

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

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

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

# Agenda

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

| <i>Item No.</i> | <i>Title</i>  |
|-----------------|---|
| 1               | <b>Apologies for absence</b>  |
| 2               | <b>Declarations of interest</b>   |
| 3               | <b>Licensing Act 2003 - Application for a Review of a Premises Licence in respect of Billa Mini Market, 90 Upper Villiers Street, Wolverhampton, WV2 4NX (Pages 3 - 42)</b> |

CITY OF  
WOLVERHAMPTON  
COUNCIL

# Statutory Licensing Sub-Committee

17 January 2024

|                                |  |                                   |
|--------------------------------|--|-----------------------------------|
| <b>Report title</b>            | Licensing Act 2003 – Application for a Review of a Premises Licence in respect of Billa Mini Market, 90 Upper Villers Street, Wolverhampton, WV2 4NX |                                   |
| <b>Wards affected</b>          | Blakenhall   |                                   |
| <b>Accountable director</b>    | John Roseblade, Director of Resident Services  |                                   |
| <b>Originating service</b>     | Licensing  |                                   |
| <b>Accountable employee(s)</b> | Debra Craner   | Section Leader                    |
|                                | Tel  | 01902 556055                      |
|                                | Email  | Debra.craner@wolverhampton.gov.uk |

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## Recommendation for decision:

The Statutory Licensing Sub-Committee is recommended to:

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

## **1.0 Purpose**

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

## **2.0 Background**

- 2.1 The current premises licence is attached at Appendix 1.
- 2.2 An adjournment request was received from the Premises Licence Holder's representative to adjourn the hearing scheduled on 14 December 2023 as the Premises Licence Holder is currently out of the UK attending to a close family member that is seriously ill. A request was made for an adjournment until January 2024. Following discussions, the time has been extended, as it is considered that in the above circumstances it is in the public interest to do so. The application will now be heard on Wednesday 17 January 2023 at 10:30am in Committee Room 3.

## **3.0 Review Application**

- 3.1 An application was received from the Licensing Authority on 25 October 2023 for a review of a premises licence in respect of Billa Mini Market, 90 Upper Villiers Street, Wolverhampton, WV2 4NX.
- 3.2 The premises is located within the Blakenhall Ward, and a location plan is attached at Appendix 2.
- 3.3 A copy of the review application is attached at Appendix 3. The review has been brought in support of the Prevention of Crime and Disorder, Protection of Children from Harm, Public Safety and Public Nuisance Licensing Objectives.
- 3.4 Representations have been received from Public Health and West Midlands Police. Copies of the representations can be found at Appendices 4 and 5 respectively.
- 3.5 The notice of review has been properly served on all Responsible Authorities. The Council has complied with the legislative process and displayed the appropriate notice at the premises and on the website as required when the application for review was made.
- 3.6 The applicant for review, the current premises licence holder and those who have made representations have all been invited to attend the hearing.

## **4.0 Financial implications**

- 4.1 There is no fee for the application of a review and there are no direct financial implications arising from this report. The fees and charges in relation to the Licensing Act 2003 are set by the Secretary of State. This was noted by the Statutory Licensing Committee on 11 January 2023. [SB/20122022/J].

## **5.0 Legal implications**

- 5.1 Section 51 of the Licensing Act 2003, as amended, states that a Responsible Authority or any other person may apply to the relevant Licensing Authority for a review of a licence.
- 5.2 The Licensing Sub-Committee when determining an application for review, pursuant to Section 52 of the Licensing Act 2003 has power to take any of the following steps (if any) as it considers appropriate for the promotion of the 'licensing objectives' which are listed at 5.3.

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

- 5.3 The four licensing objectives are:

The Prevention of Crime and Disorder

Public Safety

The Prevention of Public Nuisance

The Protection of Children from Harm

- 5.4 In addition, regard shall be had to guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003 and Wolverhampton City Council's Licensing Policy Statement [RS/01/12/2023-01].

## **6.0 Equalities implications**

- 6.1 This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in Section 4 of this report may have financial implications for a licensee's business and livelihood and/or may have impact on the day to day lives of residents living in close proximity to the premises.
- 6.2 Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private 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.

