

**Meeting of the Licensing Sub-Committee 1**  
**Thursday 5<sup>th</sup> October, 2023 at 10.00am**  
**In the Council Chamber**  
**at the Council House, Priory Road, Dudley**

**Agenda - Public Session**  
**(Meeting open to the public and press)**

1. Apologies for absence.
2. To report the appointment of any substitute Members for this meeting of the Sub-Committee.
3. To receive any declarations of interest under the Members' Code of Conduct.
4. To confirm and sign the minutes of the meeting held on 1<sup>st</sup> June, 2023 as a correct record (Pages 6 – 17)

***The following applications are to be considered under the provisions of the Licensing Act 2003:-***

5. Notice of Temporary Event – Cocktails and Dreams, 19 Bilston Street, Sedgley (To follow)
6. Application for Grant of a New Premises Licence – Quickstop Convenience Store (UK) Ltd, 25 Park Road, Brierley Hill (Pages 18 – 62)
7. To consider any questions from Members to the Chair where two clear days notice has been given to the Monitoring Officer (Council Procedure Rule 11.8).



**Chief Executive**

**Dated: 26<sup>th</sup> September, 2023**

**Distribution:**

Councillor K Razzaq (Chair) (Substitute for Councillor A Lees)

Councillors T Creed and M Howard

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## **Licensing Sub-Committee Procedure**

- Chair to welcome parties and introduce Members and Officers
- Establish who the parties are and any representatives
- Chair to confirm that all parties have had disclosure of all documents that the Committee has before them and been allowed sufficient opportunity to read them prior to the meeting.
- Presenting Officer of the Local Authority or Solicitor to present the report to the Sub-Committee
- Relevant Authority to present their evidence and the Chair will then ask if any of the following have questions for the Officer:-
  - Objectors/or their representative
  - Applicant or representative
  - Sub-Committee Members and Legal Advisor
- Objectors or their representative/nominated person to present his/her case (including Ward Members)
  - Any witnesses to be called
  - Each witness to be questioned through the Chair in the following order:-
    - Representative of objectors (if present), if no representative, the objectors
- The Chair will then ask the following if they have any questions for the representative or the objectors:-
  - Presenting Officer Local Authority (or Solicitor)
  - Applicant or Representative
  - Sub-Committee Members and Legal Advisor
- Applicant or representative to introduce his or her case
  - Any witnesses for the applicant to be called
  - Each witness to be questioned through the Chair in the following order:-
    - Representative of Applicant (if present)
    - Presenting Officer Local Authority/Solicitor
    - Relevant Authority
    - Objector or Representative
    - Sub-Committee Members and Legal Advisor

- Presenting Officer of the Local Authority/Solicitor to sum up.
- Objectors/Representative to sum up
- Applicant or representative to sum up (must make final comments)
- Legal Advisor indicates to parties details of legal advice to be given to Sub-Committee
- Parties asked if they have had a fair hearing
- All parties, together with any members of the public to withdraw
- Sub-Committee to make their decision
- All parties invited to return and the Chair reads out the decision and the reasons for the decision.

**Minutes of the Licensing Sub-Committee 1**  
**Thursday, 1st June 2023 at 10.00 am**  
**In Meeting Room 9, Saltwells Education Development Centre,**  
**Bowling Green Road, Netherton**

**Present:**

Councillor A Taylor (Chair)  
Councillors T Creed and P Drake

**Officers:**

J Scobie – Assistant Team Manager (Licensing and Waste Enforcement)  
(Directorate of Public Realm), T Holder – Solicitor and K Buckle – Democratic  
Services Officer (Directorate of Finance and Legal).

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**17. Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of  
Councillors A Lees and S Mughal.

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**18. Appointment of Substitute Members**

It was reported that Councillors A Taylor and P Drake had been appointed  
as substitute members for Councillors A Lees and S Mughal for this  
meeting of the Sub-Committee only.

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**19. Declarations of Interest**

No Member made a declaration of interest in accordance with the  
Members' Code of Conduct.

20. **Minutes**

**Resolved**

That the minutes of the meeting held on 21<sup>st</sup> March 2023, be approved as a correct record, and signed.

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21. **Application for Review of a Premises Licence – Cocktails and Dreams, 19 Bilston Street, Sedgley**

A report of the Interim Director of Environment was submitted on an application for a review of a premises licence in respect of Cocktails and Dreams, 19 Bilston Street, Sedgley.

The following persons were in attendance, at the meeting:

Ms K Turley – (West Midlands Police)  
Mr C Coughlan – (Solicitor for West Midlands Police)  
Sergeants J Andrews and J Newton – (West Midlands Police)  
Mr C Bates – (Premises Licence Holder)  
Ms K Loveridge and Mr S Gowan – (Supporters for the Premises Licence Holder)  
Mr N Slym – (Licensing and Waste Enforcement)  
Mr A Humphrey (Licensing and Waste Enforcement)  
Ms K Mullings – (Licensing and Waste Enforcement)  
Mr R Jones – (Environmental Health and Trading Standards)  
Ms C Vaughan – (Environmental Health and Trading Standards)  
Ms K Wilkinson-Clarke (Health and Wellbeing Environmental Health and Trading Standards)  
Mr T Cranston – (Childrens and Young People Safeguarding and Review)

Following Introductions, the Assistant Team Manager (Licensing and Waste Enforcement) presented the report on behalf of the Council.

Mr Coughlan outlined the reasons for the application for a review of the premises licence referring to the photographs contained in the closed circuit television (CCTV) and photographic booklet that had been circulated to all interested parties, stating that children were at risk from harm due to Mr Bates being unable to adhere to the licensing objectives.

Mr Bates confirmed that he had received the booklet referred to above, which contained the photographic evidence.

Mr Coughlan stated that there was clear evidence that children were present on the licensed premises, paying cash over the bar for drinks.

At 22.42 pm on 6<sup>th</sup> January, 2023, a young female was photographed leaving the licensed premises under the influence of alcohol and it was confirmed that a bottle of Kopparberg cider had been sold to a child, with the bottle being encircled on the photographic evidence.

There was photographs of young girls and boys congregating in the licensed premises with one vaping and of disco lighting being illuminated on the dance floor with what appeared to be a six-year-old child running across the dance floor.

Mr Coughlan advised that the Dormston Secondary School in Sedgley had confirmed that the young girls and boys in the photographs were pupils at the school.

It had never been ascertained which security company were employed by Mr Bates to secure the licensed premises, with no security checking in or out of the premises. There were no door supervisors, breaching the conditions on the premises licence and there were children drinking on the licensed premises.

