

**Meeting of the Licensing Sub-Committee 1  
Tuesday 27<sup>th</sup> February, 2024 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 5<sup>th</sup> October, 2023 as a correct record (Pages 6 – 15)

***The following application is to be considered under the provisions of the Licensing Act 2003:-***

5. Application for Grant of a New Premises Licence – Sedgley Mini Market, Unit 1-3 High Street, Sedgley (Pages 16 - 54)

***The following application is to be considered under the provisions of the Local Government (Miscellaneous Provisions) Act 1982:-***

6. Application for Grant of Consent to Engage in Street Trading (Pages 55 - 73)

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).



**Deputy Chief Executive**

**Dated: 19<sup>th</sup> February, 2024**

**Distribution:**

Councillor A Lees

Councillors T Creed and M Howard

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- Seating is subject to limits on capacity and will be allocated on a 'first come basis'.

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- Toilet facilities are available on site and are subject to safety measures that are in place. All the toilets have hand washing facilities.

**No smoking**

- There is no smoking on the premises in line with national legislation. It is an offence to smoke in or on the premises. You cannot use e-cigarettes and/or similar vaping devices.

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## **Submitting Apologies for Absence**

- Elected Members can submit apologies by contacting Democratic Services (see our contact details below). Members wishing to appoint a substitute should notify Democratic Services as soon as possible in advance of the meeting. Any substitute Members must be eligible to serve on the meeting in question (for example, he/she must have received the training required by the Council).

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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, 5<sup>th</sup> October 2023 at 10.00 am  
In Committee Room 2, The Council House, Priory Road,  
Dudley**

**Present:**

Councillors T Creed, M Howard and K Razzaq

**Officers: -**

S Smith (Team Manager - Licensing and Waste Enforcement), T Holder (Solicitor) and K Taylor (Senior Democratic Services Officer).

27. **Election of Chair**

It was noted that Councillor K Razzaq was elected Chair for this meeting of the Sub-Committee only.

(Councillor K Razzaq in the Chair)

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28. **Apology for Absence**

An apology for absence from the meeting was submitted on behalf of Councillor A Lees.

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29. **Appointment of Substitute Member**

It was noted that Councillor K Razzaq was appointed as substitute Member for Councillor A Lees for this meeting of the Sub-Committee only.

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30. **Declarations of Interest**

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

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31. **Minutes**

**Resolved**

That the minutes of the meeting held on 1<sup>st</sup> June, 2023, be approved as a correct record, and signed.

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32. **Change in Order of Business**

Pursuant to Council Procedure Rule 1(c), it was:-

**Resolved**

That Agenda Item No. 6 – Application for Grant of a New Premises Licence – Quickstop Convenience Store (UK) Ltd, 25 Park Road, Brierley Hill be considered as the next item of business.

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33. **Application for Grant of a New Premises Licence – Quickstop Convenience Store (UK) Ltd, 25 Park Road, Brierley Hill**

A report of the Interim Service Director of Environment was submitted on an 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.

The following persons were in attendance, at the meeting:

Mr A Khattak (Solicitor on behalf of the Applicant)  
Mr I Afzal (Applicant) together with a supporter  
Mr K Maan (Environmental Health and Trading Standards)  
Ms K Turley and Ms D Jenkins (West Midlands Police)  
Mr N Slym (Licensing and Waste Enforcement)

Following introductions, the Team Manager – Licensing and Waste Enforcement presented the report on behalf of the Council.

Mr K Maan although acknowledged that this was a new application being considered, stated that he wished to bring Mr Afzal's previous conduct to the attention of the Sub-Committee. He then presented the representations of Environmental Health and Trading Standards relating to the prevention of crime and disorder and the protection of children from harm under the Licensing Act 2003.

It was noted that on 8<sup>th</sup> October, 2020, a male alleged to be Mr I Afzal began shouting at Food Enforcement Officers which resulted in a warning marker being placed on the premises to ensure that two Officers were in attendance during any visits.

The Sub-Committee were advised that on 15<sup>th</sup> December, 2021, 53 illegal e-cigarettes, where the tank size exceeded 2ml were seized from the premises, and a subsequent warning letter issued on 6<sup>th</sup> July, 2022, however no response was received from the Premises Licence Holder.

Having received a number of complaints alleging that the premises continued to sell illegal e-cigarettes, a 16 year old male test purchaser entered the premises on 10<sup>th</sup> July, 2023, to attempt to purchase a disposable e-cigarette containing nicotine. An employee identified as Ms S Paul, believed to be the partner of Mr Afzal, advised the volunteer to purchase a 3,500 puff disposable e-cigarette as it would last longer. Following the test purchase and having entered the premises, Ms Paul was cautioned, informed of the sale, and was questioned where the illegal e-cigarettes were stored. Ms Paul denied selling illegal e-cigarettes and having any in stock, however following an inspection of the premises, a further 2 illegal e-cigarettes were seized. At this point, Ms Paul became obstructive, refusing to show identification and assist in questions asked by Trading Standards Officers.

Following the seizure of the illegal e-cigarettes, laboratory tests identified that they contained traces of lead and nickel metals.

It was noted that on 9<sup>th</sup> August, 2023, Trading Standards visited the premises to enquire whether Ms Paul and Mr Afzal would require a training course provided by Trading Standards on underage sales and illegal e-cigarettes. Having identified themselves, Trading Standards Officers received hostility and were accused of being aggressive on 10<sup>th</sup> July, 2023. During the visit, Mr Afzal refused to disclose Ms Paul's location and claimed that she no longer worked at the premises and denied that he committed any offences for allowing the illegal e-cigarette to be sold to a child.



In concluding, Mr Maan confirmed that following the visit on 9<sup>th</sup> August, 2023, both Mr Afzal and Ms Paul were interviewed under Caution and admitted offences for allowing an illegal e-cigarette to be sold on 10<sup>th</sup> July, 2023.

Ms K Turley then presented the representations of West Midlands Police relating to the prevention of crime and disorder and the protection of children from harm under the Licensing Act 2003, and in doing so strongly recommended that the application for a premises licence be refused.

Mr N Slym then presented the representations on behalf of the Licensing Authority and in doing so advised that the premises had previously been licensed under Quickstop Enterprise Ltd, however that licence was suspended on 7<sup>th</sup> May, 2021 due to non-payment of annual fees. It was noted that the Company was dissolved on 12<sup>th</sup> October, 2021, and as there was no application to transfer the licence or an interim authority notice submitted, the premises licence subsequently lapsed, as per Section 27 of the Licensing Act 2003.

It was noted that during a visit to the premises on 17<sup>th</sup> July, 2023, alcohol was displayed therefore Mr Afzal was advised that as there was no existing Premises Licence granted, all alcohol must be removed from display.

Mr Slym raised concerns that it was apparent that the premises had been operating without a licence for some time and that the application submitted did not mitigate risks or give confidence that the Licensing Objectives would be upheld.

In referring to representations submitted on behalf of the applicant, Mr Slym contested claims that there had been no complaints or difficulties associated to the existing premiss. He also confirmed that the applicant had not requested to discuss operating conditions with responsible authorities.

In responding to a question by the Solicitor, Mr Slym confirmed that training records had not been requested of Mr Afzal as the premises did not have a valid premises licence therefore compliance visits would not have been undertaken by Licensing Officers.

In responding to a question by Mr Khattak, Mr Maan described the behaviour demonstrated by Mr Afzal during the visit to the premises on 9<sup>th</sup> August, 2023.

It was also confirmed by Mr Khattak that the representations submitted on behalf of the applicant was produced on a standard template and included some references that did not relate to Mr Afzal's application.

Mr A Khattak then presented the case on behalf of his client, Mr I Afzal, and in doing so requested that the Sub-Committee consider the application afresh without the initial representations of the responsible authorities. It was noted that Mr Afzal had been granted a Personal Licence and although there had been alleged offences committed, Mr Afzal had not been convicted or cautioned.