## **7.0 All other Implications**

7.1 There are no other direct implications associated with this report.

## **8.0 Schedule of background papers**

8.1 None

## **9.0 Appendices**

9.1 Appendix 1 – Current Premises Licence

9.2 Appendix 2 – Location Plan

9.3 Appendix 3 – Copy of Review Application

9.4 Appendix 4 – Public Health Representations

9.5 Appendix 5 – West Midlands Police Representations

# Premises Licence

Issued in accordance with The Licensing Act 2003

**Name of Premises:** Billa Mini Market Ltd

**Address of Premises:** 90 Upper Villiers Street  
Blakenhall  
Wolverhampton  
WV2 4NX

**Premises Licence Number:** 23/04466/PREDPS– Premises Change of Name

**Date Licence Granted:** 2<sup>nd</sup> February 2023

## 1. Opening hours of the premises

**Normal Hours** Monday to Sunday 0700 to 2300 Hours

**Seasonal Variations:** None

**Non Standard Hours:** None

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

### Sale/Supply of alcohol off the premises

Monday to Sunday 0900 to 2245 Hours

Seasonal Variation None

Non Standard Timing None

## 3. Name of the Designated Premises Supervisor if the sale of alcohol is involved

Sukhdev Singh

Personal License Number – PER3669

Issued by City of Wolverhampton Council

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

Provision only as prohibited or restricted under the Licensing Act 2003

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

Billa Mini Market Ltd  
90 Upper Villiers Street  
Wolverhampton  
WV2 4NX

## **Mandatory Licensing Conditions (Licensing Act 2003)**

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

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

## **Conditions consistent with the Operating Schedule**

### **General**

We have CCTV in place.

Staff training and Challenge 25 policies will apply.

Outside Inside and areas will be kept well lit.

### **Prevention of Crime & Disorder**

- A CCTV system with recording equipment shall be installed and maintained at the premises.
- CCTV should cover entry and exit points of the premises and all areas where alcohol/money is served/taken and all areas to where public have access and the immediate vicinity outside the premises.
- Images/recordings to be downloaded in a suitable format and provided to any member of a Responsible Authority upon request and without any undue delay.
- Images and recordings must be of evidential quality, must indicate the correct time and date for at least 31 days.
- All staff to be trained to use the CCTV system and at least one member of staff to be on duty who is trained to download the systems images should any member of a Responsible Authority make a request.

An incident log book must be maintained at the premises and a written record of any incident that occurs at the premises must be appropriately recorded. Where it is deemed appropriate the incident must be reported to West Midlands Police. Incident log to be produced to a member of a Responsible Authority on request.

To ensure compliance with Challenge 25 a 'refusals book' where any sale of alcohol is refused to persons who present themselves to be under age.

No sales of single cans/bottles of alcohol with an ABV of 6.5 or over to be sold.

DPPO (Designated Public Place Order) notice provided by the Licensing authority shall be displayed prominently on the premises visible from outside the store advising Police have powers to seize alcohol.

### **Public Safety**

Staff trained on a regular basis.

Outside Inside and areas will be kept well lit.



## **Prevention of Public Nuisance**

Staff have been fully trained on Challenge 25 policy to prevent underage sales.

## **Protection of Children from harm**

All staff to be trained in Challenge 25, all appropriate ID checks will be undertaken by all staff to ensure no sale of alcohol is made to under age persons.