Ms Vaughan stated that Environmental Health and Trading Standards supported the representations submitted by West Midlands Police, advising that there was likely to have been further noise disturbance based upon the evidence submitted by West Midlands Police, then outlined the reasons for the application for a review of the premises licence, referring to a further complaint received on 20<sup>th</sup> May 2023 of noise disturbance.

Ms C Vaughan advised that following enquiries of the Council's highways section and a land registry search both had evidenced that Mr Bates had no Pavement Licence, although there was photographic evidence of patrons to the fore of the premises

Following a question from Mr Bates, Ms Vaughan referred to the table and chairs that were in situ to the fore of the licensed premises and the barrier that had been installed.

Mr Bates refuted the allegation that there was a table to the fore of the licensed premises and indicated that he had been advised by Mr Slym to erect a barrier to the fore of the premises and stated that he had been advised not to apply for a pavement licence.



Ms Vaughan referred to the Land Registry Search confirming that the boundary of the licensed premises was up to the blue line to the fore of the premises.

Mr Bates referred to the parking that was allowed to the fore of the premises, advising that it was not public land but belonged to the licensed premises.

Mr Slym confirmed that following checks with the Land Registry the land referred to did form part of the public highway.

Mr Cranston advised that he was making representations on behalf of Ms N Hale, the Head of Childrens Safeguarding who had serious concerns in relation to the protection of children from harm being prevented by the sale of alcohol to children on the licensed premises. The clear conditions in place preventing the sale of alcohol to those under the age of 18 were referred to and having reviewed the documentation submitted by West Midlands Police concurred with the concerns raised by them.

In response Mr Bates stated that there was no evidence that alcohol had been sold to those under the age of 18 advising that drinks referred to were alcohol free drinks.

Mr N Slym made representations on behalf of the Licensing Authority, referring to the summary of breaches of the conditions on the licence which amounted to 27 over a four-month period.

Mr N Slym referred to the images taken of the door staff register on 7<sup>th</sup> March 2023, which evidenced that only one member of Security Industry Authority staff was on duty with no counter signature appearing for a second which breached conditions j) and i) on the premises licence.

On the 27<sup>th</sup> and 30<sup>th</sup> December 2022, and 6<sup>th</sup> and 7<sup>th</sup> January 2023 Mr J Allen was the only member of door staff who had signed the door staff register which had resulted in four breaches of the conditions on the premises licence. Further breaches had occurred on 27<sup>th</sup> and 28<sup>th</sup> January 2023 when only member of the door staff had signed the register.

On the 24<sup>th</sup> and 25<sup>th</sup> February 2023 Mr Tilt had been the only member of the door staff to sign the register.

Mr Slym advised that West Midlands Police had been informed that a children's party had taken place on the licenced premises on 6<sup>th</sup> January 2023 with a number of those children present being intoxicated. Following the event, Mr Bates had been requested to provide the CCTV for that evening, however he advised that the CCTV had only recorded from the 7<sup>th</sup> January 2023. West Midlands Police then seized the CCTV hard drive and recovered the deleted footage.

In response to a question from the Chair, Mr Slym confirmed that CCTV recorded on a loop, and there would always be 28 days of coverage.

The CCTV recording checking had been photographed which evidenced that there had been no record of a fault with the system, or a replacement hard drive, made between Christmas and the new year period. It also evidenced that the system had been working correctly on 6<sup>th</sup> January 2023, however when footage was later requested, Mr Bates had stated that it was not recorded as the system only recorded between the 7<sup>th</sup> and 7<sup>th</sup> each month.

Mr Slym advised that when he had visited the licensed premises on 22<sup>nd</sup> December 2022 the CCTV system was recording on a 28-day loop and on the balance of probabilities the relevant footage had been deleted.

Mr Bates had been reminded on 22<sup>nd</sup> December 2022 that the licence to serve alcohol permits the sale until 23:00 hours, however the CCTV images evidence alcohol being sold at 00.34 and 01:00 hours.

When the hard drive was returned on 7<sup>th</sup> March 2023, Mr Bates was questioned in relation to booking parties, where he advised he maintained a diary system. Upon examination of that diary it identified a record on 6<sup>th</sup> January 2023 as 'Demi party 60 people', however Mr Bates advised that the party did not take place.

On 13<sup>th</sup> January 2023, a female had entered the premises and handed over a large sum of money, this female has been identified by West Midlands Police as Demi.

On 6<sup>th</sup> January 2023 the CCTV footage records a female dressed in birthday clothes purchasing alcohol, including a bottle of Kopparberg Cider and drinks from a jagermeister machine. Children also appeared to be drinking tequila shots.

At 22.42 on the same evening, a female was carried out of the licensed premises and has since been identified as a pupil of the Dormston Secondary School.

There were also a number of people vaping opposite the bar area.

The above constituted further breaches of the conditions placed on the licence, as children are not permitted on the licensed premises after 9pm.

The footage of 18<sup>th</sup> March 2023 highlighting a child running through the dancefloor was again referred to.

Following a compliance visit on 24<sup>th</sup> May 2023 it was noted that signage was displayed stating that all children need to be out of the premises by 21:30, however the signage was wrong and breaches condition 'o' on the premises licence which states 21:00 hours.

Mr Slym referred to the fact that Mr Bates has no Security Industry Authority (SIA) Licence and cannot employ SIA staff, and when questioned Mr Bates advised that he employed security staff from a company called Lionheart, however they advised that none of their staff had been employed at the licensed premises since December 2022.

Following further enquiries Mr Bates confirmed that he employed RSS Security Services and provided a contract, which was considered false as their trading address was wrongly stated and it indicated that two door staff would be paid £10.00 per hour, which was under the national minimal wage.

Mr Bates referred to signing the security register advising this had been an honest mistake, with the staff since being informed that they must both sign the register. Mr Bates alleges that following photographing the register Mr Slym invited him to sign the register.

Mr Bates stated that he remained in talks with RSS Security Services, their address was correct as stated on the contact and they were providing the licensed premises with security.

Mr Slym stated that the Managing Director had advised that he had never heard of Mr Bates or his licensed premises.

Mr Bates advised that his contact was a Mr Gareth Williams.

Mr Holder confirmed that the operating address could be a different address to that held by Companies House.

Mr Bates confirmed he had checked that the CCTV was recording.

Mr Humphries reported that there had been no record of an error had occurred in relation to the CCTV or that an engineer had been called.

Mr Bates referred to the image of a bottle on 6<sup>th</sup> January 2023, stating that “this is just a brown bottle, and it is alcohol free”.

Mr Bates referred to a blue ticketing system in operation when purchasing drinks whereby if two drinks are purchased one is left in the refrigerator, the purchaser is then provided with a blue ticket which would be used to exchange with the pre-purchased drink upon production of the ticket.