Mr I Afzal then read out a statement advising that he had operated at the premises since November, 2021 and that the application was due to be heard on 26<sup>th</sup> September, 2023, however the meeting was adjourned until today. He reported that there had been a premises licence in operation between 2006 and 2021, and that it was his understanding that the previous owner agreed to manage the hand-over and arrange payments as needed during the exchange. Mr Afzal acknowledged that this had not occurred and that he had been misguided.

Mr Afzal considered the application to be a modest one and that the business was not a pub or drinking establishment and stated that there had not been any complaints or difficulties relating to the premises and requested the Sub-Committee to consider the factual information presented only.

Mr Afzal stated that he was a man of good character and conviction and although he acknowledged full responsibility of his behaviour pre-application, he refuted claims that he was aggressive. He referred to the local support for the application to be granted and that the representations made by the Police and Children Services should be weighed against residents that had not raised any objections.

The Sub-Committee were advised that Mr Afzal would agree to additional operating conditions being attached to the licence should it be deemed necessary to promote the Licensing Objectives further. It was confirmed that all staff would receive documented training on their responsibilities under the Licensing Act 2003 with refresher training delivered every six months. A daily incident log would also be maintained at the premises to record all crimes reported to the venue, any complaints received and refusals of the sale of alcohol. It was also noted that no children under the age of 16 would be allowed on the premises after 11pm unless accompanied by an adult.

In concluding, Mr A Khattak emphasised the submissions made by Mr Afzal and requested that the Sub-Committee consider the application afresh and allow the business to thrive and generate income. He also stated that it was not Mr Afzal's intention to sell illegal e-cigarettes.

In responding to a question raised by the Solicitor, the Team Manager - Licensing and Waste Enforcement confirmed that Mr Afzal was granted a Personal Licence by Dudley Council on 1<sup>st</sup> August, 2023.

Following comments made, Mr Maan raised concerns of the standard template submitted on behalf of Mr Afzal and confirmed that Mr Afzal, alongside Ms Paul, were interviewed under caution as part of a further investigation. He also reported that there was admission by Mr Afzal of the sale of an illegal e-cigarette which resulted in a warning letter being issued.

In responding to a question raised by Mr Slym in relation to the illegal e-cigarettes being stored under the counter, Mr Afzal stated that he had received difficult news regarding his health which affected his supervision duties during that time.

In responding to a question raised by Councillor T Creed, Mr Afzal confirmed that he had written his statement with assistance from his Solicitor.

It was noted that Mr Afzal had purchased the illegal e-cigarettes from a trader that had visited the premises.

All parties were provided with the opportunity to sum up their cases, and all confirmed that they had received a fair hearing, following which all parties withdrew from the meeting to enable the Sub-Committee to determine the application.

Having made their decision, the meeting was reconvened, and the Solicitor outlined the decision.

## **Resolved**

That following careful consideration of the information contained in the report submitted and presented by all parties at the meeting, the application for the grant of a new premises licence in respect of the premises known as Quickstop Convenience Store (Ltd) 25 Park Road, Brierley Hill, be refused.

Mr I Afzal was informed of his right to appeal the decision of the Sub-Committee.

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34. **Notice of Temporary Event – Cocktails and Dreams, 19 Bilston Street, Sedgley, DY3 1JA**

A report of the Interim Service Director of Environment was submitted on a Notice of Temporary Event (TEN's), served on the Council by Mr C Bates, in respect of the premises known as Cocktails and Dreams, 19 Bilston Street, Sedgley, DY3 1JA.

The following persons were in attendance, at the meeting:

Mr C Bates (Applicant) together with two supporters  
Ms C Vaughan (Environmental Health and Trading Standards)  
Ms K Turley and Ms D Jenkins (West Midlands Police)  
Mr N Slym (Witness of West Midlands Police)

Following introductions, the Team Manager – Licensing and Waste Enforcement presented the report on behalf of the Council. It was noted that the Notice of Temporary Event received was as follows:

**Supply of Alcohol / Regulated Entertainment / Late Night Refreshment**

Halloween Weekend Event  
27<sup>th</sup> October, 2023 until the 29<sup>th</sup> October, 2023  
11.00 hrs until 17.30hrs Supply of Alcohol  
23.00 hrs until 00.30hrs Supply of Alcohol  
23.30 hrs until 00.30hrs Late Night Refreshment  
11.00hrs until 00.30 Music

It was noted that the premises licence in respect of Cocktails and Dreams was revoked by the Licensing Sub-Committee on 1<sup>st</sup> June, 2023, however the premises were currently operating under appeal allowing them to trade for the following days and times:

Supply of Alcohol	Monday to Sunday 17.30 until 23.00
Late Night Refreshment	Monday to Sunday 23.00 until 23.30

It was further reported that objection notices to the TEN's were received from Environmental Safety and Health on the grounds of prevention of public nuisance and the West Midlands Police on the grounds of prevention of crime and disorder and the protection of children from harm.

Ms C Vaughan presented submissions in relation to the objection raised referring to previous TEN's granted to Mr Bates that had resulted in a number of complaints submitted to Environmental Health from residents in the area reporting noise disturbances. It was noted that whilst Mr Bates was operating the premises under appeal, a further noise complaint had been received and was currently under investigation.

Reference was also made to a video on the Facebook page of Cocktails and Dreams showing a DJ in the DJ booth at the rear of the premises with club style music playing and disco lighting, which contravened the condition attached to the premises licence prohibiting DJs at the premises. This further demonstrated Mr Bates inability to adhere to the conditions of the premises licence and therefore there was no confidence that the Licensing Objectives would be upheld should the temporary event notice be granted.

Ms D Jenkins then presented the representations of West Midlands Police relating to the prevention of crime and disorder and the protection of children from harm under the Licensing Act 2003, and in doing so referred to the revocation of the premises licence by the Licensing Sub-Committee on 1<sup>st</sup> June, 2023, on the grounds of breaches of conditions of the premises licence which constituted criminal offences and the Premises Licence Holder failure to uphold the Protection of children from harm Licensing Objective.

It was noted that a compliance visit was undertaken on 7<sup>th</sup> September, 2023 where it was identified that the condition of licence relating to Closed-Circuit Television (CCTV) recording for 28 days was still not being complied with. Mr Bates advised the Licensing Enforcement Officers that one of the CCTV cameras had failed to record for the required timescale due to a power cut on Bilston Street, Sedgley on 21<sup>st</sup> August, 2023. Ms Jenkins advised, however, that following further investigation, National Grid had confirmed that no power cut had been recorded during that time.

In concluding, Ms Jenkins further raised concerns in relation to the video of a DJ present at the premises which contravened the condition of licence, and confirmed that the position of West Midlands Police had not changed since the Committee hearing on 1<sup>st</sup> June, 2023 and that they had no confidence in Mr Bates upholding the Licensing Objectives.

Mr N Slym, as witness for the West Midlands Police, referred to the unusual circumstances of a temporary event notice application being considered following the revocation of a premises licence and suggested that sufficient evidence had not been submitted to support the application. It was noted that a separate investigation was being undertaken in relation to security at the premises.

In responding to a question raised by Mr Bates, Ms Vaughan confirmed that one complaint had been received by Environmental Health during August, 2023 in relation to noise from the premises which had not yet been substantiated. In responding, Mr Bates suggested that he had been targeted with false allegations and that he had CCTV footage evidencing that the premises were closed at the time stipulated by the complainant.

In responding to comments made with regard to the breach of the premises licence conditions prohibiting DJs at the premises, Mr Bates referred to the revised guidance issued under section 182 of the Licensing Act 2003. Paragraph 16.36 indicated that any existing licence conditions (or conditions added on a determination of an application for a premises licence) which relate to live music or recorded music remain in place, but are suspended between the hours of 08.00 and 23.00 on the same day when three conditions were met. Mr Bates stated that following discussions with Licensing Enforcement Officers, it was considered that the DJ was allowed to proceed at the premises in accordance with the conditions stipulated in the Licensing Act 2003.

