

[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 . Greg Bickerdike

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Chill Wine Bar Ltd 4 – 6 High Street Tettenhall	
Post town Wolverhampton	Post code (if known) WV6 8QT

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

Number of premises licence or club premises certificate (if known)
20/13502/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 Greg Bickerdike City of Wolverhampton Council [Redacted]
Telephone number (if any) [Redacted]
E-mail address (optional) [Redacted]

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 ✓

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

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

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

- The Prevention of Crime and Disorder
- Public Nuisance

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

The Licensing Service received a complaint from a Councillor regarding Chill Wine Bar in relation to noise and trading after hours on both 04/02/2024 and 11/02/2024.

The complaint alleged that on 4 February 2024 at 0215 hours, occupants could be seen emerging from a car and walking into the Premises, and at 0530 hours, people were emerging from the premises, shouting and banging car doors. The complaint also alleged that the premises may have been trading until 0200 hours on 11 February 2024.

On 14 February the Section Leader for Licensing contacted the Premises Licence Holder, Mohamed Camara, to arrange to visit the premises and view the CCTV footage. Mr Camara advised that the CCTV could not be viewed as he was out of the country and no other member of staff was trained or permitted to access the CCTV.

On the 23 February 2024, the Section Leader for Licensing along with a Licensing officer visited the premise on to carry out an inspection and view CCTV footage in relation to the complaint.

During that visit, the Premises Licence Holder, Mohamed Camara was unable to provide the CCTV footage for 4 February 2024. Mr Camara explained that the CCTV only held recordings for a period of 14 days. It is a condition of the premises licence that, "recordings are held for 30 days for any authorities who wish to view them".

The premises licence at that time permitted the Sale/Supply alcohol on the premises Monday to Sunday 12:00 to 00:30 hours and play recorded music. The opening hours at this time for the premises were 08:00 to 01:00 hours.

The Section Leader requested to see CCTV footage for the evening of 18 February 2024; Mr Camara then showed the Officers footage as requested. On the footage observed by the Licensing officers, it was noted the sale of alcohol continued past the premises' licensable hours.

The Licensing officers noted that alcohol was served at 00:42am, the premises was full of customers at 01:30am and more drinks were served to customers at 01:34am.

Mr Camara advised that he was not present at the premises on 18 February 2024, and was unaware that they had traded outside of the hours.

The compliance inspection found the premises to be in breach under the Licensing Act 2003 of the following conditions:

1. CCTV to be provided to any member of a responsible authority upon request and without any undue delay.
2. There will be someone onsite at all times who can operate the system.
3. Drug prevention and searches will be enforced by SIA door staff when on duty.
4. Paginated incident book to be provided to any member of a responsible

authority upon request.

5. All training of staff will be recorded and retained and made available for inspection by any member of responsible authority on request.
6. As outlined originally, we have CCTV throughout the building, and this is fully operational, and recordings are held for 30 days for any authorities who wish to view them.
7. Ensure people leave in a quiet efficient manner-signage to be used to re-iterate this.
8. Refusal/Incident book kept and any issues noted.
9. All staff to be trained on the policy and a reminder/review to be in place every 6 months and also it will play a part in the induction of new staff members.
10. Paginated refusals book to be provided to any member of responsible authority upon request.

A traders notice was left at the premises stating that the above breaches must be rectified within 14 days.

Also, a request was made for CCTV downloads to be made available:

CCTV Downloads must be provided for 17 and 18 February 2024 between the hours of 00:00 and 03:00 hours. Footage must be provided from cameras A10, A11, A12, A14. Downloads must be provided by 27/02/2024.

On 28 February 2024, Mr Camara informed the Licensing department that the CCTV was available to collect on that day; the CCTV footage was collected the same day by a Licensing Officer.

Mr Camara did not provide the CCTV footage as requested. Only a few seconds of footage was provided for the Camera A10 (Bar) and no footage was provided for camera A14.

From the CCTV that was provided the following was evident:

1. Camera A12 - 00:09 – Four customers are allowed to enter the premises. No Drug prevention or search was enforced by SIA door staff.
2. Camera A11 - 00:53 - A customer can be seen returning from the bar with full drinks.
3. Camera A10 - 01:22 – The bar area has multiple customers still inside the premises.
4. Camera A12 – 01:29 – Customers can be seen leaving the premises with a drink in hand. The premises is not licensed for the Sale/Suply of Alcohol off the premises.

On 21 March a further complaint was sent to the Section Leader alleging that the premises had been open past its licensable hours on 17 March 2024.