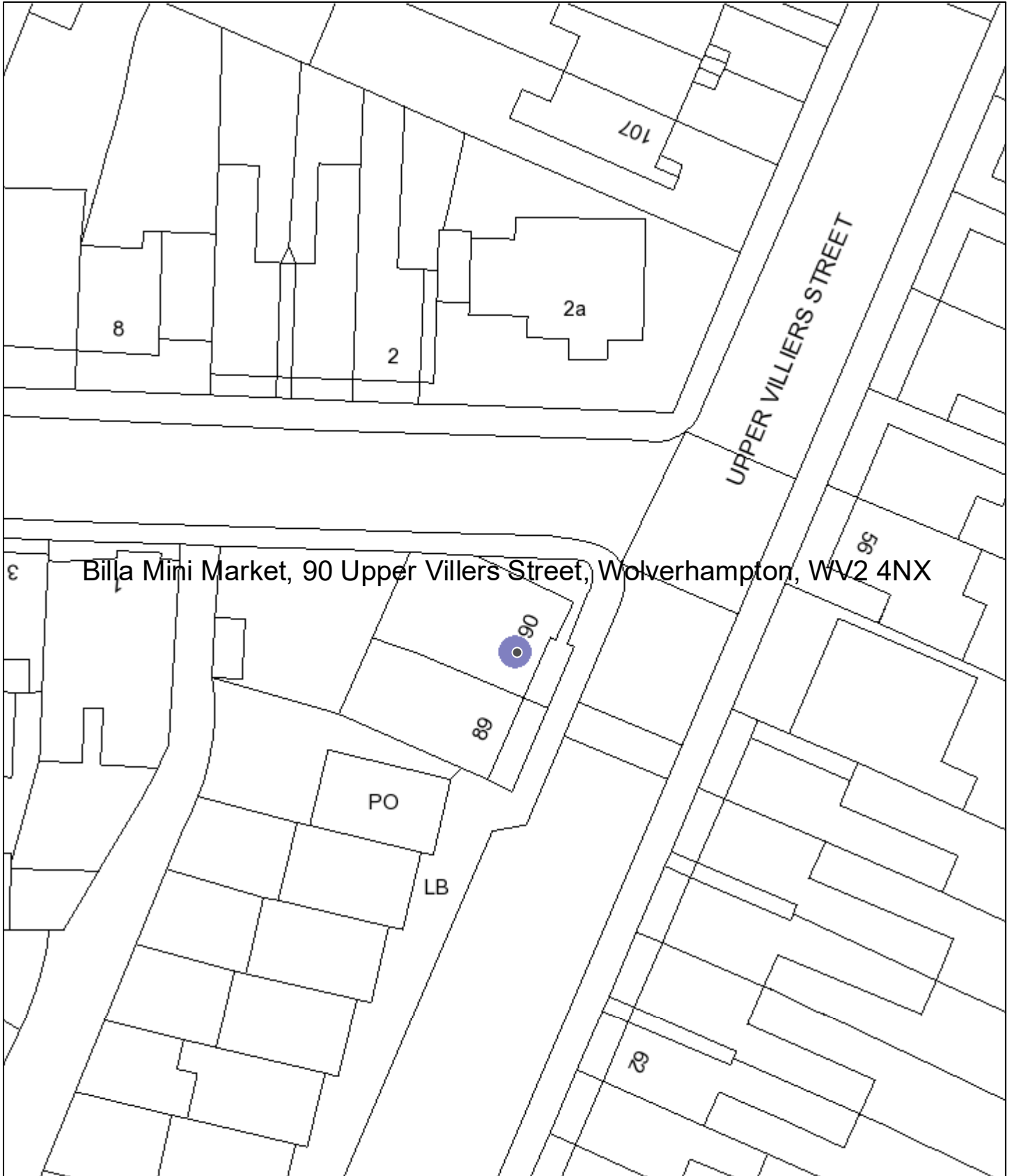
All staff to receive training and refresher training every 6 months on their responsibilities with regard to licensing legislation. Training to be documented and shown to a member of a Responsible Authority upon request.

## **Plans**


As submitted with application dated 13.06.2016 and retained by City of Wolverhampton Council.

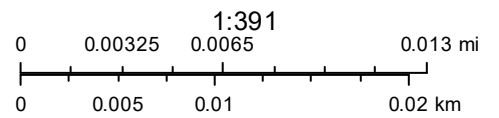
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# Location Plan



27/11/2023, 11:37:19

 Cumulative Impact Zone



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*[Insert name and address of relevant licensing authority and its reference number (optional)]*

**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
 If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

**I** Amitabh Singh

*(Insert name of applicant)*

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

**Part 1 – Premises or club premises details**

|  |                                     |
|--|-------------------------------------|
| <b>Postal address of premises or, if none, ordnance survey map reference or description</b><br>Billa Mini Market<br>90 Upper Villiers Street |                                     |
| <b>Post town</b> Wolverhampton   | <b>Post code (if known)</b> WV2 4NX |

|  |
|--|
| <b>Name of premises licence holder or club holding club premises certificate (if known)</b><br>Billa Mini Market Ltd |
|--|

|  |
|--|
| <b>Number of premises licence or club premises certificate (if known)</b><br>23/04466/PREDPS |
|--|

**Part 2 - Applicant details**

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

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

Please tick ✓ yes

Mr  Mrs  Miss  Ms  Other title  
(for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

Please tick ✓ yes

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**




**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

|  |
|--|
| Name and address<br>Amitabh Singh<br>Section Leader – Licensing Responsible Authority<br> |
| Telephone number (if any)<br>   |
| E-mail address (optional)<br>   |

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

- 
- 
- 
-

**Please state the ground(s) for review (please read guidance note 2)**

Failing to uphold all four licensing objectives through multiple breaches of conditions and carrying out an unauthorised licensable activity.



**Please provide as much information as possible to support the application (please read guidance note 3)**

On 2 May 2023 at 14:25 hours a Senior Licensing and Compliance Officer conducted a routine compliance inspection of the premises. The Premises Licence Holder, Billa Mini Market Ltd (Director Kulwant Kaur) and Designated Premises Supervisor, Sukhdev Singh were not present at the time of the officer's inspection. The visit was conducted with the Manager, [REDACTED]. The premises were found to be in breach of licence conditions, as detailed in exhibit EG1. The breaches relate to:

- Single cans/bottles of alcohol with an ABV of 6.5 or over were available for sale.