Following further discussion, the Solicitor referred to the complaint received by Environmental Health in August, 2023 which had not been substantiated and confirmed that the Sub-Committee accepted that the complaint would be considered as an allegation only.

In presenting his case, Mr Bates referred to the objections received relating to the protection of children from harm and prevention of crime and disorder, and although he acknowledged that children were present at the premises, refuted claims that they were not supervised by an adult. He assured the Sub-Committee that he was compliant as Premises Licence Holder.

In responding to comments made, Mr Slym confirmed that during a compliance visit on 7<sup>th</sup> September, 2023, two CCTV cameras had footage recorded covering 7 days and 16 days respectively. Although Mr Bates had claimed that a power cut had occurred, there was no record or confirmation by National Grid of a power cut within the premises, street or neighbouring properties.

All parties were provided with the opportunity to sum up their cases, and all confirmed that they had received a fair hearing, following which all parties withdrew from the meeting to enable the Sub-Committee to determine the application.

Having made their decision, the meeting was reconvened, and the Solicitor outlined the decision.

## **Resolved**

That following careful consideration of the information contained in the report submitted and presented by all parties at the meeting, the notice of temporary event in respect of the premises known as Cocktails and Dreams, 19 Bilston Street, Sedgley, DY3 1JA, be refused and a counter notice issued in light of the information presented in relation to the previous temporary event notices that had taken place and the ongoing investigations, in which the Sub-Committee considered that approval of the notice of temporary event served by Mr Bates could lead to crime and disorder and placing children at risk of harm.

Mr C Bates was informed of his right to appeal the decision of the Sub-Committee.

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### 35. **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 12:01 pm

CHAIR

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**Meeting of the Licensing Sub-Committee - 27<sup>th</sup> February 2024**

**Report of the Director of Environment Directorate**

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

**Sedgley Mini Market Unit 1-3 High Street, Sedgley, DY3 1RP**

**Purpose**

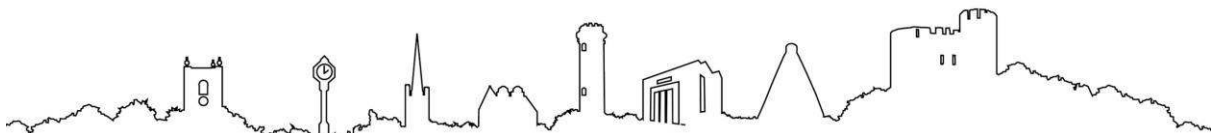
1. To consider the application for the grant of a new premises licence in respect of the premises known as Sedgley Mini Market, Unit 1-3 High Street. Sedgley, DY3 1RP.

**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 8<sup>th</sup> January 2024, an application for the grant of a new premises licence was received from Mansoor Lutfi Hejrandoost in respect of the premises known as Sedgley Mini Market, 1-3 High Street, Sedgley, DY3 1RP. A copy of that application has been forwarded to all responsible authorities 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

Monday to Saturday 09.00 until 22.00  
Sunday 10.00 until 22.00

#### Hours open to the public

Monday to Saturday 08.00 until 22.00  
Sunday 10.00 until 22.00

6. Confirmation that copies of the application form and supporting documentation have been served on the responsible authorities has been received.
7. Representations have been received from Environmental Health and Trading Standards the West Midlands Police, West Midlands Fire Service, the Licensing Authority and Children's Services Safeguarding, copies of the representations have been forwarded to the applicant in accordance with the Licensing Act 2003 and are attached to this report as Appendix 2.

#### Finance

8. There are no financial implications.

#### Law

9. 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.
10. Pursuant to Section 18(3) of the Licensing Act 2003, where relevant representations are made 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 appropriate for the promotion of the Licensing objectives.

11. 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 appropriate 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

12. 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
13. 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).
14. 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
15. 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)
16. 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.

17. 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.
18. 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**

19. There are no risk management implications.

### **Equality Impact**

20. This report takes into account the Council's policy on equal opportunities.
21. The licensing of premises and individuals will impact on children and young people through their attendance at licensed premises.
22. There has been no consultation or involvement of children and young people in developing these proposals.

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

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

### **Commercial/Procurement**

24. There are no commercial/procurement implications.

### **Environment/Climate Change**

25. There are no Environment/Climate Change implications

## **Council Priorities and Projects**

26. This application falls within the Council's statutory responsibility for

Licensing as a direct link to the Council's Plan 2022-25 as a place where communities can lead stronger, safer and healthier lives.

- Dudley the borough of opportunity
- Dudley the safe and healthy borough
- Dudley the borough of ambition and enterprise
- Dudley borough the destination of choice



**Nicholas McGurk**  
**Director of Environment**

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.

I/We MANSOOR LUTFI HETRAWDOOST  
 (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 * UNIT 1-3 - SEDGLEY mini market HIGH STREET SEDGLEY			
Post town	DUDLEY	Postcode	DY3 1RP
Telephone number at premises (if any)			
Non-domestic rateable value of premises	£ 7100		

Part 2 - Applicant details

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

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

<input checked="" type="radio"/> Mr	<input type="radio"/> Mrs	<input type="radio"/> Miss	<input type="radio"/> Ms	Other Title (for example, Rev)
Surname LUTFI HEJRAW DOOST		First names MANSOOR		
Date of birth		I am 18 years old or over		Please tick yes <input checked="" type="checkbox"/>
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		N/A			
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	N/A
Address	



Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) <b>SOLE TRADER.</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
23	11	2023

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

**CONVENIENCE STORE - OFF LICENCE  
NEW AGENTS.**

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

<b>NO</b>
-----------

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)	N/A
b) films (if ticking yes, fill in box B)	N/A
c) indoor sporting events (if ticking yes, fill in box C)	N/A
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	N/A

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

**B**

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)</u>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<u>Please give further details here (please read guidance note 4)</u>		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films (please read guidance note 5)</u>		
Thur					
Fri			<u>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 (please read guidance note 6)</u>		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			<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> (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)
Day	Start	Finis h	
Mon			<div style="text-align: right;">Indoors</div> <input type="checkbox"/> <div style="text-align: right;">Outdoors</div> <input type="checkbox"/> <div style="text-align: right;">Both</div> <input type="checkbox"/>
Tue			
Wed			
Thur			
Fri			<p><u>Please give further details here (please read guidance note 4)</u></p>
Sat			
Sun			<p><u>State any seasonal variations for the performance of live music (please read guidance note 5)</u></p>
			<p><u>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 (please read guidance note 6)</u></p>

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finis h		Outdoors	
Mon			<p>Please give further details here (please read guidance note 4)</p> <p style="font-size: 2em; font-weight: bold; opacity: 0.5;">N/A</p> <p>State any seasonal variations for the playing of recorded music (please read guidance note 5)</p> <p>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 (please read guidance note 6)</p>		
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					



G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors
Day	Start	Finish		Outdoors
Mon			<del>           Please give further details here (please read guidance note 4)             State any seasonal variations for the performance of dance (please read guidance note 5)             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 (please read guidance note 6)         </del>	Both
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) 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	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<del>XXXXXXXXXX</del>		
Thur					
Fri					
Sat			<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> (please read guidance note 6)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)
Day	Start	Finish	
			Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)
Tue			
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)
Thur			
Fri			<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> (please read guidance note 6)
Sat			
Sun			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises
Day	Start	Finis h		Off the premises <input checked="" type="checkbox"/>
Mon	09.00	22.00	State any seasonal variations for the supply of alcohol (please read guidance note 5)  NONE	Both
Tue	09.00	22.00		
Wed	09.00	22.00		
Thur	09.00	22.00		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 (please read guidance note 6)  NONE
Fri	09.00	22.00		
Sat	09.00	22.00		
Sun	10.00	22.00		

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):

Name	MAWSOOL LUTFI HEJRAWDOOST		
Date of birth			
Address			
Postcode			
Personal licence number (if known)	PER 3934		
Issuing licensing authority (if known)	WOLVERHAMPTON CITY C.		