Mr Bates indicated that he had told patrons not to vape on the licensed premises.

Mr Bates presented his case, providing those present with three invoices from CW Distribution Limited, recording the purchase of various alcohol free drinks including tequila and Kopparberg cider.

Mr Bates advised that he had not received the payment for a party on 6<sup>th</sup> January 2023 and was not aware that the party was taking place. He had subsequently discovered that his daughter had taken the payment for the party.

Mr Bates reiterated that he had a contract with Mr Gareth Williams for the provision of security staff at the licensed premises.

In response to questions from Councillor Creed, Mr Bates confirmed that the party did take place on 6<sup>th</sup> January 2023, the room hire was provided, however he did not provide food only alcohol free drinks and mocktails.

Ms Turley asked why children remained on the licensed premises after 9pm on 6<sup>th</sup> January 2023, Mr C Bates stated that they were accompanied by their parent, who comprised of one aunt.

The Chair referred to the conditions imposed on the premises licence at the hearing of the sub-committee on 11<sup>th</sup> October 2022, referring to the voucher system and the fact that patrons should not be present on the premises after 23.30 hours. The fact that there were a number of unaccompanied children on the business premises after 9pm was referred to, which also breached the conditions on the licence.

In response to an observation by Councillor Drake in relation to the young lady being escorted from the licensed premises, Mr Bates stated that there

were no issues with intoxicated patrons and two security staff were employed.

Mr Holder referred to the conditions imposed on the licence in October 2023, questioning whether one adult to supervise 60 children was appropriate and in any event children had remained on the licensed premises after 9pm which clearly breached the conditions on the licence.

Mr Bates agreed with Mr Holder's assertions outlined above.

Mr Slym queried the alleged payment made on 13<sup>th</sup> January 2023, referred to in the photographic evidence and Mr Bates confirmed that the payment had been made.

Following the advice of Mr T Holder all those present viewed the CCTV relating to the images contained in the photographic evidence.

In response to a question from Councillor Creed, Ms Turley advised that West Midlands Police had received intelligence in relation to the party on 6<sup>th</sup> January 2023. A member of the public had taken their child to the party and there were concerns in relation to the bar staff selling alcohol to children 16 and under.

Mr Bates confirmed that he had no questions on the reports or evidence of Mr Scobie, Mr Cranston or Mr Coughlan.

Following the opportunity for all parties to sum up their cases, all parties withdrew from the meeting to enable the Sub-Committee to determine the application.

The Sub-Committee having made their decision invited the parties to return and the Solicitor then outlined their decision.

## **Resolved**

That, following consideration of the information contained in the report submitted and presented at the meeting, the premises licence in respect of Cocktails and Dreams, 19 Bilston Street, Sedgley, be revoked.

## **Reasons for the Decision**

Cocktails & Dreams was last before the Committee on 11th October 2022 when 25 conditions were placed on the Licence. Having heard the evidence before the Sub-Committee today, the Sub-Committee

did not feel that Mr Bates had complied with the majority of those conditions.

The Sub-Committee heard about the lack of Security Industry Authority (SIA) registered door keepers and was not convinced that Mr Bates had undertaken a contract with the Ltd Company as he claimed.

The Sub-Committee heard about issues with the CCTV which prevented Mr Bates showing recordings of specific dates to Dudley Metropolitan Borough Council (DMBC). The Sub-Committee was not convinced by his version of events.

The Sub-Committee heard that Mr Bates still allows customers to use the pavement outside his premises without a pavement licence.

The Sub-Committee, despite the apparent support and involvement of DMBC and West Midlands Police was concerned that Mr Bates had no regard for his opening hours, that under 18's were not properly accompanied by adults, that under 18's were on the premises after 21.00 hrs. Mr Bates did not appear to recognise the difference between sale and supply of alcohol and that, on the balance of probabilities, the evidence seen today appeared to show that under 18's were served and went on to consume alcohol and there was also evidence of vaping on the premises

The meeting viewed the CCTV footage retrieved by West Midlands Police.

Mr Bates acknowledged that he had received a fair hearing and had said all that he wanted

The Sub-Committee resolved that following consideration of the information contained in the report and upon viewing and hearing evidence from those present on 1<sup>st</sup> June 2023, the premises licence in respect of Cocktails and Dreams, 19 Bilston Street Sedgley be revoked on the basis that the breaches of conditions heard today constitute criminal offences and the premises licence holder did not give adequate attention to the protection of children from harm as required by the Licensing Act 2003.

Mr Bates was notified of his right of appeal

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22. **Transfer of Premises Licence and Variation of the DPS (Designated Premises Supervisor) The Broadway Service Station, 154 South Road, Stourbridge**

A report of the Interim Director of Environment was submitted on an application for a transfer of premises licence and to vary the Designated Premises Supervisor in respect of the Broadway Service Station, 154 South Road, Stourbridge.

The following persons were in attendance, at the meeting: -

Ms K Turley (West Midlands Police)  
Mr R Jones (Environmental Health and Trading Standards)  
Mr Ipchapwa (Haleys Solicitors)

It was noted that neither the Designated Premises Supervisor nor the Premises Licence Holder were in attendance at the meeting.

Following introductions, the Assistant Team Manager (Licensing and Waste Enforcement) presented the report on behalf of the Council, referring to the application that had been received on the 18<sup>th</sup> April 2023 to transfer the premises licence and vary the Designated Premises Supervisor.

Mr Ipchapwa advised that Hayleys Solicitors had been instructed by the Designated Premises Supervisor on the 31<sup>st</sup> May 2023 in relation to this application and requested that the application be deferred for them to prepare representations on behalf of their client.

It was noted that the Premises Licence Holder had not instructed Hayleys Solicitors.

Following further consideration, it was

### **Resolved**

That, in view of the representations made by the Solicitors for the Designated Premises Supervisor, the application be deferred to a future meeting of the Sub-Committee.

The meeting ended at 12.30pm

CHAIR

**Minutes of the Licensing Sub-Committee 1**  
**Thursday, 1st June 2023 at 12.35 pm**  
**In Meeting Room 9, Saltwells Education Development**  
**Centre, Bowling Green Road, Netherton**

**Present:**

Councillor A Taylor (Chair)  
Councillors T Creed and P Drake

**Officers: -**

N Slym – Assistant Team Manager - Licensing and Waste Enforcement  
(Directorate of Public Realm), T Holder – Solicitor and K Buckle - Democratic  
Services Officer (Directorate of Finance and Legal).