The officer conducting the visit requested the above items be removed whilst they were present.

- A Designated Public Place Order (DPPO) notice was not displayed prominently on the premises visible from outside the store advising Police have powers to seize alcohol.
- No incident book was maintained or provided to any member of a responsible authority upon request.
- All staff had not received training and refresher training every 6 months on their responsibilities with regard to licensing legislation, and training was not documented.
- All staff had not been trained in Challenge 25.

The premises were advised to rectify the breaches within 14 days.

On 1 June 2023 a Senior Licensing and Compliance Officer, re-entered the premises to follow up the breaches identified in the trader's notice dated 2 May 2023. This visit was conducted with the premises Manager, [REDACTED]. Their inspection found that breaches of licence conditions remained outstanding, as detailed in exhibit EG2, the breaches relate to:

- Single cans/bottles of alcohol with an ABV of 6.5 or over available for sale.

The officer conducting the visit requested the above items be removed immediately.

- All staff had not received training and refresher training every 6 months on their responsibilities with regard to licensing legislation, and training was not documented.
- All staff had not been trained in Challenge 25.

A further 14 days were provided for the above breaches to be rectified. Advice was given that failing to comply could result in a review.

On 2 June 2023 the Premises Licence Holder emailed the licensing team stating, "An inspector came round to our premises yesterday (Billa Mini Market) and informed us we aren't allowed to sell beers over 6.5%. I'm unsure where it specifies this in our licence". A Senior Licensing and Compliance Officer responded to the enquiry and confirmed the condition specified within the operating scheduled. A copy of the correspondence can be found at Exhibit EG3.

On 6 June 2023 a Senior Licensing and Compliance Officer attended the premises to ensure the Single cans/bottles of alcohol with an ABV of 6.5 or over were no longer available for sales, the officers visit confirmed there was no breach of this condition.

On 7 June 2023 the Premises Licence Holder submitted a variation to their premises licence, The application was to extend the licensable activity for the supply of alcohol off the premises and to amend the operating scheduled to allow sales of single cans/bottles of alcohol with an ABV of 6.5 or over.

On 14 July 2023 a Senior Licensing and Compliance Officer contacted via telephone, the Designated Premises Supervisor, Sukhdev Singh. The Designated Premises Supervisor confirmed 90 Upper Villiers Street was not his shop, later in the call advising that this was a friend's shop. He was advised by the Officer that compliance work is ongoing at the premises, Sukhdev Singh advised he would complete the application forms and the call ended.

On 14 July 2023 an email was sent to the Premises Licence Holder to inform them an application to Vary the Designated Premises Supervisor is required to be submitted to reflect the day-to-day manager of the premises, a copy of this correspondence is detailed in Exhibit EG4.

Responsible Authorities submitted relevant representations to the variation application and the application was due to be determined by the Statutory Licensing Sub-Committee on 2 August 2023.

Prior to the application being determined, the Premises Licence Holder withdrew the variation application on 1 August 2023.

The Section Leader requested that a test purchase be carried out to see if alcohol was being sold from the premises outside the licensable hours. At the time of the test purchase, the premises was licenced for the Sale/Supply of Alcohol off the premises between the hours of 09:00am and 22:45pm, Monday to Sunday.

On the 10 August 2023 a Licensing and Compliance officer entered the premises at approximately 8:20am, the officer purchased one can of Red Stripe Jamaican Lager Beer, and one can of Banks's Mild. Photographs of the alcohol purchased, and the receipt provided by the premises are detailed in exhibits JQ1 and JQ2.

On 16 August 2023 two senior Licensing and Compliance Officers entered the premises to follow up the breaches identified in the trader's notice dated 1 June 2023, and to check what action had been taken in relation to updating the Designated Premises Supervisor. This visit was conducted with the premises Manager, [REDACTED]. The following breaches had not been rectified, as detailed in exhibit EG5:

- All staff had not received training and refresher training every 6 months on their responsibilities with regard to licensing legislation, and training was not documented.
- All staff had not been trained in Challenge 25

The above breaches were advised to be rectified immediately and that a review may take place.

In addition, the Designated Premises Supervisor remains as Sukhdev Singh.

If Committee are satisfied that the premises are in breach of promoting the licensing objectives, the Licensing Authority would request the Statutory Licensing Sub-Committee ensure these issues are addressed by considering removal of the current Designated Premises Supervisor together with a three month suspension of the current premises licence or until all licence conditions are satisfactorily complied with following confirmation by the Licensing and Compliance team in accordance with section 52 of the Licensing Act 2003 and guidance issued by the secretary of state under 182 of the Act together with City of Wolverhampton Councils Statement of Licensing Policy.