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).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	0800	2200	NONE
Tue	0800	2200	
Wed	0800	2200	
Thur	0800	2200	
Fri	0800	2200	
Sat	0800	2200	
Sun	1000	2200	

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 (please read guidance note 6)

NONE

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)

ABIDING PARLIAMENT LEGISLATION  
IN ACCORDANCE OF THE LICENSING  
ACT.

b) The prevention of crime and disorder

CCTV ON PREMISES  
CHECK CHALLENGE ID  
CHALLENGE 25-<sup>+</sup> PERMITS - TURN OVER

c) Public safety

CCTV, OUTSIDE OF PREMISES  
HEALTH & SAFETY PROCEDURES IN  
PLACE  
NOT SELL TO INTOXICATED CUSTOMERS

d) The prevention of public nuisance

POST LITON SIGN OUTSIDE  
PREVENT GATHERING OF PEOPLE OUTSIDE

e) The protection of children from harm

challenge 25 is a retailing strategy that encourages anyone who is over 18 BUT looks under 25 To carry acceptable ID (card bearing the pass hologram a passport) if they wish to buy alcohol

Checklist:

Please tick to indicate agreement

<input type="checkbox"/>	I have made or enclosed payment of the fee.	
<input type="checkbox"/>	I have enclosed the plan of the premises.	
<input type="checkbox"/>	I have sent copies of this application and the plan to responsible authorities and others where applicable.	
<input type="checkbox"/>	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	
<input type="checkbox"/>	I understand that I must now advertise my application.	
<input type="checkbox"/>	I understand that if I do not comply with the above requirements my application will be rejected.	
<input type="checkbox"/>	[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).	

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>
--------------------	---

## \* CCTV

My CCTV SYSTEM RECORDS FOR 30 DAYS  
ALL RECORDING ARE BACKED UP TO  
CLOUD STORAGE THE DVR IS IN A SECURE  
AREA.

ALL CCTV POSITIONING IS IN LINE WITH  
LICENSING GUIDE LINES.

I HAVE PUT IN PLACE SYSTEMS TO  
COVER ANY EVENTUALITY. IE  
BROKEN / DAMAGED DVR WILL BE REPLACED  
IMMEDIATELY  
EVERYDAY, CCTV IS CHECKED THAT IT  
IS WORKING  
CHECK CHALLENGE BOOK IS VERIFIED  
ETC.



	<p>the UK (please read guidance note 15)</p> <p>a 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)</p>	
X	Signature	
X	Date	05/01/2024
X	Capacity	owner

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	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)	
Post town	Postcode
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Notes for Guidance

**DY/51/1678 - New Premises Licence Application for Sedgley Mini  
Market, Unit 1-3 High Street, Sedgley, Dudley, DY3 1RP**

Dudley MBC Trading Standards are classified as a designated Responsible Authority under the Licencing Act 2003. In relation to 'new' Premises Licence Application DY/51/168 relating to Sedgley Mini Market we raise objections based on breaches of the following two Licensing Objectives.

- Prevention of Crime and Disorder
- Protection of Children from Harm

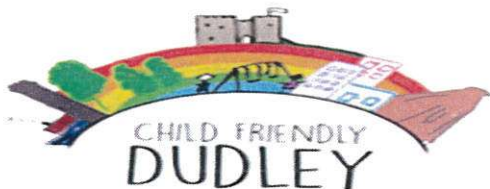
Objections are based upon the following incidents, all of which occurred whilst the applicant was in charge of the business.

1. **24/07/2022** – Consumer Rights Act inspection by Trading Standards at the premises whereby illegal disposable vapes, illegal cigarettes and illegal hand-rolling tobacco were seized.
2. **01/02/2023** – a child volunteer was sold a vape with 2% nicotine and on further inspection of the premises under the Consumer Rights Act a further 119 illegally oversized vapes were seized.
3. **21/08/2023** – Intelligence received that young school children are regularly being sold vapes from the premises.
4. **02/10/2023** – During a Trading Standards operation a child volunteer was sold a vape.
5. **12/10/2023** – Trading Standards Officer carrying out a test purchase and was sold an illegal vape along with counterfeit cigarettes. An inspection was carried out under the Consumer Rights Act 2015 and a quantity of illegal vapes and cigarettes were seized. During that inspection a member of Trading Standards was physically assaulted by the applicant's daughter.
6. **10/11/2023** – Concerned local resident reporting big vapes being sold to their 14-year-old daughter.
7. **13/11/2023** - Further complaint received from a local resident stating that their 11-year-old daughter and her school friends have been buying vapes from the premises.
8. **05/12/2023** – A Concerned parent reporting that their 11-year-old child was seen smoking a vape outside the shop. The parents questioned their daughter who said that her and her friends buy the vapes from the lady in the shop.

9. **12/12/2023** – Trading Standards in partnership with West Midlands Police executed a warrant to search the applicants home address. There in the attic space was found approximately 100,000 illegal cigarettes, 500 vapes and 10kg of illegal hand rolling tobacco. These were destined to be sold at the applicant's shop.

The applicant is under investigation for :-

- 1) Attempting to pervert the course of Justice – providing false information to Trading Standards in attempt to frustrate a criminal investigation.
- 2) Obstructing officers when warrants were executed at his home address.
- 3) Conspiracy to defraud (common law)
- 4) Trade Mark Act 1994 – selling counterfeit goods
- 5) Various tobacco related offences



**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>	Sedgley Mini Market  Ref DY/51/168

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 child volunteer on two occasions.

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.

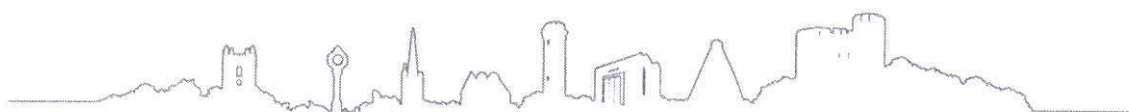
In addition, local residents and parents have raised concerns on 3 occasions that the premises are selling vapes to children as young as aged 11.

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.*

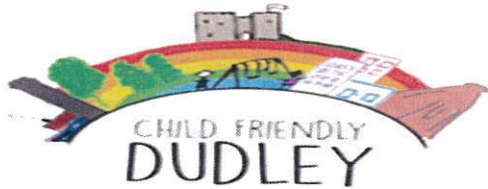
*However, while vaping is a preferable alternative to smoking for adults, we are concerned about the rise in youth vaping, particularly the increasing use of disposable vaping products.*

*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.*



Working as One Council in  
the historic capital of the Black Country





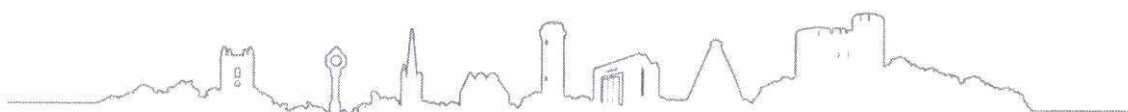
Furthermore, the selling of an illegal vape product means that the content is not under any regulation of quality control, the substances could be extremely harmful and the product itself could pose a fire risk.

The premises, having knowingly sold a vape product to a child on more than one occasion, 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

24.01.24



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To: Nick McGurk

From: Andrew Humphrey, Licensing Enforcement Officer

Date: 25<sup>th</sup> January 2024

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**Licensing representations**

**New licence application**

**Licence application number: DY/51/1678**

**Premises:** Sedgley Mini Market  
1-3 High Street  
Sedgley  
Dudley  
DY3 1RP

**Applicant:** Mr Mansoor Lutfi Hejrandoost

████████████████████  
██████████  
████████████████

**Licensing objectives concerned:**

1. Prevention of crime and disorder
2. The protection of children from harm

## Licensing background

The premises in question has not previously held a licence and presently operates as a general store.