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**23. Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of  
Councillors A Lees and S Mughal

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**24. Appointment of Substitute Members**

Councillors A Taylor and P Drake were appointed as substitute Members  
for Councillors A Lees and S Mughal respectively for this meeting of the  
Sub-Committee only.

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**25. Declarations of Interest**

No Member made a declaration of interest in accordance with the  
Members Code of Conduct.



20. **Application for a Licensed Premises Gaming Machine Permit – The Cross Inn, High Street, Kingswinford**

A report of the Interim Director of Environment was submitted in respect of an application for the grant of a Licensed Premises Gaming Machine Permit for five category C machines at the premises known as the Cross Inn, High Street, Kingswinford.

The following was in attendance, at the meeting in respect of the application: -

Ms G Tandy – Designated Premises Supervisor

Following introductions, the Assistant Team Manager - Licensing and Waste Enforcement presented the report on behalf of the Council, and Ms Tandy responded to questions asked by the Sub-Committee

The Sub-Committee considered a map detailing the location of the gaming machines.

**Resolved**

That, following consideration of the information contained in the report submitted, the grant of a Licensed Premises Gaming Machine Permit for one Category C machine in respect of the premises known as The Cross Inn, High Street, Kingswinford, be approved.

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The meeting ended at 12:45 am

CHAIR

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**Meeting of the Licensing Sub-Committee 1 – 5<sup>th</sup> October, 2023**

**Report of the Interim Service Director of Environment Directorate**

**Application for Grant of a New Premises Licence**

**Quickstop Convenience Store (UK) Ltd**

**Purpose**

1. To consider the application for the grant of a new premises licence in respect of the premises known as Quickstop Convenience Store (UK) Ltd 25, Park Road, Quarry Bank, Brierley Hill, DY5 2DF.

**Recommendation**

2. That the Sub-Committee determine the application for the grant of a premises licence in light of representations raised.

**Background**

3. On the 4<sup>th</sup> August 2023, an application for the grant of a new premises licence was received from Allerton & Gladstone Solicitors on behalf of Quickstop Convenience Stores (UK) Ltd in respect of the premises known as Quickstop Convenience Store (UK) Ltd, 25 Park Road, Quarry Bank, Brierley Hill. A copy of that application has been forwarded to the Committee Members and interested parties in accordance with the Licensing Act 2003 and is attached to this report as Appendix 1.
4. The application had the following documents enclosed:-



- Plan of the premises
  - Correct fee
  - Consent of the DPS
5. The application for a premises licence is as follows:

### **Supply of Alcohol/Premises Opening Hours**

Monday to Sunday 07.00 until 00.00

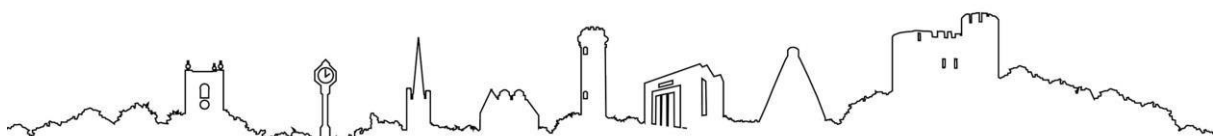
6. Confirmation that copies of the application form and supporting documentation have been served on the relevant authorities has been received.
7. Representations have been received from The Licensing Authority, Environmental Health and Trading Standards, The West Midlands Police and Safeguarding, copies of the representations have been forwarded to the Applicant, Committee Members and Interested parties in accordance with the Licensing Act 2003 and are attached to this report as Appendix 2.
8. These premises have previously been licensed, the premises licence holder being Quickstop Enterprises Ltd. That licence was suspended on the 7<sup>th</sup> May 2021 due to non-payment of annual fees, that Company was dissolved on the 12<sup>th</sup> October 2021 meaning that the licence then lapsed.

### **Finance**

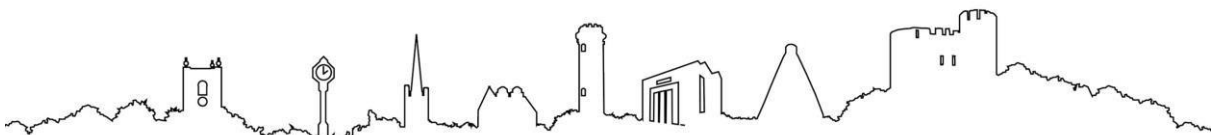
9. There are no financial implications.

### **Law**

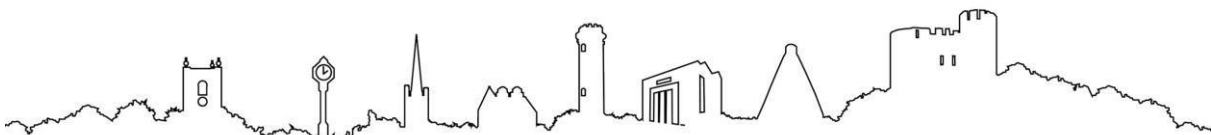
10. The law relating to the determination of applications for the grant of premises licence is governed by the Licensing Act 2003, part 3, section 18.



11. Pursuant to Section 18(3) of the Licensing Act 2003, where a relevant authority has made representations, the Licensing Authority must:-
- (a) hold a hearing to consider them, unless the authority, the applicant each person who has made such representations agree that a hearing is unnecessary, and
  - (b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the Licensing objectives.
12. Pursuant to Section 18 (4) the steps are:-
- (a) to grant the licence subject to:-
    - (i) such conditions as are consistent with the operating schedule accompanying the application modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and
    - (ii) any condition which must under section 19, 20 or 21 be included in the licence;
  - (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
  - (c) to refuse to specify a person in the licence as the premises supervisor;
  - (d) to reject the application
13. Pursuant to Section 23(1) of the Licensing Act 2003 where an application (or any part of an application) is granted under section 18 of the Licensing Act 2003, the Licensing Authority must immediately give notice to that effect to:-



- 1 (a) (i) the applicant
  - 1 (a) (ii) any person who made relevant representations in respect of the application and
  - 1 (a) (iii) the Chief Officer of Police for the police area in which the premises are situated and
  - 1 (b) issue the application with the licence and a summary of it
14. Pursuant to section 23(2) where relevant representations were made in respect of the application, the notice under subsection (1)(a) must state the authority's reasons for its decisions as to the steps (if any) to take under section 18(3)(b).
15. Pursuant to section 23(3) where an application is rejected under section 18, the licensing authority must forthwith give a notice to that effect stating its reasons for the decision, to
- (a) the applicant
  - (b) any person who made relevant representations in respect of the application, and
  - (c) the Chief of Police for the police area or each police area in which the premises are situated
16. Where a Local Authority grant a licence under section 18 pursuant to schedule 5 of the Licensing Act, section 2 the holder of the licence may appeal against any decision:-
- (a) to impose conditions on the licence under subsection (2)(a) or 3(b) of that section, or