Councillors may conclude from the evidence given within the review application and at the hearing in order to promote the licensing objectives it is not a suitable option to remove the current management along with suspension of the premises and that there is no alternative but to revoke the premises licence.

Please tick ✓ yes

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

If yes please state the date of that application

Day Month Year

|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|
|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|

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

Please tick ✓

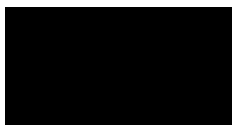
yes

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

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

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**



Signature

.....

Date **23/10/2023**

.....

Capacity **Section Leader - Licensing Responsible Authority**

.....

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 6)

**Post town**

**Post Code**

**Telephone number (if any)**

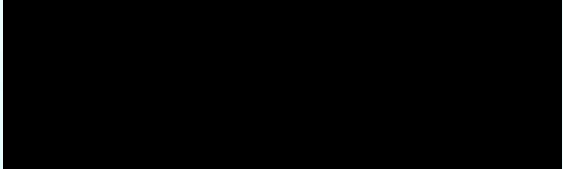
**If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)**

## **Notes for Guidance**

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

CITY ENVIRONMENT LICENSING

CITY OF WOLVERHAMPTON COUNCIL



Manager. TO: (PLH/DPS) [Redacted]

ADDRESS: Bill's Man Market Ltd 90 Upper Villiers Street, W-ton, WV2 4RX

PHONE NO: DATE: 2/5/2023

LICENCE REF: 23/04466/PREDPS

Your attention is drawn to the following matters:

Licensing Act 2003: Breaches of licence conditions identified - Single cans bar of alcohol with an ABV over 6.5% for sale. These items were requested to be removed whilst I was present.

Further breaches:
- No DPPO notice displayed
- No incident book
- No staff training records for licensing legislation. 3 challenge 25.

The above breaches should be rectified within 14 days

Received by: [Redacted] Authorised Officer

Name: [Redacted]

Position: Manager Senior Licensing Position

B Compliance Officer

CITY ENVIRONMENT  
LICENSING

CITY OF  
WOLVERHAMPTON  
COUNCIL

TO: (PLH/DPS) [Redacted]

ADDRESS: Billal Mini Market, 610 Upper Willington St

PHONE NO: DATE: 1/6/2023

LICENCE REF: 23/04466/PPDPS

Your attention is drawn to the following matters:

Licensing Act 2003: breaches  
of licence conditions

- Single cans of alcohol with  
an ABV over 6.5% for sale

These items were requested  
to be removed immediately  
Advice was provided regarding  
variation

Further breach;

- No staff training records for  
licensing legislation & Challenge  
25

The above breach should be rectified  
within 14 days.

Failure to comply could result in a review.

Received by: [Redacted]

Authorised Officer

Name: [Redacted]

Position: [Redacted]

Position

Senior Compliance  
B Compliance  
Officer

**From:** [REDACTED]  
**Sent:** 05 June 2023 10:23  
**To:** [REDACTED]  
**Subject:** RE: Licence conditions - Billa Mini Market - PRE1307

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Morning Kulwant

I can confirm that the following condition is on your premises licence:

**No sales of single cans/bottles of alcohol with an ABV of 6.5 or over to be sold.**

Any items in relation to the above condition must be removed immediately and not sold as you will be in breach of your premises licence conditions.

If you wish to remove the condition, you will be required to submit a full variation application in order for it to be considered:

[Vary a premises licence | City Of Wolverhampton Council](#)

Regards

[REDACTED]  
Senior Licensing & Compliance Officer  
Tel. Office: [REDACTED]

[REDACTED]  
City of Wolverhampton Council

---

**From:** [REDACTED]  
**Sent:** Friday, June 2, 2023 7:27 PM  
**To:** [REDACTED] >  
**Subject:** Licence conditions

**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 [REDACTED],

Hope you're well.

An inspector came round to our premises yesterday (Billa Mini Market) and informed us we aren't allowed to sell beers over 6.5%. I'm unsure where it specifies this in our licence, could you please look into this further for me? I also can't find any legislation that says it is prohibited to sell beers over 6.5% and surrounding shops continue to do so.



Kind regards,  
Kulwant



[REDACTED]

---

**From:** Licensing  
**Sent:** 14 July 2023 14:17  
**To:** [REDACTED]  
**Subject:** Compliance Inspection - Billa Mini Market, 90 Upper Villiers, Wolverhampton, WV2 4NX - PRE1307

Good Afternoon,

In relation to the above premises I have made contact with the nominated designated premises supervisor today to inform them of the ongoing compliance work at this premises. The current designated premises supervisor does not appear to be involved in the business and this causes concern for the licensing authority.

