

CITY OF  
WOLVERHAMPTON  
COUNCIL

# Statutory Licensing Sub-Committee

Minutes - 16 October 2019

## Attendance

### Members of the Statutory Licensing Sub-Committee

Cllr Alan Bolshaw (Chair)  
Cllr Jonathan Crofts  
Cllr Rita Potter

### Premises Licence Applicant:

Bruce Nagra  
Robert Edge

Applicant  
Licensing Consultant

### Responsible Authorities

Elaine Moreton

Licensing Authority

### Employees

Debra Craner  
Sarah Hardwick  
Kirsty Tuffin

Section Leader – Licensing  
Senior Solicitor  
Democratic Services Officer

*Item No.*     *Title*

**1            Apologies for absence**

There were no apologies for absence.

**2            Declarations of interest**

There were no declarations of interest.

**3            Licensing Act 2003 - Premises Licence Application in Respect of Crazy Gin,  
Unit 41, 4 Victoria Street, Wolverhampton, WV1 3NP**

An application for a Premises Licence in respect of Crazy Gin, Unit 41, 4 Victoria Street, Wolverhampton, WV1 3NP was considered following representations received from the Licensing Authority.

The Chair outlined the procedure to be followed. All parties confirmed that they understood the procedure.

Debra Craner, Section Leader – Licensing, provided an outline of the application and confirmed that the premises was situated within a Cumulative Impact Zone (CIZ). She advised that on Thursday 3 October 2019 all parties agreed that the Statutory Licensing Sub-Committee hearing should be adjourned for mediation purposes and to reconvene on Wednesday 16 October 2019. Additional supplementary information had been submitted by the Applicants Agent and could be found in the Supplementary Agenda Pack.

Rob Edge, Licensing Leader, on behalf of his applicant, Mr Nagra, confirmed the summary provided to be correct.

The Chair invited the Applicant to provide an overview of any new information arising since the last Statutory Licensing Sub-Committee Hearing.

Rob Edge, on behalf of the applicant did so and made reference to the additional supplementary information. He advised that he had met with Elaine Moreton, Licensing Authority, to mediate and additional conditions contained on page 5 of the Supplementary Agenda Pack had been agreed.

The Chair afforded all parties present the opportunity to question Rob Edge in relation to his submission.

Rob Edge responded to questions asked. He confirmed that he had met with West Midlands Fire Service and volunteered conditions. He confirmed he would voluntarily add a condition in relation to SIA door staff for extended hours on Bank Holidays from 22:30 till all customers were off site.

The Chair invited the Licensing Authority to make representations. Mrs Elaine Moreton did so outlining representations detailed at Appendix 4 and made reference to the supplementary information. She confirmed that she had met with the

Applicants Agent and made the following proposed amendments to the conditions listed on Page 5 of the Supplementary Pack:

1. Hours of opening to be 11am
2. Notices at the premises relating to open containers and Public Spaces protection Order (PSPO)
3. SIA provision
4. Paginated incident book and refusals log
5. A training refresher on an annual basis
6. Children on the premises at any time to be accompanied by an adult

The Chair invited all parties present to question the Licensing Authority in relation to its submission.

Mrs Moreton provided responses to questions asked.

The Chair invited all parties present to make their final address. All parties present made a final statement.

All interested parties, with the exception of the Solicitor and the Democratic Services Officer, withdrew from the meeting to enable the Sub-Committee to determine the matter.

All interested parties were invited back to the meeting and the Chair advised them of the decision of the Sub-Committee, which was read out by the Solicitor. The Solicitor advised that a full list of conditions would be included in the full decision notice that would be sent to all interested parties within 5 working days.

Resolved:

The Statutory Licensing Sub-Committee have taken note of all written concerns raised in respect of the application for a premises licence for Crazy Gin Ltd, unit 41, 4 Victoria Street, Wolverhampton WV1 3NP. They have listened to the arguments of those who have spoken at the hearing, both for and against the application.

The Sub-Committee have heard from the Applicant and his representative that:

1. This is to be a high class, professional establishment.
2. The applicant has invested time, money and passion.
3. These premises will be an asset to the City with strong management and promotion of the Licensing Objective's.
4. The applicant intends to operate between the hours of 09:00 and 23:00. During these hours a licence for Regulated Entertainment (RE) and Late-Night Refresher (LNR) is not required. However, there is also an application for operating hours beyond 23:00 on Bank holidays and any premises licence will need to include Regulated Entertainment and LNR for these extended hours.
5. The applicant has met with the Licensing Authority (LA) as Responsible Authority (RA) and following talks have submitted a re-worded Section M to the Operating Schedule.
6. The applicant has met with the West Midlands Fire Service and volunteered conditions to include a condition relating to lockable doors.