- (b) to take any step mentioned in subsection (4)(b) or (c) of that section (exclusion of licensable activity or refusal to specify person as premises supervisor)
17. Where a person who made relevant representations in relation to the application desires to contend:-
- (a) that the licence ought not to have been granted, or
  - (b) that, on granting the licence, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in subsection (4)(b) or (c) of that section, he may appeal against the decision.
18. In pursuance of regulation 26(2) of the Licensing Act 2003 (Hearing Regulations 2005) the Licensing Authority must make its determination within 5 working days of the conclusion of the hearing.
19. If the Licensing Authority refuse to grant the application, there is a right of appeal. The appeal under this part must be made to a Magistrates' Court pursuant to schedule 5 section 9 of the Licensing Act 2003.

## **Risk Management**

20. There are no risk management implications.

## **Equality Impact**

21. This report takes into account the Council's policy on equal opportunities.
22. The licensing of premises and individuals will impact on children and young people through their attendance at licensed premises.



23. There has been no consultation or involvement of children and young people in developing these proposals.

### **Human Resources/Organisational Development**

24. There are no human resources/organisational development implications.

### **Commercial/Procurement**

25. There are no commercial/procurement implications.

### **Environment/Climate Change**

26. There are no Environment/Climate Change implications.

### **Council Priorities and Projects**

27. This application falls within the Council's responsibility for Licensing as a direct link to the Council's key corporate priority to support stronger and safer communities.



### **Interim Service Director of Environment Directorate**

Report Author: Mr S Smith  
Telephone: 01384 815377  
Email: [simon.smith@dudley.gov.uk](mailto:simon.smith@dudley.gov.uk)



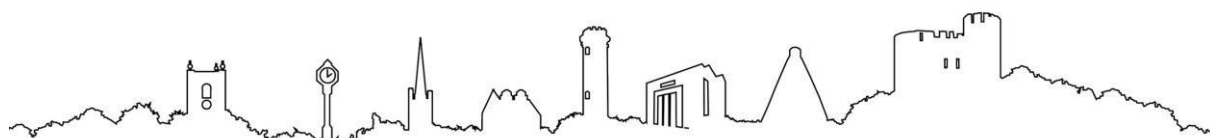
## **Appendices**

Application Form - Appendix 1

Representations - Appendix 2

## **List of Background Documents**

None





## Application for a premises licence to be granted 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.

We QUICKSTOP CONVENIENCE STORES(UK) LTD

*(Insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description <b>Quickstop Convenience Store (UK) Ltd</b> <b>25 Park Road</b> <b>Quarry Bank,</b> <b>Brierly Hill,</b> <b>England</b>			
Post town	<b>DUDLEY</b>	Postcode	<b>DY5 2DF</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ <b>14,250</b>

### Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as**

a)	an individual or individuals *			please complete section (A)
b)	a person other than an individual *			
	i	as a limited company/limited liability partnership	<input checked="" type="checkbox"/>	please complete section (B)
	ii	as a partnership (other than limited liability)		please complete section (B)
	iii	as an unincorporated association or		please complete section (B)
	iv	other (for example a statutory corporation)		please complete section (B)

c)	a recognised club		please complete section (B)
d)	a charity		please complete section (B)
e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative



**(A) individual applicants** (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

--

**Second individual applicant** (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

**(B) Other applicants**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name <b>QUICKSTOP CONVENIENCE STORES (UK) LTD</b>
Address  <b>25 Park Road, Quarry Bank, Brierly Hill, England, DY5 2DF</b>

Registered number (where applicable) <b>11896387</b>
Description of applicant (for example, partnership, company, unincorporated association etc.)  <b>LIMITED COMPANY</b>
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)  <b>The property is a general convenience store/off licence</b>
-------------------------------------------------------------------------------------------------------------------------------------------------------

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>

e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

<b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)	
<b><u>Supply of alcohol</u></b> (if ticking yes, fill in box J)	x

**In all cases complete boxes K, L and M**

# A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

# B

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

# C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Tue			
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Fri			
Sat			
Sun			



# D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

# E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

# F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)	
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	
				Off the premises	<b>x</b>
				Both	
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) None		
Mon	07:00	00:00			
Tue	07:00	00:00			
Wed	07:00	00:00			
Thur	07:00	00:00	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6) None		
Fri	07:00	00:00			
Sat	07:00	00:00			
Sun	07:00	00:00			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

<b>Name</b>	
<b>Date of birth</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal licence number (if known)</b>	
<b>Issuing licensing authority</b>	

**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).**

N/A

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5) N/A
Day	Start	Finish	<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6) None
Mon	07:00	00:00	
Tue	07:00	00:00	
Wed	07:00	00:00	
Thur	07:00	00:00	
Fri	07:00	00:00	
Sat	07:00	00:00	
Sun	07:00	00:00	



## **M**

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

- 1 - CCTV**
- 2 - Litter Bins**
- 3 - First Aid Equipment**
- 4 - No children after 21:00 unless accompanied by an adult**

**b) The prevention of crime and disorder**

- 1- CCTV to be installed to record all incidents in and outside the property for a period of 30 days. All recordings shall be backed up and available. System shall be checked on a 24 hr basis.**
- 2- Security system to be installed**
- 3- Security doors to be fitted**

**c) Public safety**

- 1- First Aid Equipment**
- 2- Health & Safety regulations to be placed & visible**
- 3- Litter bins to be installed on and off the premises.**

**d) The prevention of public nuisance**

- 1- Litter bins to be installed on and off the premises**
- 2- No alcohol is allowed to be consumed on the premises or within the vicinity of the property**

**e) The protection of children from harm**

No children shall be allowed after 21:00 unless accompanied by an adult.

ID must be provided prior to any sale of alcohol to any individual who does not look over 25.

Refusal book will be implemented.

**Checklist:**

Please tick to indicate agreement

• I have made or enclosed payment of the fee.	X
• I have enclosed the plan of the premises.	X
• I have sent copies of this application and the plan to responsible authorities and others where applicable.	X
• I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	X
• I understand that I must now advertise my application.	X
• I understand that if I do not comply with the above requirements my application will be rejected. • [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	X

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.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in</li> </ul>
--------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	02/08/23
Capacity	Director

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	02/08/23
Capacity	Solicitor

<p>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)</p> <p>Allerton &amp; Gladstone Solicitors</p> <p>10 James Road</p>			
Post town	Birmingham	Postcode	B11 2BA
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

**Notes for Guidance**

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption

- on those premises, provided that the audience does not exceed 500.
- any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect



of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

#### **Home Office online right to work checking service.**

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.