The designated premises supervisor should be the day to day manager of the premises and as such you are advised that an application to update these details should be submitted, a link to the application is below;

[Vary a designated premises supervisor \(DPS\) | City Of Wolverhampton Council](#)

Regards,

[REDACTED]  
Senior Licensing & Compliance Officer  
Tel. Office: [REDACTED]

[REDACTED]  
City of Wolverhampton Council

CITY ENVIRONMENT  
LICENSING

CITY OF  
WOLVERHAMPTON  
COUNCIL



TO: <sup>Manager</sup> (PLH/DPS) [Redacted]

ADDRESS: Billa Mini Market, 90 Upper Villers St.

PHONE NO: DATE: 16/08/2023

LICENCE REF: 23/044-66/0RE/DPS

Your attention is drawn to the following matters:

Licensing Act 2003; breaches  
of licence conditions identified  
- NO staff training records for  
licensing legislation & challenge  
25.

The above breach should be  
rectified immediately, a premises  
licence review may take place

The vary DPS application should  
have also been submitted to  
reflect the current day to day  
manager of the premises

Received by: [Redacted] Authorised Officer

Name: [Redacted]

Position: Manager Senior Licenses  
& Compliance Officer  
Position

**STATEMENT OF WITNESS**

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

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

**This statement, consists of 5 pages signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.**

**Date 17 July 2023                   Signed .....**

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1. I am employed by Wolverhampton City Council as a Senior Licensing and Compliance Officer within the Council's Licensing Department and have worked in this position since April 2019.
2. On 2 May 2023 I attended multiple premises across the city conducting routine compliance inspections, in relation to premises licensed under the Licensing Act 2003.
3. At approximately 14:25 hours I entered Billa Mini Market, 90 Upper Villiers Street, Wolverhampton, West Midlands, WV2 4NX. The Premises Licence Holder, Billa Mini Market Ltd and Designated Premises Supervisor, Sukhdev Singh, were not present at the time of my inspection, so the visit was conducted with the Manager, [REDACTED]
4. During my visit I noted several areas of non-compliance. This included single cans/bottles of alcohol with an ABV of 6.5% or over available for sale at the premises, whilst I was present this alcohol was requested to be removed from display.

Signed .....

Date 17.07.2023

Continuation Sheet: \_\_\_\_\_

Statement of M

5. In addition to the above breach further breaches were identified, and all were recorded in a trader's notice, which I attach as Exhibit EG1. The further breaches were to be rectified within 14 days.
6. It was also confirmed that Sukhdev Singh the Designated Premises Supervisor is a friend of the owner, Sukhdev Singh's contact details were provided. I left the premises at approximately 14:55 hours.
7. On 1 June 2023, at approximately 16:45 hours I attended Billa Mini Market to ensure breaches identified on 2 May 2023 had been rectified. The Premises Licence Holder and Designated Premises Supervisor were not present, so the visit was conducted with the Manager, [REDACTED]
8. Upon entry to the premises, I noticed that single cans/bottles of alcohol with an ABV of 6.5% or over were still available. These items were requested to be removed immediately whilst I was present.
9. [REDACTED] was not happy with the condition being in place at the premises and advised that other premises sell these items, and the wholesaler provide them. I advised it is all based on the individual conditions attached to each licence. I also advised that as the condition is listed it must be complied with and failure to do so could result in a review of the premises licence.
10. The following conditions remained in breach; All staff to receive training and refresher training every 6 months on their responsibilities with regard to licensing legislation. Training to be documented and shown to a member of a Responsible Authority upon request; and all staff to be trained in Challenge 25.

Signed .....

Date 17.07.2023

Continuation Sheet: \_\_\_\_\_

Statement of M

These items were noted briefly within a trader's notice, attached as Exhibit EG2. 14 days were provided for breaches to be rectified.

11. Our licensing records show on 2 June 2023 the Premises Licence Holder emailed my Colleague Anita Chonk, Senior Licensing and Compliance Officer stating, "An inspector came round to our premises yesterday (Billa Mini Market) and informed us we aren't allowed to sell beers over 6.5%. I'm unsure where it specifies this in our licence". On 5 June 2023 Anita Chonk responded to the email and a copy of the correspondence can be found at Exhibit EG3.
12. On 14.07.2023 at approximately 14:04 hours I called the Designated Premises Supervisor, Sukhdev Singh who initially confirmed 90 Upper Villiers Street was not his shop, later in the call advising that this was a friend's shop. I advised that as the Designated Premises Supervisor I wished to inform him that there is ongoing compliance work at the premises, Sukhdev Singh advised he would complete the application forms and the call ended.
13. On 14.07.2023 I emailed the Premises Licence Holder to inform them an application to Vary the Designated Premises Supervisor is required to be submitted, a copy of this correspondence is attached as Exhibit EG4.

