

[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

Canalside Bar & Grill
Castlecroft Lane,

Post town Wolverhampton

Post code (if known) WV3 8JU

Name of premises licence holder or club holding club premises certificate (if known)

Ravi Chopra

Number of premises licence or club premises certificate (if known)

23/31527/PRE

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
Licensing Services
Civic Centre
St Peters Square
Wolverhampton
WV1 1SH

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 ✓

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-
-
-

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

Failing to uphold licensing objectives through multiple breaches of conditions impacting on:

- Prevention of Crime and Disorder
- Public Nuisance
- Public Safety
- Protection of children from harm

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

On 12 July 2023, Licensing received a complaint regarding Canalside Bar and Grill staying open longer than their permitted hours during the weekend of 7/8th July 2023.

Licensing officers visited the premise on 18th July 2023 to carry out an inspection and to collect CCTV footage that had been requested by the Licensing Section Leader. During that visit, the Premises Licence Holder, Mr Ravi Chopra did not provide the CCTV footage in a downloadable format and told the Officers that he didn't think he had to and that he just had to show the footage from his phone.

Mr Chopra proceeded to show the Officers footage on his mobile phone from the evening of 7 and 8 July 2023. The footage that was observed by the licensing officer, showed that at 23:49 hours persons remained present within the premises, at 00:00 hours the premises was empty.

The premises licence at that time were permitted to supply alcohol on the premises Monday to Sunday 12:00 to 22:30 hours and play recorded music Monday to Sunday 08:00 to 23:00 hours. The opening hours at this time for the premises were 08:00 to 23:00.

A compliance inspection was then carried out and the following breaches of licence conditions were identified. (see attached witness statement of Senior Licensing & Compliance officer)

- Drinks/glassware including bottles not to be removed from the premises
- Staff training – all staff to be trained and refresher training every 6 months, on their responsibility with regards to licensing legislation

A trader's notice was left with Mr Chopra outlining the breaches and a 14-day timeframe to implement the staff training and update records (See attached Statement at Exhibit EG1).

On 2nd August 2023, Licensing received a full variation from Canalside Bar and Grill. This included changes to licensable activities, to update the layout and plans of the premises, to extend the licensable area, and to amend and update licence conditions.

The proposed variation was to extend the sale/supply of alcohol on the premises from 22:30 hours to 00:30 hours – Monday to Sunday and to extend Recorded Music (Indoors) from 08:00 - 23:00 hours to 08:00 to 00:30 hours Monday to Sunday

The variation also sought to add, The sale/supply of alcohol off the premises – Monday to Sunday 08:00 to 00:30hrs and late-night refreshment until 00:30hrs.

A Licensing Sub-Committee hearing took place on 26 September 2023 to hear an application to vary the premises licence. The outcome of the variation was the following:

- **Sale/Supply of alcohol on the premises:** Monday to Thursday 17:00 to 23:00hrs,
Friday 16:00 – 23:00hrs, Saturday 12:00 to 23:00hrs and Sunday 12:00 to 23:00hrs

- **Sale/supply of alcohol off the premises:** Monday to Thursday 17:00 to 21:00hrs, Friday 16:00to 21:00hrs and Saturday & Sunday 12:00 to 21:00hrs
- **Recorded Music:** Monday to Thursday 17:00 to 23:00hrs, Friday 16:00 to 23:00hrs, Saturday 12:00 to 23:00hrs and Sunday 12:00 to 22:00hrs.

Amongst other conditions, the following relevant conditions were attached to the premises operating schedule following the statutory licensing Sub committee:

- A proper calibrated digital CCTV system shall be put in place which covers all entry/exit points of the premises and all areas where alcohol/money is served/taken, all areas where the public have access, to include the immediate curtilage outside the premises which includes the outside seating and smoking areas. The system must be installed and maintained in working order at the premises at all times the premises is open for business. The systems recorded images and video must be in high definition, in colour, have the correct date and time stamp and be kept for at least 31 days unedited. The footage must enable frontal facial identification of every person entering the premises, in any light condition.
- At least one designated member of staff must be trained to use the CCTV system and be available to provide downloads upon request or in any case 24 hours of any request made by any authorised officer of a Responsible Authority. Images and video will be downloadable in a suitable format by the Premises Licence Holder and provided to any authorised officer of a responsible Authority upon "immediate" request.
- Alcohol for consumption on the premises must not be sold less than 15 minutes before the premises scheduled closing time.