On the 28 March 2024 a Licensing Officer attended the premises to conduct a further compliance inspection to check that the CCTV was recording for the full duration, and to view the CCTV in relation to a further complaint regarding 17 March 2024. During the visit the CCTV was still not recording for the full duration of 30 days. CCTV was only viewable from 7 March 2024. Mr Camara advised that the footage only recorded from when he had the new system installed and did not hold any

recordings before that.

Mr Camara proceeded to show the Officer footage from the morning of 17 March 2024. On the footage viewed by the Officer, multiple sales of alcohol were conducted outside of the Premises' Licensable hours [00:30] on the 16 and 17 March 2024.

A trader's notice was left at the premises identifying the following breaches:

1. Multiple sales of alcohol were conducted outside of the Licensable hours [00:30] on the 16 and 17 March 2024.
2. CCTV downloads must be provided for cameras A10, A11, A12, A14 for the 16 and 17 March 2024 between the hours of 00:00 and 03:00 hours.
3. Unable to (sic - provide) CCTV going back 30 days.
4. CCTV is showing until the 7 March. Full 30 days recording will be viewable next week.

It was requested that the CCTV was to be provided by 4 April 2024.

On 8 April 2024, a Licensing Officer spoke with Mr Camara over the phone to see if he is able to provide the CCTV as requested on the Traders Notice. Mr Camara stated that he is unable to provide the downloads of the footage himself and must ask a technician. The CCTV footage as requested on the Traders Notice left on the premises on 28 March 2024, in relation to the 17 March 2024, was never provided by the Premises Licence Holder.

It is recommended that the licence conditions are varied as follows:

From:

- 6 x CCTV cameras - throughout the building. Including entrance.
- Recordings taken and held for 30/60 days.
- CCTV to be provided to any member of a responsible authority upon request and without any undue delay.
- There will be someone onsite at all times who can operate the system. Camera positions noted on plan.
- A CCTV camera to be sited outside the front of the premise.
- As outlined originally we have CCTV throughout the building and this is fully operational and recordings are held for 30 days for any authorities who wish to view them.

To: A digital CCTV system will be in place which covers entry/exit points of the premises and all areas where alcohol/money is served/taken, all areas where the public have access, the immediate vicinity outside the premises and any area where searches are conducted. The system will be installed and maintained in working order at the premises during all times. The system's recorded images and video will be high definition, in colour, indicate the correct date and time and be kept for at least 31 days unedited. The footage will enable facial identification of every person entering the premises, in any light condition. At least one designated member of staff will be trained to use the CCTV system and be available to provide downloads upon request or, in any case, within 24 hours. Images and video will be downloadable in a suitable format and provided to any officer of a responsible authority upon request.

From:

- Refusal/Incident book kept and any issues noted.
- Paginated refusals book to be provided to any member of responsible authority upon request.

To:

- An electronic or written incidents log will be maintained at the premises with a record of all incidents of crime and disorder reported to or by the premises; all ejections of patrons; any complaints received; seizures of drugs, offensive weapons, fraudulent ID or other items; any faults in the CCTV system; any visit by a relevant authority or emergency service. The incidents log will be produced to an officer of a responsible authority upon request. Where a crime is believed to have been committed, the incident will be reported to the West Midlands Police. The incidents log will be kept for at least 12 months and will be produced to an officer of a responsible authority upon request.
- An electronic or written refusals log will be maintained at the premises with a record of all refusals of admission or service, including the sale of alcohol. The refusals log will include the basis of a refusal; the person making the decision to refuse; the date and time of refusal. The refusals log will be kept for at least 12 months and will be produced to an officer of a responsible authority upon request.

From:

- All staff to be trained on the policy and a reminder/review to be in place every 6 months and also it will play a part in the induction of new staff members.
- All training of staff will be recorded and retained and made available for inspection by any member of responsible authority on request.

To:

All customer-facing staff to receive training before their first shift when the premises is open to the public and refresher training every six months on their responsibilities with regard to licensing legislation, underage and proxy sales. Training will also cover Challenge 25, personal safety, conflict management, recognising signs of drunkenness, how to refuse service, the premises' duty of care, safe evacuation of the premises, company policies and reporting procedures, action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services, and the conditions in force under this licence. This training must be documented and produced to an officer of a responsible authority upon request.

Add:

- Alcohol for consumption on the premises must not be sold less than 15 minutes before the premises' scheduled closing time.
- A Personal Licence holder must be on site when licensable activities are taking place. A member of staff will be in the trading area at all times that alcohol is sold or supplied.

Given the designated premises supervisor's (DPS) failure to uphold the licensing objectives, it is recommended that he is removed from this position and another DPS

is appointed.

It is also recommend that a suspension of the licence up to three months is considered by the sub-committee, to ensure appropriate time to rectify non-compliance with the licence conditions before any further licensable activities take place.

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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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 **7 June 2024**

.....

Capacity **Responsible Authority for 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.