An application for premises licence, dated 3<sup>rd</sup> January 2024, was received by DMBC Licensing, signed by Mr Hejrandoost, who is the intended Designated Premises Supervisor. The application has been completed purely for the sale of alcohol.

The proposed opening hours for the supply of alcohol were listed as 0900 to 2200 Monday to Saturday and 1000 to 2200 on Sunday, with the general opening hours being from 0800 to 2200 Monday to Saturday and 1000 to 2200 on Sunday.

It is further stated in the application that there will be CCTV both inside and outside the premises and that a Challenge 25 policy would be in place.

The application fee was paid on 9<sup>th</sup> January 2024

The premises was visited on 22<sup>nd</sup> January 2024 where the required licence application 'blue notice' was seen to be correctly displayed.

## Premises background

The premises has been visited by officers from Dudley MBC Trading Standards on several occasions over the last eighteen months, that can be summarised as follows:-

1. **24/07/22** Illegal disposable vapes, illegal cigarettes and illegal hand rolling tobacco were seized
2. **01/02/23** A child volunteer was sold a vape with 2% nicotine and on further inspection, a further 119 illegally oversized vapes were seized
3. **21/08/23** Intelligence received that children were being sold vapes from the premises
4. **02/12/23** A child volunteer was sold a vape
5. **12/10/23** Illegal vape and counterfeit cigarettes were sold to a Trading Standards Officer conducting an operation. Upon further inspection of the premises, a quantity of illegal vapes and cigarettes were seized. It was also during this inspection that a member of the Trading Standards team was assaulted by the daughter of the licence applicant.
6. **10/11/23** A local resident reported that their 14 year old daughter was being sold vapes at the premises
7. **13/11/23** A different local resident reported that their 11 year old daughter and school friends had been sold vapes at the premises
8. **05/12/23** A further resident reported that their 11 year old daughter and her friends had been sold vapes at the premises
9. **12/12/23** A warrant was executed at the premises by Trading Standards and West Midlands Police whereupon approximately 100,000 illegal cigarettes, 500 illegal vapes and 10kg of illegal hand rolling tobacco was found in the attic.
10. The applicant is currently under investigation for several criminal offences:-
  - Attempting to pervert the course of justice
  - Obstructing officers during execution of warrant



Conspiracy to defraud  
Selling counterfeit goods  
Other tobacco related offences

### Licensing representations

#### **The prevention of Crime and Disorder**

Illegal vapes and tobacco have been seized from the premises on three separate occasions between 24/07/2022 and 12/12/2023. This shows a willingness, or disregard to the law, by the applicant and employees to commit repeated criminal offences, even after having been informed that the devices were not legal.

It has been stated by Trading Standards Officers that one of their members was assaulted by the daughter of the applicant during the execution of a search on 12/10/2023. This raises some concerns regarding the attitude and demeanour of the family members working at the premises, not only towards persons in a position of authority but to the general public.

#### **The Protection of Children from Harm**

On three occasions DMBC Trading Standards have conducted operations at the premises whereby illegal vapes were sold to children with no ID checks being made.

It is to be noted that even the sale of legal vapes to a child poses a risk of harm.

In addition to these, there are a further four recorded occasions when local residents have raised concerns regarding the premises selling vapes to children as young as 11 years old.

The evidence available tends to suggest that there is a propensity to ignore the law and any legal requirements or safeguarding issues with the continual sale of vapes to children, without any form of ID check being made.

### **Licensing representations summary**

The above listed representations relate to the concerned licensing objectives. In view of the evidenced activity and continual criminal activity in relation to the sale of illegal vapes and tobacco, there are serious concerns that the disregard shown towards the legal requirements for tobacco and associated products, and the continued criminal activities relating to the sale of tobacco related products, will also be demonstrated in relation to alcohol.

There is no evidenced improvement in behaviour, or knowledge and learning in relation to the illegal criminal activities discovered as a result of the operations and actions initiated by DMBC Trading Standards.

It is our view that this inherent characteristic will be transferred, and be evident, in the sale of alcohol and that the licence applied for should not be granted.

**Andrew Humphrey**

Licensing Enforcement Officer



**Brierley Hill Police Station**  
Bank Street  
Brierley Hill  
DY5 3DH

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

Date: 31 January 2024

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

**Sedgley Mini Market, Unit 1-3, High Street, Sedgley, Dudley, DY3 1RP**  
**(Licence No DY/51/1678) – New Premises Licence Application**

West Midlands Police are objecting to the new premises licence application for Sedgley Mini Market, Unit 1-3, High St, Sedgley, under the Prevention of Crime & Disorder and Protection of Children From Harm licensing objectives.

We have been advised by Trading Standards that over a period of time dating from July 2022 until December 2023, illegal disposable vapes, illegal cigarettes and illegal hand-rolling tobacco have been seized from the premises.

At a test purchase operation on 02/10/23, a vape was sold to a child volunteer and on 12/10/23, a further test purchase operation was carried out whereby an illegal vape was sold along with counterfeit cigarettes. During an inspection of the premises on 12/10/23 a member of Trading Standards was physically assaulted by the applicant's daughter. This matter is currently under investigation.

West Midlands Police and Trading Standards executed a warrant to search the applicants home address on 12/12/23. Approximately 100,000 illegal cigarettes, 500 vapes and 10kg of illegal hand rolling tobacco was found in attic space.

All of the above has occurred whilst the applicant has been managing this business.

The applicant is also currently under investigation for a number of offences.

We have been advised by a local school that a parent has reported that the premises are selling vapes to students (see attached).

On the basis of the above, we strongly object to this premises licence application as it is clear that the applicant will not uphold the Prevention of Crime & Disorder and Protection of Children From Harm licensing objectives.

Kind regards

Sgt 1533 Andrews  
Partnerships Sgt  
Dudley Police LPA

Katie Turley

---

**From:** [REDACTED]  
**Sent:** 30 January 2024 16:33  
**To:** Andy Peters; [REDACTED]  
**Cc:** [REDACTED] dy licensing  
**Subject:** [External]: Re: Sedgley Mini Mart

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

Hi yes a parent has reported they sell vapes to our students.

Regards

[REDACTED]

Sent from Outlook for iOS

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**From:** Andy Peters <andy.peters@westmidlands.police.uk>  
**Sent:** Tuesday, January 30, 2024 3:32:45 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]; dy licensing <dy\_licensing@westmidlands.police.uk>  
**Subject:** Sedgley Mini Mart

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi both,

Sedgley Mini Mart, opposite the Bilston Street turning is applying for an alcohol 'off licence'.

Please could you let me know if you have heard of any reports from students, parents or staff that is a cause for concern. This could include the selling of vapes, cigarettes, knives or students hanging around outside leading to ASB. Please could I ask you to share this message with staff and collate any responses for me as this will assist with the decision making process for a licence.

Kind regards,

Andy



**PC 7359 Andy PETERS**  
Secondary Schools Intervention and Prevention Officer  
Dudley LPA Partnerships  
West Midlands Police

M: [REDACTED] T: 101

W: [west-midlands.police.uk](http://west-midlands.police.uk)

Working in partnership, making communities safer



## Gale Siviter (Neighbourhood Services)

---

**From:** Neil Aston-Baugh <Neil.Aston-Baugh@wmfs.net>  
**Sent:** 02 February 2024 13:41  
**To:**  
**Cc:** Liquor Licensing  
**Subject:** [EXTERNAL EMAIL] Fire Authority representation to a premises licence application.

