

[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

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

Name of premises licence holder or club holding club premises certificate (if known) Billa Mini Market Ltd
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Number of premises licence or club premises certificate (if known) 23/04466/PREDPS
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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 Amitabh Singh Section Leader – Licensing Responsible Authority 
Telephone number (if any) 
E-mail address (optional) 

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

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

Please tick ✓

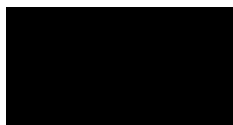
yes

- 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)

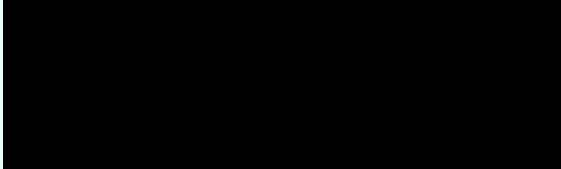
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

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, WV3 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

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: ^{Manager} (PLH/DPS) [Redacted]

ADDRESS: Billa Mini Market, 90 Upper Villers St.

PHONE NO: DATE: 16/08/2023

LICENCE REF: 23/044-6610REOPS

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

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

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**
.....

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]