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## LICENSING SUB-COMMITTEE

Meeting to be held on: **Wednesday, 22 November 2023 AT 10.30am**

Meeting to be held at: **Council Chamber, Walsall Council House, Lichfield Street, Walsall, WS1 1TW**

Accessible via: [Walsall Council Webcasting Portal](#)

**MEMBERSHIP:** Councillor Cooper  
Councillor Sears  
Councillor Martin

# **A G E N D A**

## **PART I - PUBLIC SESSION**

1. Appointment of Chair
2. Welcome
3. Apologies
4. Declarations of Interest
5. Application for a new Premises License in respect of Unique Bar & Grill Ltd, 77 Bradford Street, Walsall, WS1 3QD.

## **Schedule 12A to the Local Government Act, 1972 (as amended)**

### **Access to information: Exempt information**

#### **Part 1**

#### **Descriptions of exempt information: England**

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:
  - (a) to give any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
8. Information being disclosed during a meeting of a Scrutiny and Performance Panel when considering flood risk management functions which:
  - (a) Constitutes a trades secret;
  - (b) Its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the risk management authority);
  - (c) It was obtained by a risk management authority from any other person and its disclosure to the public by the risk management authority would constitute a breach of confidence actionable by that other person.

## The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

### Specified pecuniary interests

The pecuniary interests which are specified for the purposes of Chapter 7 of Part 1 of the Localism Act 2011 are the interests specified in the second column of the following:

Subject	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by a member in carrying out duties as a member, or towards the election expenses of a member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Regulations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority:</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to a member's knowledge):</p> <p>(a) the landlord is the relevant authority;</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where:</p> <p>(a) that body (to a member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>b) either:</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

**LICENSING SUB-COMMITTEE**  
**Applications relating to premises licences**

**ORDER OF PROCEEDINGS**

1. Introductions.
2. Licensing Officer to present report outlining the application, relevant representations and relevance to the Local Authority licensing policy statement and statutory guidance.
3. Questions to the Licensing Officer from the Sub-Committee or other parties.
4. The applicant to present their case.
5. Responsible Authorities, interested parties and Sub-Committee to ask questions of the applicant.
6. The responsible Authorities to make relevant representations in relation to the application.
7. The applicant, interested parties and Sub-Committee to ask questions of the responsible Authorities.
8. Interested parties to make representations.
9. The applicant, responsible Authorities and Sub-Committee to ask questions of the interested parties.
10. All parties to briefly summarise their case.
11. The Chair to check that all parties have said all they wish to.
12. The Sub-Committee to deliberate in private, all persons except the Legal Adviser and Committee Administrator, to withdraw from the hearing.
13. All parties to be recalled and advised of the Sub-Committee's decision and inform parties in regard to the right of appeal to the Magistrates Court under Section 181 of the Licensing Act 2003



**REPORT OF THE DIRECTOR OF RESILIENT COMMUNITIES TO THE**

**LICENSING SUB – COMMITTEE**

**22 NOVEMBER 2023**

**APPLICATION FOR A NEW PREMISES LICENCE**

**UNDER SECTION 17 OF THE LICENSING ACT 2003**

**Unique Bar & Grill Ltd  
77 Bradford Street  
Walsall  
WS1 3QD**

**1. Summary of Report**

- 1.1 This report provides the information necessary for the Licensing and Safety Sub-Committee to determine an application for a premises licence in respect of an African restaurant and takeaway Unique Bar & Grill Ltd, 77 Bradford Street, Walsall, WS1 3QD.
- 1.2 The report sets out how the licensing authority followed the normal practice of consulting with all responsible authorities following receipt of the application. West Midlands Police, Walsall Council Public Health and West Midlands Fire Service have made representations against the issue of the licence.

**2. Options**

- 2.1. The Sub-Committee is required to hold a hearing to consider the application and relevant representations and determine whether to:
  - grant the licence as applied for;
  - grant the licence with modifications or conditions; or
  - refuse the application.

**3. Background Information**

- 3.1. On the 27<sup>th</sup> September 2023 an application for a premises licence to sell alcohol for consumption on and off the premises was made on behalf of John Obumese, Unique Bar & Grill Ltd by National Compliance Training Ltd. The application can be found at **Appendix 1**,
- 3.2. A summary of the licensable activities and times applied for is provided in the table below (NB: these have subsequently been reduced following mediation):

<b>Licensable Activities/ Opening Hours</b>	<b>Days</b>	<b>From</b>	<b>To</b>
Sale of alcohol for consumption on & off the premises	Monday to Sunday (inclusive)	12:00	23:00
Hours open to public	Monday to Sunday (inclusive)	12:00	23:30