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

OFFICIAL

### LICENSING ACT 2003

**NAME OF PREMISES: Sedgley Mini Market**

**ADDRESS: Unit 1-3 High Street Sedgley, Dudley, DY3 1RP**

I refer to the application for the Grant of a Premises licence made in respect of the above premises.

I have visited the premises and there are some fire safety issues which may affect the Licensing Objective of Public Safety.

- A smoke detector was found to be covered over and I could not find the fire alarm panel and could not confirm if the system is working.
- The crate at the front door, which is a makeshift steep, is a slip/tip/fall hazard. A permanent step appears to be required.
- There did not appear to be a fire risk assessment in place.

Consequently, The Fire Authority hereby makes representation to the application.

The Fire Authority will not remove its representation until it has been provided with evidence of the following .

- **A copy of the fire alarm certificate (dated within the last 12 months) demonstrating that the system has been suitably serviced in accordance with BS5839-1 should be forwarded to me.**
- **Details of your proposed solution for the step at the front door should be forwarded to me. If you need a Planning application or building regulations application for approval to resolve this, then evidence that a suitable application has been submitted to the local Authority should be forwarded to me.**

Should you require any further information or clarification, please do not hesitate to contact me.

*Regards*

*Neil Aston-Baugh*

Fire Safety Officer -LEEPS Team

Tipton Fire Station

Alexandra Road

Tipton

West Midlands

DY4 7NZ

Tel: 07973 810 042 or,

## Liz Rouse (Neighbourhood Services)

---

**From:** Neil Aston-Baugh <Neil.Aston-Baugh@wmfs.net>  
**Sent:** 09 February 2024 08:24  
**To:** Building Control  
**Cc:** Gale Siviter (Neighbourhood Services); Liquor Licensing; Nick Slym (Neighbourhood Services); Richard Timmins (Environmental Health and Trading Standards); dy licensing; Andrew Humphrey (Neighbourhood Services); Craig Worgan (Planning)  
**Subject:** [EXTERNAL EMAIL] 1-3 high street sedgley. Sedgley Mini Market.

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

OFFICIAL

Good Morning

I attended the above premises a few days ago as they are applying for a premises licence. It appears that the frontage and possibly some internal works has changed the stepped access into the shop. To overcome this, they have placed a moveable plastic crate at the entrance door which is not suitable. I am guessing from this, they may have carried out some unauthorized works that should have gone through building regulations as this would not meet approved Doc K of the building regulations.

There is a licensing hearing on 27<sup>th</sup> February 2024, at approximately 10.00am in the Council Chamber at the Council House, Priory Road, Dudley, West Midlands, DY1 1HF, **to determine if the licence can be granted.**

Are you able to look into the possible unauthorized works before that date please, to advise.

It would also be beneficial to the subcommittee if a BCO is able to attend the hearing on the 27<sup>th</sup> to advise them.

Thank you.

*Regards*

*Neil Aston-Baugh*

Fire Safety Officer -LEEPS Team  
Tipton Fire Station  
Alexandra Road  
Tipton  
West Midlands  
DY4 7NZ

Tel: 07973 810 042 or,  
0121 380 7500

Email : [neil.aston-baugh@wmfs.net](mailto:neil.aston-baugh@wmfs.net)

**Team Email:** [LEEPsTeams.Enquiries@wmfs.net](mailto:LEEPsTeams.Enquiries@wmfs.net)

**Fire Safety Admin Email** [firesafety.admin@wmfs.net](mailto:firesafety.admin@wmfs.net)

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**Meeting of the Licensing Sub-Committee - 27<sup>th</sup> February 2024**

**Report of the Director of Environment**

**Application for Grant of Consent to Engage in Street Trading**

**Purpose**

1. To consider the application made by Mr Benjamin Davies for the grant of a consent to engage in street trading in Stourbridge Town Centre.

**Recommendation**

2. That the Committee consider this application for the grant of a consent to engage in street trading for the sale of Hot and Cold Coffee, Teas Sandwiches and Cakes in Foster Street, Stourbridge.

**Background**

3. On the 15<sup>th</sup> December 2023, an application was received by the Licensing Office from Mr Benjamin Davies for the grant of a consent to engage in street trading in Foster Street, Stourbridge to sell Hot and Cold Coffee, Teas, Sandwiches and Cakes on the following days and times:

Monday to Friday 7.00 am until 3.00 pm.

Saturday 8.00 am until 2.00 pm

4. That application together with details of the proposed site and photograph of the trading vehicle have been circulated to interested



parties and are attached to this report as Appendix 1. Details of the application have also been posted on the Council Web Site.

5. Representations in respect of the application were received from Transport and Highways Services. Mediation has been undertaken between the Transport and Highways Department and Mr Davies, all representations have been forwarded to Mr Davies who has addressed all concerns raised. A copy of the representations from the Transport and Highways Department together with Mr Davies response is attached to this report as Appendix 2. Following mediation confirmation has been received from the Transport and Highways Department that they no longer have objections to the application following Mr Davies response. No other objections or representations have been received in respect of this application from any other interested party.

### **Finance**

6. There are no financial implications.

### **Law**

7. The grant of consents to engage in street trading is governed by Part III of Schedule IV to the Local Government (Miscellaneous Provisions) Act 1982. To trade without such consent is an offence.
8. Paragraph 7(2) of Schedule IV of the 1982 Act, states that the Council may grant a consent if it thinks fit and, when granting or renewing a consent, the Council may attach such conditions as it considers necessary.
9. Paragraph 10 of Schedule IV of the 1982 Act, states that a street trading consent may be granted for one period not exceeding 12 months but may be revoked at any time.
10. Where the consent allows the holder to trade from a cart, barrow, or other vehicle, then the consent must specify the location from which they may trade and the times between which or periods for which they may trade.
11. There is no right of appeal against the Council's decision to vary a condition upon which consent is issued, or refusal to grant or renew a street trader's consent.



## **Risk Management**

12. There are no risk management implications.

## **Equality Impact**

13. This report takes into account the Council's policy on equal opportunities.

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

## **Human Resources/Organisational Development**

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

## **Commercial/Procurement**

16. There are no commercial/procurement implications.

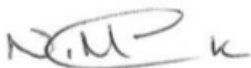
## **Environment/Climate Change**

17. There are no environment/climate change implications.

## **Council Priorities and Projects**

18. This application falls within the Council's statutory responsibility for Licensing as a direct link to the Council's Plan 2022-25 as a place where communities can lead stronger, safer and healthier lives.

- Dudley the borough of opportunity
- Dudley the safe and healthy borough
- Dudley the borough of ambition and enterprise
- Dudley borough the destination of choice



**Nick McGurk**  
**Director of Environment Directorate**

Report Author: Mr N Slym  
Telephone: 01384 815101  
Email: [nick.slym@dudley.gov.uk](mailto:nick.slym@dudley.gov.uk)

## **Appendices**

Appendix 1 - Application

Appendix 2 – Representations/Response

## **List of Background Documents**

None



DUDLEY METROPOLITAN BOROUGH COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

APPLICATION FOR CONSENT TO ENGAGE IN STREET TRADING

The information that you provide will be processed in accordance with Data Protection legal requirements. To find out more about how we process your personal information please read the Licensing Privacy Notice. For further information on how the Council processes personal information, please see the [Council's full Privacy Notice](#).

The information will be held confidentially and will be retained for the purposes of processing your request. Further Data Protection information can be obtained from the Information Commissioners website at [www.informationcommissioner.co.uk](http://www.informationcommissioner.co.uk).

This Authority is required by law to protect the public funds it administers. It may share information provided to it with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud.