Signed .....

Date 17.07.2023

### **STATEMENT OF WITNESS**

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

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

**This statement, consists of 2 pages signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.**

**Date**             **14.09.2023**   **Signed .....**

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1. I am employed by Wolverhampton City Council as a Senior Licensing and Compliance Officer within the Council’s Licensing Department and have worked in this position since April 2019.
  
2. On 16 August 2023 I attended multiple premises across the city conducting routine compliance inspections and re-visits, in relation to premises licensed under the Licensing Act 2003.
  
3. At approximately 16:06 hours I entered Billa Mini Market, 90 Upper Villiers Street, Wolverhampton, West Midlands, WV2 4NX with my colleague Anita Chonk, Senior Licensing and Compliance Officer. The purpose of this visit was to ensure that breaches noted in traders’ notice issued to the premises on 1 June 2023 had been rectified. Also, that action was taken in relation to my emailed request for the Designated Premises Supervisor to be amended. I now produce/attach a copy of this traders notice and a printed copy of the e-mail request as the exhibits EG2 and EG4 respectively.

Signed .....   Date 14.09.2023

Continuation Sheet: \_\_\_\_\_

Statement of Elizabeth Gregg

4. As the Premises Licence Holder and Designated Premises Supervisor were not present, I spoke with someone who claimed to be the Manager. This man gave his name as [REDACTED]
5. The visit identified no staff training records were available and that the nominated designated premises supervisor had not been updated to reflect the day-to-day manager of the premises.
6. The manager telephoned the premises licence holder, and I spoke over the phone to an individual who gave her name as Kulwant Kaur. My Colleague Anita Chonk liaised with Kulwant Kaur and translated the licensing authority concerns. Kulwant Kaur confirmed the personal licence course was in progress, but she was not yet able to obtain her personal licence. I advised the premises licence holder that a premises licence review may take place.
7. A further traders notice was left at the premises. I attach a copy as Exhibit EG5.
8. Mrs Chonk and I left the premises at 16:24.

Signed .....

Date 14.09.2023



**STATEMENT OF WITNESS**

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

**STATEMENT OF** Joshua Queensborough  
**AGE** Over 18 years  
**OCCUPATION** Licensing and Compliance Officer

**This statement, consists of 2 pages signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.**

**Date** 18/08/2023 **Signed**  
.....

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1. I am employed by Wolverhampton City Council as a Licensing and Compliance Officer within the Council's Licensing Department, based at the Civic Centre, St Peter's Square, Wolverhampton WV1 1SH. I have worked for this local authority in this position since February 2023.
2. On 7 July 2023 a Variation application was submitted for Billa Mini Market, located at 90 Upper Villiers Street, Wolverhampton, West Midlands, WV2 4NX requesting an extension of licensable hours, and to remove a condition attached to the operating schedule. On 01 August 2023, the application for a variation was withdrawn by the premises licence holder.
3. The Section Leader Debra Craner requested that a test purchase be carried out at the above premises to see if alcohol was being sold outside the licensable hours.
4. At the time of the test purchase, the Premises was licenced for the Sale/Supply of Alcohol off the premises between the hours of 09:00am and 22:45pm, Monday to Sunday.
5. On the 10 August 2023 at approximately 8:20am, I entered the premises known as Billa Mini Market, located at 90 Upper Villiers Street, Wolverhampton, West Midlands,

Signed ..... Date ..... 2023

Continuation Sheet: \_\_\_\_\_

Statement of M

WV2 4NX, to carry out a test purchase. No other customers were purchasing alcohol while I was present at the premises.

6. I attempted to purchase one can of Red Stripe Jamaican Lager Beer, and one can of Banks's Mild. Upon arrival at the counter with the alcohol, the shop assistant working behind the counter asked me to provide ID. The shop assistant was an Asian Male. Once I provided ID, I was successful in purchasing the two cans of alcohol for which I paid £3.24. I left the premises at approximately 8:22am with the two cans of alcohol. A photograph of the alcohol purchased is attached as exhibit labelled JQ2 and signed and dated by me.

7. Confirmation of the purchase is evidenced by a receipt that was provided to me at the time of purchase. I attach this as exhibit labelled JQ1 and signed and dated by me.

8. The items were then placed into secure storage.

Signed .....