The full operating schedule and conditions attached to the licence can be found in the premises licence issued dated 26 September 2023.

On 8 and 9 November 2023, a complaint was received from two ward Councillors in relation to Canalside Bar and Grill, who had received emails from local residents that the premise was operating beyond its permitted trading hours on 4 November 2023, and that at 23:15 hours the car park was full with 18 cars , doors were open, loud noise was coming from the premises and that patrons were still inside and outside.

On 9th November 2023, a visit to the premises was carried out by Licensing officers at 17:30hrs, to view the CCTV footage of the night in question (4th November). The owner was unable to show any footage, allegedly due to Wi-Fi not working.

Mr Chopra eventually provided footage to a licensing officer on 14 November 2023 after being visited by a licensing office on the 10 November and after a number of requests were made by the licensing dept.

However, rather than providing the full CCTV, Mr Chopra provided 12 videos depicting the following:

- 1) 22:50 – 23:00 – Disco lights still going, drinks still being served at the bar.
- 2) 23:00 – 23:10 – Drinks being served 23:02, 23:03, At 23:04 money being taken at the till. 23:10 staff still standing at the bar and tills.
- 3) Camera on Right hand side of bar 00:00 – 00:30 showed the below:

00:14 Drinks can be seen being passed. Customer is noted standing at the bar.
00:16 a drink can be seen being passed across the bar.
00:17 – another drink being served.
00:19 – a drink is poured and passed to a customer
00:26 – a beer is poured.
00:28 – another beer is poured.
00:28 - customers leave the premises

4) Dance Floor – 22:58 - 23:00: showing people on the dance floor and DJ still playing. 22:58 – A young child can be seen on the dance floor waving a spinning light.

5) Dance Floor still being used between 23:00 – 23:10:
People dancing mainly in Halloween fancy dress, some wearing masks.

23:06 – music stops, customers shouting to the DJ ‘one more one more’
23:06 – music continues, child can be seen on the dance floor.
23:09 - music has stopped and two children can be seen to the rear of the restaurant.

6) 00:00 - 1 second duration – staff cleaning – no customers

7) 00:00 - 1 second duration – staff cleaning – no customer

8) Drink served at 00:29 to staff – The owner and a staff member having a beer.

9) 00:00 – 00:30 – same as above

10) Camera from left hand side of bar - 22:58 – 23:00 Drinks being served.

11) Camera from left hand side of bar - 23:00 – 23:10:

23:04 – drinks being served.

12) 00:00 – few seconds of cleaning in the bar

There was no CCTV footage submitted from 23:10 to 00:00hrs by Mr Chopra.

Mr Chopra, as the premises licence holder and designated premises supervisor (DPS), has failed to adhere to the conditions attached to his licence, thus failing to uphold the licensing objectives. He has failed to submit CCTV video when requested by an authorised officer within 24 hours and in the correct format as well as alcohol being consumed on the premises less than 15 minutes before the premises closes.

The subcommittee may interpret the failure to provide CCTV as preventing it from considering the full evidence of licence condition breaches.

There is an expectation and duty placed on premises licence holders/designated premises supervisors and staff members that they are aware and adhere to their licence conditions, so that breaches of licences do not occur which impact any of the four licensing objectives.

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 way of a two month suspension of the current premises licence and 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. It is also proposed that the licensable hours be restricted as follows:

Activity: Sale/Supply of alcohol on the premises

Normal Hours: Monday to Thursday 1700 to 2100 hours

Friday 1600 to 2100 hours

Saturday 1200 to 2100 hours

Sunday 1200 2100 hours

With thirty minutes time to be called for drinking up before closing on all days of the week.

Seasonal None

Variations:

Non-Standard

Hours:

Normal Hours: Recorded Music

Monday to Thursday 1700 to 2100 hours

Friday 1600 to 2100 hours

Saturday 1200 to 2100 hours

Seasonal Sunday 1200 2100 hours

Variations: None

Non-Standard

Timing:

However, 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 **06/03/2024**

Capacity **Section Leader –acting in my capacity as representing the Licensing 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.