**PLEASE COMPLETE THIS FORM ACCURATELY AND IN FULL.  
TICKS/CROSSES/LINES THROUGH THE RELEVANT BOX WILL NOT BE ACCEPTED.  
PLEASE NOTE THAT ANY OMISSION OR FALSE INFORMATION MAY MAKE YOU LIABLE TO PROSECUTION.**

I hereby make application to the Borough Council of Dudley for consent to engage in street trading in the manner hereunder stated. I enclose the appropriate fee of:-

£                    for the first or only site for which I have applied, and (if applicable)

£                    for each additional site for which I have applied

1.	Full name(s) & Title of applicants(s)	MR BENJAMIN DAVIES
2.	Date of birth	
3.	Full-time occupation(s)	COFFEE MERCHANT
4.	Full address(es) (in the case of a company address, the Registered office is required)	

5.	Telephone Number	
6.	Normal business address (if different)	
7.	Type of articles sold or intended to be sold	HOT AND COLD COFFEE, TEAS, SANDWICHES, CAKES
8.	Address(es) of place(s) where articles are or will be stored prior to being sold. (In the case of ice cream, state where it will be made).	
9.	Address(es) of places where any vehicle(s) (including any motor vehicle) or any receptacle(s) (eg. news vendor's stand or shelter used or intended to be used for the sale of any article is/are or is/are to be kept when not so used).	
10.	Registration number, make and full description (including livery, height, width and length) of each motor vehicle used or intended to be used for the sale of any article.	AUXHALL, WHITE HEIGHT 6fe, WIDTH 6fe, LENGTH 15fe. PEUGEOT, GREY HEIGHT 4.5fe, WIDTH 5fe, LENGTH 14fe.
11.	Full description (including livery, width and length) of each vehicle (other than a motor vehicle) and/or each receptacle used or intended to be used for the sale of any article.	BOX TRAILER, LIGHT BLUE, WIDTH 7.3fe. LENGTH 14.5fe (INCLUDING TOW BAR)
12.	Full name and address of the owner (if not the applicant) of each vehicle (other than a motor vehicle) or receptacle used or intended to be used for the sale of any article.	

13.	Full name(s) and address(es) of the legal owner(s) and (if different) registered owner(s) of each vehicle used or intended to be used for the sale of any article.	
14.	Is it the intention to use any vehicle to which this application applies for the purpose of the sale of any article in all streets in which the consent of the Council to engage in street trading is required at the date hereunder stated?  Please answer yes or no	Yes
15.	If the answer to question 14 is yes,  Is it your normal trading practice or the normal trading practice of the company or firm on whose behalf you have made this application to move from place to place in or with a vehicle and sell articles from the vehicle at such places as it is halted?  Please answer yes or no	Yes
16.	Exact situation and dimension of EACH site desired including name(s) of street(s) and position(s) or place(s) in street(s) where it is desired to trade.  (A sketch map must be supplied for EACH site)	FOSTER STREET, STOURBRIDGE, DY8 1EL  7.3ft WIDE 14.5ft LONG
17.	Days and times it is desired to trade.	MONDAY 7am - 3pm TUESDAY 7am - 3pm WEDNESDAY 7am - 3pm THURSDAY 7am - 3pm FRIDAY 7am - 3pm SATURDAY 8am - 2pm

18.	<p>Are you, or is the company or firm on whose behalf you have made this application, trading on the site(s) applied for or, if the answer to question 14 is yes, in the manner described in that question?</p> <p>If the answer is no, please state where or how you or the company or firm concerned are at present trading.</p>	<p>No</p> <p>CURRENTLY TRADE AT WEEKEND EVENTS AROUND THE COUNTRY.</p>
19.	<p>Total number of persons to be employed in street trading under any consent granted by the Council in pursuance of this application and the full names and addresses of such persons.</p>	<p>BENJAMIN DAVIES</p>
20.	<p>What means are, or will be, adopted for dealing with litter arising during the course of trading and for the collection and disposal of such litter.</p>	<p>PUBLIC BIN LOCATED IN HIGH STREET, ADDITIONAL BIN WILL BE PROVIDED BY MYSELF AND REMOVED EACH DAY.</p>
21.	<p>State any facts, which you wish to be brought to the attention of the Council in support of this application.</p>	

DATED this 13<sup>th</sup> day of December (month) 2023 (year)

Signed B. [Signature]

For and on behalf of

## NOTES

- (a) Where the application is made on behalf of a partnership, the names and addresses of every partner must be given.
- (b) These questions do not apply to applications made on behalf of a company.
- (c) References to the sale of any article include the hawking of that article and the offering or exposing for sale of that article.
- (d) References to "street" including any off-street parking place in which no article may be hawked, sold or offered or exposed for sale without the consent of the Council under Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act, 1982.
- (e) Where the application is made on behalf of a company or partnership, the full name of the company and the registered business name of the partnership (as the case may be) must be stated. Where the application is made on behalf of a partnership, it must be signed by a partner. Where the application is made on behalf of a company, it must be signed by the Secretary of the company or a Director of the company.







**COFFEE**

**B.J's Beans**

**B.J's Beans**

AVAILABLE FOR ALL INDOOR & OUTDOOR EVENTS

SERVING FRESH COFFEE

Specialty Coffee  
Espresso  
Cappuccino  
Latte  
Mocha  
Macchiato  
Americano  
Cold Brew  
Nitro Cold Brew  
Alcoholic Coffee

Menu board with various coffee options and prices.

**Fresh Hot Coffee**

**Gale Siviter (Neighbourhood Services)**

**From:** Hugh Dannatt (Transport and Highway Services)  
**Sent:** 15 December 2023 14:14  
**To:** Gale Siviter (Neighbourhood Services)  
**Subject:** RE: Application For Consent to Engage in Street Trading - BJ's Beans - Foster Street, Stourbridge 4/26(0218) [OFFICIAL-SENSITIVE PERSONAL]

**Sensitivity:** Confidential

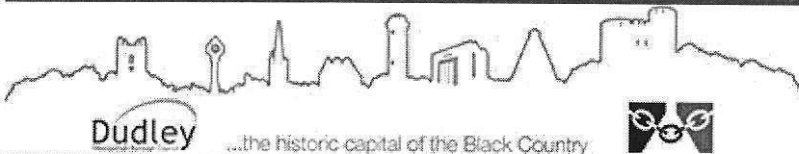
I have concerns with regards to this proposal.

1. The proposed location may cause an obstruction emergency services and delivery vehicles accessing the Station / Underpass and the premises on this section of Foster Street.
2. The proposal does not provide details of where the towing vehicle will be parked.
3. The proposal indicates that some reliance will be made on the public waste bin. Applicant should supply sufficient bins for their waste and be responsible for the removal without the reliance on the public waste bin.
4. It is assumed the trailer will be removed from site at the end of each day
5. Placing and removal of the trailer should not take place between 10am and 4pm in keeping with the Prohibition of Motor vehicles Traffic Regulation Order at this location.
6. The proposed position of the trailer obscures the Information Board.
7. Does the proposal result in visual black spots with respect to the CCTV coverage of this area?

Regards,

**Hugh Dannatt**  
 Traffic Group Manager

Transport & Highway Services - Traffic  
 Environment  
 Dudley Council  
 Lister Road Depot, Dudley, DY2 8JW  
 01384 815453  
[www.dudley.gov.uk](http://www.dudley.gov.uk)



**From:** Gale Siviter (Neighbourhood Services) <gale.siviter@dudley.gov.uk>  
**Sent:** 15 December 2023 11:41  
**To:** EnvSafetyHealth DUE <EnvSafetyHealth.DUE@dudley.gov.uk>; Alan Radford (Transport and Highway Services) <alan.radford@dudley.gov.uk>; Anthea Jones (Communications and Public Affairs) <Anthea.Jones@dudley.gov.uk>;

## **Gale Siviter (Neighbourhood Services)**

---

**From:** Alan Radford (Transport and Highway Services)  
**Sent:** 15 December 2023 15:10  
**To:** Gale Siviter (Neighbourhood Services)  
**Cc:**

**Subject:** RE: Application For Consent to Engage in Street Trading - B.J's Beans - Foster Street, Stourbridge 4/26(0218) [OFFICIAL-SENSITIVE PERSONAL]

**Sensitivity:** Confidential

Hello Gale,

From a purely highway standpoint I have a couple of concerns regarding this application.

