

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee

11 October 2022

Report title

Licensing Act 2003 – Application for a Premises Licence in respect of Snappy Tomato Pizza, 12 Worcester Street, Wolverhampton, WV2 4LD

Wards affected

St Peters

Accountable director

John Roseblade, 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:

1. To submit for consideration by the Statutory Licensing Sub-Committee an application for a new premises licence.

1.0 Purpose

- 1.0 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 17 August 2022 from Kimran Foods Limited for a premises licence in respect of Snappy Tomato Pizza, 12 Worcester Street, Wolverhampton, WV2 4LD. A copy of the application is attached at Appendix 1.
- 2.2 The premises are in the St Peters ward and a location plan is attached at Appendix 2.
- 2.3 The application is in respect of provisions of late-night refreshments and supply of alcohol on and off the premises.
- 2.4 It is 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, West Midlands Police and West Midlands Fire Service. Copies of the representations can be found at Appendices 3 to 5 respectively.
- 2.7 The Licensing Authority have mediated with the applicant. The mediation document is attached at Appendix 6.
- 2.8 The applicant has agreed a Voluntary Undertaking with West Midlands Fire Service. A copy can be found at Appendix 7.
- 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 Licensing Committee on 19 January 2022 [SB/16122021/X].

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

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 premises 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. [MAK3.10.2022/A]

5.0 Equalities implications

- 5.1 There are no direct equalities implications associated with this report

6.0 All other Implications

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

7.0 Schedule of background papers

- 7.1 None

8.0 Appendices

- 8.1 Appendix 1 - Premises Licence Application
- 8.2 Appendix 2 - Location Plan
- 8.3 Appendix 3 - Licensing Authority Representations
- 8.4 Appendix 4 - West Midlands Police Representations

- 8.5 Appendix 5 - West Midlands Fire Service Representations
- 8.6 Appendix 6 - Licensing Authority Mediation
- 8.7 Appendix 7- West Midlands Fire Service Voluntary Undertaking