The Sub-Committee have heard from the Licensing Authority as a Responsible Authority that:

1. The premises, the subject of the application, are situated within a Cumulative Impact Zone and therefore there is a rebuttable presumption of non-grant unless the applicant can demonstrate through their operating schedule or with supporting evidence that the operation of the premises will not add to the cumulative impact already experienced.
2. There is concern for the promotion of the Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from harm Licensing Objectives as there was insufficient information within the initial application (operating schedule) to show how the applicant would promote all four licensing objectives and therefore did not have an adverse effect on them.
3. These premises are welcomed.
4. The LA as RA have met with the applicant.
5. There are proposed additions to the revised section M to include:
  - Hours of opening, which the applicant and LA have now agreed could be from 10:00am
  - Notices at the premises relating to open containers and Public Spaces Protection Order (PSPO)
  - SIA provision
  - Paginated incident book and refusals log
  - A training refresher on an annual basis
  - Children on the premises at any time to be accompanied by an adult

West Midlands Police (WMP) have not made relevant representations in respect of this application however, the applicant has offered the condition proposed by WMP relating to CCTV being retained for 31 days. This condition appears in the revised section M at page 5 of the Licensing Sub-Committee Supplemental Agenda Pack.

The provision of Regulated Entertainment does not fall within the Cumulative Impact Policy and therefore in relation to this licensable activity the onus is upon those making representations to prove current activities at the premises do not promote the licensing objectives. The Sub-Committee are satisfied there is no evidence of this.

The Statutory Licensing Sub-Committee are satisfied that the Cumulative Impact Policy applies to the Sale/Supply of alcohol and LNR at these premises and that therefore there is a rebuttable presumption of non-grant in respect of this licensable activity only.

The Statutory Licensing Sub-Committee are further satisfied that sufficient evidence has been provided by the applicant to illustrate that the premises will not add to the Cumulative Impact already experienced and that the presumption of non-grant has been rebutted.

The Statutory Licensing Sub-Committee have also considered the views of all concerned in relation to Regulated Entertainment and have determined that the premises licence is granted, as applied for and subject to the conditions contained in the revised section M of the operating schedule, as amended at the hearing, which appear on page 5 of the Supplemental Agenda pack to the Licensing Sub-Committee dated 16 October 2019 and conditions, agreed between the parties at the hearing on 16 October 2019, which are reproduced below:

1. There will be a strong management team in place, who will ensure that we fully uphold all of the licensing objectives, at all times.
2. A robust operating schedule with minimal hours of operation, demonstrating a commitment to due diligence at the premises.
3. CCTV will be installed, operated and fully maintained at all times; images will be retained for at least 31 days and be produced on request of any Responsible Authority. The CCTV will be operational at all times whilst the premises are trading.
4. Warning notices will be displayed in public areas of the premises advising that CCTV is in operation.
5. A paginated incident book and refusals log will be maintained at all times and will be checked and signed off by the DPS at the end of each week; these will be made available for inspection by any Responsible Authority, upon reasonable request.
6. Customers will not be permitted to take open containers of alcoholic drinks outside of the premises.
7. The Premises Licence Holder or DPS will carry out pre-opening checks of the premises, to ensure that there are no risks to patrons and that all safety precautions are in place.
8. The licence holder will ensure that all staff receive appropriate staff training in the Licensing Act 2003 with refresher training completed on an annual basis.
9. The licence holder will ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol.
10. All safety certificates and inspection reports will be retained on site and made available by officers of relevant statutory bodies.
11. The premises will ensure that the disturbance caused to the general public is kept to a minimum, signage will be placed in a prominent place asking customers to respect our neighbours.
12. All doors and windows will remain closed when music is played other than for access and egress.
13. The premises staff will ensure that the frontage of the premises are checked regularly for litter and rubbish, clearing any debris away.
14. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00hours and 08:00hours.
15. A Challenge 25 Policy is in place and only recognised forms of ID will be accepted. {PASS accredited ID, passport or photo driving licence}.
16. Children will not be allowed into the premises after 19:30 hours except at private functions. At any time when children are on the premises they shall be accompanied by a supervising adult over the age of 18.
17. On bank holidays when extended hours apply one SIA registered door person will be at the premises from 22:30 until the close of business and/or the leaving of the last patron. Risk assessments will be on-going to establish if the number of SIA staff needed should be increased.
18. The licensable hours will start at 10:00am on any day.
19. Notices will be displayed at the premises stating customers will not be permitted to take open containers of alcoholic drinks outside the premises.
20. Notices will be displayed at the premises stating a PSPO applies.

It is considered that the above conditions should be attached to the licence in support of the licensing objectives.

Finally, such conditions as are specified on/or consistent with the operating schedule will be attached to the licence, together with any mandatory conditions required by the Act.

All parties have a right of appeal to the Magistrates Court within 21 days of receipt of this decision.

A copy of the written decision would be forwarded to all parties.