Date ..... 2023

# Exhibit JQ1



Upper Villiers Mini market  
90 Upper Villier Street  
Wolverhampton, WV2 4NX  
TEL: 01902 336482

| MANNS                   | REG   | ID#1   |
|-------------------------|-------|--------|
| THURSDAY 10 AUGUST 2023 | 08:22 | 001091 |
| 1 CONFECTIONERY         |       | £0.99  |
| 1 CONFECTIONERY         |       | £1.25  |
| 1 BEERS/LAGERS/CIDERS   |       | £1.29  |
| 1 BEERS/LAGERS/CIDERS   |       | £1.95  |
|                         | 4 No  |        |
| TOTAL                   |       | £5.48  |
| CASH                    |       | £10.00 |
| CHANGE                  |       | £4.52  |

Date: 10/08/2023

Signed: [REDACTED]

[REDACTED]

# Exhibit JQ2



Date: 10/08/2023

Signed: [REDACTED] [REDACTED]

[REDACTED]

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**From:** Ryan Hollings  
**Sent:** 14 November 2023 11:37  
**To:** Licensing; [REDACTED]  
[REDACTED]  
[REDACTED]  
**Subject:** RE: Licensing Review - PRE1307 - Billa Mini Market, 90 Villers Street, Wolverhampton, WV2 4NX  
**Attachments:** PH Reps 14.11.23 - Billa Mini Market.docx

**Sensitivity: PROTECT**

Dear Licensing,

I write on behalf of Public Health as a Responsible Authority to submit supporting formal representations to the above application under the licensing objectives of

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

Public Health have very serious concerns regarding: prohibited items (single can sales of Super Strength Alcohol with an ABV 6.5% and over) were for sale (on multiple occasions), breaching current licence conditions. There is clear evidence to suggest that appropriate training has not been provided and those staff not being aware of incident/refusal book location.

As a Responsible Authority we would expect any business licensed premises, to act responsibly at all times and promote the key objectives of the Licensing Act 2003.

With breaches of the licensing conditions reported, Public Health is not reassured that the business is operating in adherence to the Licensing Act and therefore supports the Licensing Authority request to review the current licence.

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

Kind regards

Ryan

Ryan Hollings  
Senior Public Health Specialist  
Public Health  
[REDACTED]  
[REDACTED]

██████████  
Licensing & Compliance Officer  
City of Wolverhampton Council

14<sup>th</sup> November 2023

Dear ██████████,

**Licensing Review - PRE1307 - Billa Mini Market, 90 Villers Street,  
Wolverhampton, WV2 4NX**

Thank you for your email dated 25<sup>th</sup> October 2023 in reference to the request made by the Licensing Authority to review the premises licence for Billa Mini Market.

I have reviewed the documentation put forward by the Licensing Authority and would support the request to review the premises licence under the licensing objectives of:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

The evidence put forward by the Licensing Authority is very concerning, prohibited items (single can sales of Super Strength Alcohol with an ABV 6.5% and over) were for sale (multiple occasions). In addition, no training (refresher) within last 6 months alongside no reported training in relation to challenge 25 and registered DPS confirming Billa Mini Market was not their shop.

The reported instances are shocking and shows a clear neglect of the licensing act 2003, not upholding the four licensing objectives, this is further exacerbated by the fact that no refusal book being provided upon initial request, in addition sale of age restricted items outside of the agreed hours of sale/supply of alcohol off the premises.

Super Strength alcohol sales are most commonly associated with street drinkers, although street drinkers do not aim to cause nuisance, research has identified repeated problems caused by street drinkers such as anti-social behaviour, low level crimes such as theft and littering. [street-drinking-supporting-evidence-and-best-practice.pdf \(apccs.police.uk\)](https://www.apccs.police.uk/street-drinking-supporting-evidence-and-best-practice.pdf)

It is the view of Public Health that any licensee who is not actively promoting the licensing objectives should be subject to review, particularly in view of the complex issues facing the area.

Yours sincerely

**Ryan Hollings**

Senior Public Health Specialist

E-mail: [REDACTED]

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[Redacted]

**From:** WV Licensing [Redacted] police [Redacted]  
**Sent:** 26 October 2023 14:47  
**To:** Licensing: [Redacted]  
 [Redacted]

**Subject:** Re: [External]: Licensing Review - PRE1307 - Billa Mini Market, 90 Villers Street, Wolverhampton, WV2 4NX

Sensitivity: PROTECT

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

Good Afternoon,

West Midlands Police are making supporting representations in relation to this Premise Licence Review of Billa Mini Market, 90 Villiers Street, Wolverhampton, WV2 4NX.

The review application and supporting information show how the premise licence holder has a clear a lack of regard for the Licensing Objectives and failure to comply with Licensing Conditions documented on the premise licence.

Kin Regards

**Kayley Nixon**  
**Licensing Officer**  
**Licensing Department.**

[Redacted] Police [Redacted]

[Redacted]

[Redacted]

[Redacted]

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