## Responsible Authorities

### Licensing Application/Review response form

<b>Authority: Children's Services Safeguarding</b>	Head of Safeguarding and Quality Assurance/Principal Social Worker  Nicola Hale
<b>New Premises Licence Application</b>	Quickstop Convenience Store Ltd 25 Park Road, Quarry Bank, DY5 2DF  Ref DY/51/1663

Further to the application received for the premises, the Head of Safeguarding (Children's) is aware of the premises having found to have sold an illegal vape to a 16 year old volunteer.

This action would have placed the young person at direct risk of harm and is contrary to the licensing requirement to not sell vapes (of any kind) to children.

In April 2023, Health Minister Neil O'Brien said:

*Smoking kills, so our priority is to prevent people smoking, and support them to quit. We remain committed to our ambition to be smokefree by 2030.*

*However, while vaping is a preferable alternative to smoking for adults, we are concerned about the rise in youth vaping, particularly the increasing use of disposable vaping products.*

*The new illicit vapes enforcement squad will work across the country and clamp down on those businesses who sell vapes to children - which is illegal - and get them hooked on nicotine. Our call for evidence will also allow us to get a firm understanding of the steps we can take to reduce the number of children accessing and using vapes.*







Furthermore, the selling of an illegal vape product means that the content is not under any regulation of quality control, the substances could be extremely harmful and the product itself could pose a fire risk.

The premises, having knowingly sold an illegal product to a child, leads me to hold concerns that this would extend to the sales of alcohol products to minors.

Therefore, I am submitting a representation to prevent the granting of the license for this premises.

Nicola Hale

14.08.23

Report made to: Ed Bradford – Head of Neighbourhood Services

Date: 25/08/2023

Premises: Quickstop Convenience Store, 25 Park Road, Quarry Bank, DY5 2DF

Licence: DY/51/1663

Licensing Objectives involved:

- 1) The prevention of crime and disorder
- 2) The protection of children from harm

The Licensing Authority wish to make objections in relation to the application for a Premises Licence at Quickstop Convenience Store, 25 Park Road, Quarry Bank, DY5 2DF. The reasons for this are set out below.

### **Background:**

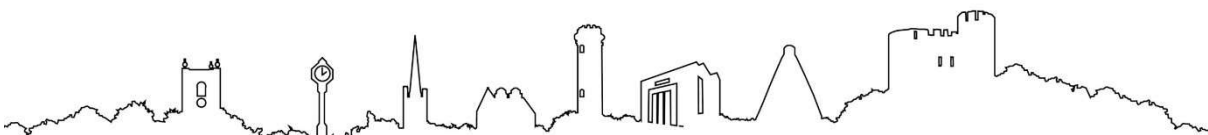
The Premises Licence was first issued on 31<sup>st</sup> August 2006 and was transferred in the name of Quickstop Enterprises LTD on 6<sup>th</sup> June 2013.

The premises last paid their £180 annual fee on 3<sup>rd</sup> March 2020, although it was due to be paid on 28<sup>th</sup> September 2019. On 7<sup>th</sup> May 2021 the premises was sent a suspension letter, informing them that the Premises Licence was suspended due to the annual fee not being paid for 2020. Due to Covid-19 restrictions at the time, this was sent by post and not hand delivered by an enforcement officer.

On 10<sup>th</sup> July 2023 officers from Trading Standards conducted a test purchase at the premises. This premises failed by selling a vaping device to a child, prompting a visit to the premises by the Licensing Authority. At the time of the test purchase, Trading Standards officers did see alcohol displayed for sale.

A check of the Companies House website showed that Quickstop Enterprises LTD dissolved on 12<sup>th</sup> October 2021. No application to transfer the licence was made to the Licensing Authority and no interim authority notice was ever submitted and therefore the Premises Licence lapsed, as per Section 27 of the Licensing Act 2003.

Enforcement Officer Andy Babbs visited the premises on 17<sup>th</sup> July and spoke to the owner and applicant, Mr Ibrar Afzal. Alcohol was also seen on display, at the time of the visit. Mr Babbs explained that there was no existing Premises Licence for the shop and that all alcohol must be removed from display.



This application was then subsequently made in order for a new Premises Licence to be issued.

### **Licensing Authority Representations:**

The Licensing Authority does not support this application due to the following reasons:

The premises has operated without a licence for some time. In selling alcohol since 9<sup>th</sup> November 2021, the premises has been committing offences almost daily. As a personal licence holder, Mr Afzal would know that a Premises Licence would be required in order to sell alcohol and that an annual fee is required to be paid. Mr Afzal made no attempt to contact the Licensing Authority to transfer the licence or pay any fees.

Mr Afzal has been involved with the premises for some time. On 8<sup>th</sup> October 2020 his behaviour towards Food Enforcement Officers was aggressive enough for them to create a marker to the premises, recommending that officers only attend the premises in pairs.

Trading Standards officers then seized 53 illegal vaping devices from the premises on 15<sup>th</sup> December 2021.

On 10<sup>th</sup> July 2023 Trading Standards officers conducted a test purchase operation at the premises. The premises did not only fail, but the seller also actively encouraged the child volunteer to purchase an illegal vaping device as an alternative to the legal one requested. This device was not on display, suggesting that the seller knew that it was not legal. Trading Standards officers then entered the store and recovered two further illegal vaping devices from behind the counter.

During the failed test purchase and subsequent seizure investigation, Trading Standards officers have experienced a lack of cooperation from the seller and Mr Afzal and therefore are considering a criminal prosecution for the identified offences.

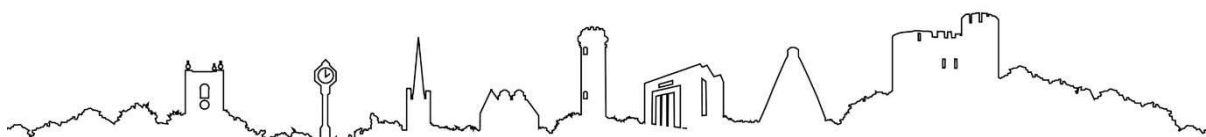
### **The Prevention of Crime & Disorder:**

The applicant has operated without a Premises Licence for some time. This in itself is a criminal offence.

Illegal vaping devices have been recovered from the premises on two separate occasions. This shows a willingness for the applicant to commit repeated criminal offences, even when informed that the devices were not legal.