The proposed location appears to suggest that the unit will be placed in such a way as to obstruct the most direct line towards, and away from, the pedestrian subway.

This subway serves as the main access between the bus station and the High Street, and as such it would be reasonable to anticipate that the foot traffic through this area is reasonably high. Keeping this 'desire line' free from obstruction is important, particularly for those pedestrians with sight or mobility impairments.

We already have a number of highway features that can be seen in the image accompanying the application and it should be noted that these are sited in such a manner as to keep this area/desire line free from unnecessary obstruction. There is also the potential for conflict between pedestrian and vehicle movement in siting and removing this trailer at the start and end of trading days.

There are alternate positions that would be more acceptable within this general location that would avoid the trailer, together with it's fixed tow bar arrangement, from protruding into the area directly in line with the subway entrance and if the application were to be granted, I would be happier if these alternative spots were considered.

Regards,

**Alan Radford**  
Senior Engineer

Transport & Highway Services - Highway Engineering  
Environment  
Dudley Council  
Lister Road Depot, Dudley, DY2 8JW  
01384 814458  
[www.dudley.gov.uk](http://www.dudley.gov.uk)

## **Gale Siviter (Neighbourhood Services)**

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**From:** Alan Radford (Transport and Highway Services)  
**Sent:** 16 January 2024 16:14  
**To:** Gale Siviter (Neighbourhood Services); Hugh Dannatt (Transport and Highway Services)  
**Cc:** Nick Slym (Neighbourhood Services); Liz Rouse (Neighbourhood Services)  
**Subject:** RE: [EXTERNAL EMAIL] Re: Application for Consent to Engage in Street Trading

Hello Gale,

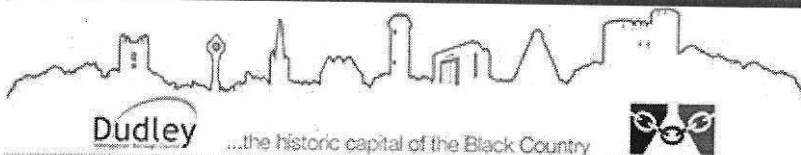
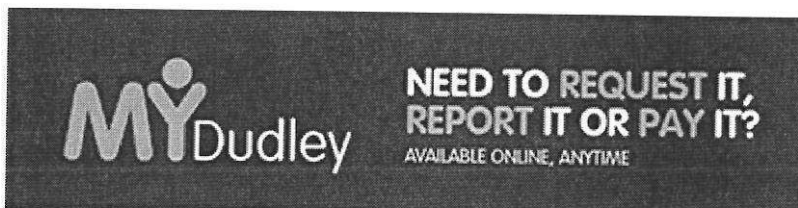
This new proposed location would be more agreeable to us from a maintenance perspective. In view of the additional comments provided by the applicant, we would have no objections to the application proceeding on this basis.

Alan

Regards,

**Alan Radford**  
Senior Engineer

Transport & Highway Services - Highway Engineering  
Environment  
Dudley Council  
Lister Road Depot, Dudley, DY2 8JW  
01384 814458  
[www.dudley.gov.uk](http://www.dudley.gov.uk)



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**From:** Gale Siviter (Neighbourhood Services) <gale.siviter@dudley.gov.uk>  
**Sent:** 10 January 2024 09:59  
**To:** Hugh Dannatt (Transport and Highway Services) <Hugh.Dannatt@dudley.gov.uk>; Alan Radford (Transport and Highway Services) <alan.radford@dudley.gov.uk>  
**Cc:** Nick Slym (Neighbourhood Services) <Nick.Slym@dudley.gov.uk>; Liz Rouse (Neighbourhood Services) <liz.rouse@dudley.gov.uk>  
**Subject:** FW: [EXTERNAL EMAIL] Re: Application for Consent to Engage in Street Trading

## Gale Siviter (Neighbourhood Services)

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**From:**  
**Sent:** 09 January 2024 23:25  
**To:** Gale Siviter (Neighbourhood Services)  
**Subject:** [EXTERNAL EMAIL] Re: Application for Consent to Engage in Street Trading  
**Attachments:** IMG\_8970.jpeg; IMG\_8969.jpeg; IMG\_8973.jpeg; IMG\_8974.jpeg

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Dear Gale

Please find below my response to all concerns raised.

In response to the concerns raised by Hugh Dannatt

1. I would now like to propose an alternative placement on Foster Street for the trailer, please find Google images attached which shows a previous trader from 2017. I now propose the same position as this will reduce the width of footpath taken up by the trailer, meaning delivery/emergency vehicles will still have access.
2. The towing vehicle will be parked on a nearby pay and display car park, reducing the amount of footpath taken up and contributing financially to Stourbridge.
3. Any rubbish produced within the trailer will be taken away and disposed of correctly on a daily basis. A bin will also be provided outside the trailer for customers to use and again will be taken away and disposed of correctly daily. The mention of public bins is because I will be serving takeaway hot/cold drinks, meaning the likely hood of customers staying to dispose of their cups in the bins provided are slim, as they will take them with them and consume on the go. I will be encouraging customers to use reusable cups to reduce the negative impact the use of disposables has on the environment. That being said, any disposables we use are either recyclable or biodegradable. I will also do a litter pick around the trailer daily to pick up any rubbish accidentally dropped by customers
4. Yes, the trailer will be removed from site each day
5. To be compliant with the regulations in this location, I propose extending my trading hours to end of 3pm, allowing 1 hour to complete cleaning tasks, packing away and to fetch the towing vehicle. Meaning no movement will take place before 4pm
6. With the proposed change to the location of the trailer, it will no longer obscure the Information board
7. There is a sign with states that there is CCTV In operation, however I cannot comment if the trailer will create visual black spots as I do not know the view the camera takes. If this would be an issue, I would be more than willing to invest in a security camera within the trailer which would view through the serving hatch and onto the street, picking up visuals which would be potentially blocked by the trailer

In response to the concerns raised by Alan Redford

I believe that these concerns have been addressed in the above response. By the proposed repositioning, the trailer will take up less width of the pavement, resulting in it being less of an obstruction of the desire line. And the trailer will only be moved in accordance to be compliant with the restrictions in this area.

It was mentioned in Alan's concerns that there could be alternative positions which would be more suitable, however it was not mentioned what these could be. I hope that my new suggestion aligns with his thoughts, however, if not then I would be more than open for his suggestions to be discussed.

I hope that my response answers any questions or concerns, and if there is anything else I can do to assist with my application I am more than happy to help.

Kind regards  
Benjamin Davies

Sent from [Outlook for iOS](#)

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**From:** Gale Siviter (Neighbourhood Services) <gale.siviter@dudley.gov.uk>  
**Sent:** Thursday, December 21, 2023 3:41:19 PM  
**To**  
**Subject:** Application for Consent to Engage in Street Trading

Dear Mr Davies,

Please find attached comments received from the DMBC Transport and Highways Services in respect of your application for consent to engage in street trading in Foster Street, Stourbridge.

Please take a look at the comments and forward any suggestions that you think will address the concerns to me as soon as possible.

As you are aware all new applications are considered by the Licensing Sub Committee at a Committee meeting. All comments from yourself and interested parties will be made available to the Committee Members in order for them to determine the application at the meeting.

When a date has been set for the Committee meeting after the closing date (11 01 24) I will let you know.

I look forward to hearing from you.

Regards,  
**Gale Siviter**  
Licensing Clerk  
Neighbourhood Services - Licensing  
Environment  
Dudley Council  
Unit 1, Hurst Business Park, Narrowboat Way, Brierley Hill, DY5 1UF  
01384 814188  
[www.dudley.gov.uk](http://www.dudley.gov.uk)



