

CITY OF
WOLVERHAMPTON
C O U N C I L

Mr Chris Howell
Licensing Services
City of Wolverhampton Council
St Peter's Square
Wolverhampton
WV1 1SH

Appendix 5

16 December 2019

Application for a review of a premises licence under Licensing Act 2003
Batas, 130 Lime Street, Penn Fields, Wolverhampton WV3 OEX

I write on behalf of the Licensing Authority as a Responsible Authority. I write in support of the above review application made by Trading Standards Service. Representations are made against Crime and Disorder, Public Nuisance and Protection of Children from Harm licensing objectives and the failure of the current management of the premises to promote these objectives.

The Premises Licence Holder/Designated Premises Supervisor, Ghazi Rashid Majeed has not demonstrated he is operating in accordance with his premises licence and therefore is not promoting the licensing objectives of Crime and Disorder, Public Safety and Protection of Children from Harm.

The premises has a history of non-compliance and failure to promote the licensing objectives of Crime and Disorder.

On 25 January 2018 the premises was subject to a review brought by Trading Standards due to issues relating to illicit tobacco and cigarettes. [REDACTED] was the Premises licence holder and Designated Premises Supervisor at the time.

The Licensing Sub-Committee considered all the evidence before them at the hearing both written and oral and resolved to revoke the premises licence.

[REDACTED] appealed the decision to the Magistrates Court. The court confirmed application for appeal was withdrawn.

On 07 November 2018 a new premises licence application was received from Ghazi Rashid Majeed this application was not objected to as the application satisfied Responsible Authorities, he would not manage the business in the same manor as the previous Premises Licence Holder.

The proposed Premises Licence Operating Schedule demonstrated how the Premises Licence Holder/Designated Premises Supervisor would uphold the four licensing objectives, the operating schedule can be viewed within the premises licence.

The current issues raised by Trading Standards relate to the possession, custody and control of illegal cigarettes and tobacco for sale at the premises and numerous breaches of premises licence conditions including the sale of alcohol to minors. This shows blatant disregard to the licensing objectives by the Premises Licence Holder/Designated Premises Supervisor.

If Councillors are satisfied that illegal activities have taken place at the premises and 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 modification of the current premises licence in accordance with section 52 of the Licensing Act 2003 and paragraphs 11.27 and 11.28 of guidance issued by the secretary of state under 182 of the Act together with City of Wolverhampton Councils Statement of Licensing Policy.

- “11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
 - **for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;**
 - for prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;
 - for the organisation of racist activity or the promotion of racist attacks;
 - for employing a person who is disqualified from that work by reason of their immigration status in the UK;
 - for unlawful gambling; and
 - **for the sale or storage of smuggled tobacco and alcohol.**

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.”

Councillors may conclude from the evidence given within the review application and at the hearing in order to promote the licensing objectives of Crime and Disorder, Public Safety and Protection of Children from Harm that modification of the premises licence or suspension of the licence to ensure the current management of the premises fully understands their roles and responsibilities is not a suitable option and that there is no alternative but to revoke the licence.

The Licensing Authority fully supports the review application brought by Trading Standards Service and concludes the above issues should be resolved in order to promote the licensing objectives of Crime and Disorder, Public Safety and Protection of Children from Harm.

I shall be in attendance at the hearing should councillors have any questions or require any further assistance.

Yours Sincerely,


Mrs Elaine Moreton
Section Leader
On behalf of the Licensing Authority

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