### **The Protection of Children From Harm:**

Not only have illegal vaping devices been sold to the public, but they have also been sold to a child, with no identification checks being carried out. Even the sale of legal vaping devices



pose risk to children. Trading Standards officers will be able to inform the Committee of the additional dangers posed by illegal devices.

Perhaps more concerning was the fact that the illegal device was encouraged to the child, when it was not requested.

### **Summary**

With knowledge that the premises has operated illegally for some time, sold illegal vaping devices and posed a risk to children, the Licensing Authority cannot possibly support this application.

There has been an inability to protect children in relation to age restricted products and therefore the Licensing Authority believes that children and the public are at further risk of harm, should the shop seek to sell a further age restricted product in alcohol.

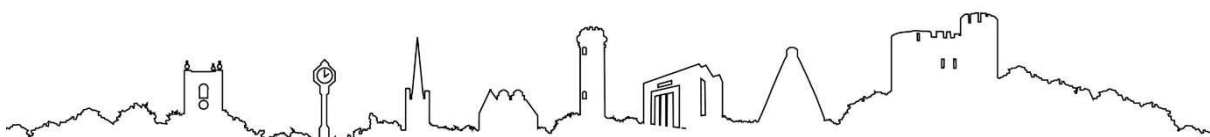
The current application does not mitigate the risks to the public, as it lacks detail. However, even with strong conditions in place, the history of the poor management of the premises and the applicants conduct has left the Licensing authority with a lack of confidence in their ability to uphold the Licensing Objectives.

The Licensing Authority requests that the Licensing Sub Committee refuse this application.



**Nick Slym**  
Assistant Team Manager

Waste, Fleet & Licensing - Licensing & Waste Enforcement



**Brierley Hill Police Station**

Bank Street  
Brierley Hill  
DY5 3DH

Direct Telephone:  
Switchboard: 101  
Internal:  
Email:  
Our Reference:

Date: 29 August 2023

Liquor Licensing  
Licensing & Waste Enforcement  
Public Realm  
Dudley Council  
Unit 1, Hurst Business Park, Narrowboat Way, Brierley Hill  
DY5 1UF

**Quickstop Convenience Store (UK) Ltd, 25 Park Road, Quarry Bank, Brierley Hill, DY5 2DF**  
**Licence No DY/51/1663**

West Midlands Police are objecting to the new premises licence application for the above premises under the Prevention of Crime & Disorder and Protection of Children From Harm licensing objectives.

Trading Standards had received a number of complaints that this premises had been selling illegal vapes. Therefore on 10 July 2023, a test purchase was carried out at the premises which resulted in an illegal vape being sold to a 16 year old male child. The seller, Sangeeta Paul, believed to be the partner of Imran Afzal, the proposed Premises Licence Holder and DPS, encouraged the test purchaser to buy a 3500 puff disposable vape, as it would last longer.

When Trading Standards entered the premises, Sangeeta Paul denied selling the illegal vape and having any in stock. Trading Standards then carried out a search under the counter, where a further two illegal vapes were found and seized. Trading Standards have advised us that these illegal vapes have recently been identified as containing traces of lead and nickel metals within the vape liquid, from a laboratory tests carried out by another Trading Standard's department.

Sangeeta Paul then became obstructive with Trading Standards Officers, refusing to show identification and assist in questions asked by Trading Standards. It could therefore not be established whether a refusals register was being used.

The proposed DPS and company director of Quickstop Convenience Stores (UK) Ltd, Imran Afzal, has been involved with this premises for some time and there is a history of illegal vapes being seized during that time.

We have also been advised by Dudley Council Licensing Dept that this premises have been operating without a premises licence since 9 November 2021, which is a criminal offence.

On the basis that this premises have sold an illegal vaping device to a child, and have actively encouraged this purchase, with no I.D. checks carried out; operated without a premises licence for a considerable period of time; and have been uncooperative with Trading Standards when enquiries were made about them undertaking a training course provided by Trading Standards regarding underage sales and illegal vapes, we strongly recommend that the Licensing Committee refuse this premises licence application.



Kind regards

Sgt 1533 Andrews  
Partnerships Sgt  
Dudley Police LPA



## **Kay Dewinski (Waste, Fleet and Licensing)**

---

**From:** Kuldeep Maan (Environmental Health and Trading Standards)  
**Sent:** 22 August 2023 15:11  
**To:** Nick Slym (Waste, Fleet and Licensing)  
**Cc:** Kay Dewinski (Waste, Fleet and Licensing); Kelly Grandison (Environmental Health and Trading Standards)  
**Subject:** Dudley Trading Standards objection to licence transfer to Quickstop Convenience Store (UK) Ltd of 25 Park Road, Quarry Bank DY5 2DF  
**Importance:** High

Dear Nick and Kay,

Sorry for the delay in this. If I need to add more information at this stage, please let me know

Please see details below of the objection for the transfer from Trading Standards

Premises: Quickstop Convenience Store (UK) Ltd  
Trading from: 25 Park Road, Quarry Bank DY5 2DF

***The brief historical facts are that:***

***On 08<sup>th</sup> October 2020, Imran AFZAL began shouting at Food Enforcement Officers which resulted in a warning marker being placed on this business for 2 Officers to attend a time.***

***On 15<sup>th</sup> December 2021, 53 illegal vapes, where the tank size exceeded 2ml were seized from this business premises.***

***On 6<sup>th</sup> July 2022, a Vape warning letter was sent to this business for the vapes seized on 15<sup>th</sup> December 2021. No response to this warning was received.***

***More recently:***

***Trading Standards have been receiving a number of complaints that this business has been selling illegal vapes.***

***On 10<sup>th</sup> July 2023, a 16 year old male test purchaser entered this business to attempt to purchase a disposable vape containing nicotine. This volunteer was advised by Sangeeta PAUL, believed to be the partner of Imran AFZAL not to buy a 600 puff disposable vape but to purchase a 3,500 puff disposable vape, as it would last longer. These vapes came from under the counter and were placed back under the counter after the sale was made to this 16 year old volunteer.***

***The volunteer returned to Trading Standards and gave Trading Standards the details of what had taken place. Trading Standards then returned to the business. Trading Standards identified Sangeeta PAUL, as she had previously been prosecuted by them in 2009 for selling counterfeit alcohol (Shokar's News and Booze; 13 Whitley Avenue, Halesowen). Sangeeta PAUL was Cautioned, informed of the sale and asked where the illegal vapes were stored. Sangeeta PAUL denied selling illegal vapes and having any in stock. A search was undertaken and under the counter, 2 illegal vapes were seized. These 3 illegal vapes (in total) have recently been identified to containing traces of lead and nickel metals within the vape liquid, from a laboratory tests carried out by another Trading Standard's department.***

***Sangeeta PAUL then became obstructive, refusing to show identification and assist in questions asked by Trading Standards. It could therefore not be established whether a refusals register was being used.***

***On 09<sup>th</sup> August 2023, Trading Standards visited this business to enquire about whether Sangeeta PAUL and Imran AFZAL, director of Quickstop Convenience Store (UK) Ltd would request a training course provided by Trading Standards on underage sales and illegal vapes. Upon identifying themselves, Trading Standards received hostility and were accused of being aggressive on 10<sup>th</sup> July 2023. Sangeeta PAUL was not present. Trading Standards spoke to Imran AFZAL, who refused to tell Trading Standards where Sangeeta PAUL was and claimed that she no longer worked at the business and had no connection to it. Imran AFZAL also denied that he committed any offences for allowing the illegal vape to be sold to a child. Imran AFZAL'S request to go on the Trading Standard's courses were declined after a case review. Mr Imran AFZAL has not been informed of this.***

***All three Sangeeta PAUL, Quickstop Convenience Store (UK) Ltd and Director Imran AFZAL are subject of further investigation and will be invited to attend an interview under Caution in due course.***

This is a breach of licensing objectives in relation to the prevention of Crime and Disorder and The Protection of Children from Harm.

Regards,

**Kuldeep Maan**

Principal Trading Standards Officer

Environmental Health & Trading Standards - Trading Standards  
Health & Wellbeing  
Dudley Council  
4 Ednam Road, Dudley, DY1 1HL  
01384 814675  
[www.dudley.gov.uk](http://www.dudley.gov.uk)





## Liz Rouse (Waste, Fleet and Licensing)

**From:** Ibrahim Khan <ibrahim@allertongladstone.com>  
**Sent:** 25 September 2023 19:31  
**To:** Gale Siviter (Waste, Fleet and Licensing); Kay Dewinski (Waste, Fleet and Licensing)  
**Subject:** [EXTERNAL EMAIL] Re: Quickstop Convenience Store UK Ltd - Licensing Sub Committee Meeting 26th September 2023 Applicant: ibrar Amed Afzal Defendant: Dudley Council  
**Attachments:** Representations - Ibrar.pdf  
**Importance:** High

Some people who received this message don't often get email from ibrahim@allertongladstone.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the council. Do not click links or open attachments unless you are sure the content is safe.

Dear Sirs

Further to our previous emails, please find attached representations for the hearing scheduled for tomorrow (26.09.2023) @ 10am

Kind Regards

Ibrahim Khan

Allerton & Gladstone Solicitors



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# LICENSING COMMITTEE REPRESENTATIONS ON BEHALF OF THE APPLICANT

## **Suggested Reading:**

Application for premises licence.

Police Force representations – Objections

Children SafeGuarding - Objections

Licensing Act 2003

Licensing Act 2003 (Hearings) Regulations 2005

Interim Statement of Licensing Policy 2020 ("Policy")

Revised Guidance issued under section 182 of the Licensing Act 2003 ("Guidance")

1. These representations submitted on behalf of the applicant in connection with his application for the Premises Licence concerning Quickstop Convenience Stores (UK) Ltd.
2. It should be emphasised that this business is not a bar, Discotheque, Nightclub, Pub, or another upright drinking establishment.
3. It should be emphasised that this licensing committee hearing is 'De Novo' which means that the application is to be treated afresh. Therefore, this application ought to be considered without the initial representations of the Responsible Authorities, namely the Police and Children Services. This hearing is also 'quasi-judicial' which simply means that an appeal lies to the Magistrates Court from a decision of this Honourable Licensing Committee.
4. This application is a modest one. The premises had a premises licence for long time but oversight occurred owing to the applicant's medical conditions which includes diagnosis with progressive 'Cancer' and he has been given 12 months to live.

### **Councillor Barker's Representation**

5. In respect of the representations from the Police, we would respectfully request that the Licensing Committee consider the following observations:
- i. The Applicant promptly applied for a Premises Licence once it was brought to his attention that the Premises Licence had not been transferred to him taking over the premises.
  - ii. The Applicant has no previous breaches of Premises Licence.
  - iii. The Applicant accepts the serious nature of his behaviour and is regretful. Whilst it is no excuse but the diagnosis of "Cancer" and 12 months to live has played heavily on his mind. However, he is remorseful for his actions and accepts that there was inadequate supervision of his employee who sold a vape to a minor.
  - iv. Measures outside of the Council's licensing functions available for addressing include:
    - Supervisory plan
    - Better training to employees
    - Police powers to close instantly, for up to 24 hours, any licensed premises, on the grounds of breaches.
    - The power of the Police, other responsible authorities or a resident or business to seek a review of the licence or certificate in question.
6. There have not been any other complaints or difficulties relating to the existing Premises Licence or the Licensing Objectives.

7. There is far more weight and local support for this application to be granted than it is for it to be refused. The representations of the Police and children services are to be weighed against residents who have raised no issue with this application.
8. Underpinning the scheme and policy of the Licensing Act 2003 is a presumption that Licensing Authorities will, except in very exceptional circumstances, grant rather than refuse a licence application. In doing this and where appropriate they will attach relevant conditions to a licence designed to fulfil their overriding purpose namely to promote the Licensing Objectives.
9. The Licensing Act 2003 provides that in making their decisions Licensing Authorities should have regard to that Act, the Guidance to Section 182 of that Act and their own Licensing Policy Statement. In addition, Licensing Authorities should have proper regard for the evidence before them and arrive at their decision based upon (the balance of) that evidence.
10. The applicant will agree with the Police and other stakeholders to volunteer the following operating conditions should the Licensing Committee be minded to grant this application:
  - a. All staff employed at the premises will receive documented training on their responsibilities under the 2003 Licensing act before their first shift commences. Staff are to receive documented refresher training a minimum of once every 6 months, signed off by the trainer nominated by the premises license holder. All training documents are to be kept at the premises and made immediately available upon request by responsible authorities.
  - b. A daily incident log shall be kept at the premises for at least 12 months from the date of last entry, which will record the following:
    - i. all crimes reported to the venue
    - ii. all ejections of patrons



- iii. any complaints received
- iv. any incidents of disorder
- v. any refusal of the sale of alcohol
- vi. at any visit by a relevant authority or emergency service.
- vii. any other relevant incidents to be recorded.

11. The premises license holder will ensure that no children under the age of 16 will be allowed on the premises after 23.00hrs unless accompanied by an adult and for seated meals only.

12. We respectfully request that this Licensing Committee grant this application in full.