- 3.3. A plan showing the location of the premises is attached as **Appendix 2**.
- 3.4. In accordance with regulations the application was served on all the statutory responsible authorities.
- 3.5. The Licensing Act 2003 specifies that new premises licence applications must be advertised in the following ways:
- a. by way of a blue site notice displayed at or on the premises for a statutory consultation period of 28 consecutive days starting on the day after the day on which the valid application was given to the Licensing Authority. The last day for representations was 25 October 2023.
  - b. by publishing a licensing notice in a newspaper (or similar) circulating within the area of the premises, by the tenth working day of the consultation period; and
  - c. by publication of a notice on the licensing authority's website for no less than 28 days during the consultation period.
- 3.6. This combination of requirements ensures that 'other persons', regardless of their status or geographic proximity to the premises, are aware that an application for a premises licence has been made and of their right and opportunity to comment, should they wish to do so.
- 3.7. The licensing authority is satisfied that the blue notice was displayed, and the newspaper notice published in accordance with the requirements of the Licensing Act 2003.
- 3.8. Any responsible authority, or other person, may submit a representation to the Licensing Authority, however generally only relevant representations received during the advertised consultation period may be considered when determining the application.

#### **4. Representations**

- 4.1 The Licensing Authority received the following responses to the consultation from responsible authorities:

### **Walsall Council Environmental Health**

On 6 October 2023, Environmental Health confirmed that they had no objection to the grant of the licence. The email response is attached as **Appendix 3**.

### **Walsall Council Trading Standards**

On 11 October 2023 Trading Standards confirmed that they had no issues/comments to make in respect of the application. The email response is attached as **Appendix 4**.

### **West Midlands Police**

On 18 October 2023, the Police Licensing Officer confirmed that West Midlands Police strongly objected to the application and made representations under all 4 licensing objectives. The objections relate to John Obumese who is the Director of Unique Bar and Grill Ltd. West Midlands Police confirm Mr Obumese has a long history of offending and has been convicted of relevant offences under the Licensing Act 2003. These offences include assaulting police officers, drugs offences including possession with intent to supply, driving offences including failing to stop for police and possession of a bladed article. West Midlands Police also have made representations on the grounds that the premises falls within a Cumulative Impact Policy area (CIP) A copy of the email representation is attached as **Appendix 5**.

**Appendix 8** is a copy of the relevant offences listed under the Licensing Act 2003 and used when determining personal licence applications.

### **West Midland Fire Service**

On 20 October 2023, West Midland Fire Service (WMFS) made a representation objecting to the grant of the licence due to the public safety concerns listed below:

- The emergency lighting system was faulty and needs upgrading.
- A number of smoke detectors were covered and it could not be confirmed if the system is working suitably.
- There was no suitable fire risk assessment carried out.
- Staff had not received any suitable fire safety training.

A copy of the email representation is attached as **Appendix 6**.

### **Walsall Council Public Health**



On the 24 October 2023 Public Health responded to the application informing the licensing authority that they will be making representations to the grant of the application on the grounds of all 4 licensing objectives under the Licensing Act 2003. Public Health are not satisfied the application will not contribute to the current CIP and that the applicant has failed to demonstrate to them that the application will not have an adverse effect on the licensing objectives.

A copy of the email is attached as **Appendix 7**.

### **Other responsible authorities**

No comments were received from any other responsible authorities in relation to this application.

#### **4.2 Representations from ‘other persons’**

During the consultation period, no comments were received from other persons.

### **5. Cumulative Impact Policy**

- 5.1. “Cumulative impact” is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area.
- 5.2. The concept of “Cumulative impact” has been described within the section 182 Guidance and used by licensing authorities within their statements of licensing policy since the commencement of the 2003 Act. ‘Cumulative impact assessments’ were introduced in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. This places cumulative impact policies on a statutory footing.
- 5.3. As the premises which this application is concerned falls within the Council’s cumulative impact area, the cumulative impact policy must be considered in relation to this application.
- 5.4. A cumulative impact policy applies in specified areas where there is a high saturation of licensed premises, such as those selling alcohol or providing late night refreshment, where serious problems of nuisance and disorder may arise in the general locale. Such problems generally occur as a result of, or can be exacerbated by, large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport (see 14.22 of the Section 182 guidance).
- 5.5. Tension among queuing customers often leads to conflict, disorder, and anti-social behaviour. Moreover, regular large concentrations of people can also attract criminal activities such as drug dealing, pick pocketing and street robbery.

- 5.6. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers, leading to issues such as street fouling, littering, traffic, and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly (14.22 of the guidance).
- 5.7. Section 12 of Walsall Council's Statement of Licensing Policy sets out the cumulative impact policy. The cumulative impact policy was reviewed in 2021 following a cumulative impact assessment which showed that licensed premises within the WS1 post code area were having a cumulative impact, and the licensing objectives were being undermined. The premises concerned does fall within the cumulative impact area.
- 5.8 12.6 of the policy states: "In light of the findings, the Authority, proposed a cumulative impact policy (amended in 2021) in respect of applications relating to the sale or supply of alcohol for consumption 'on and off' the premises' and for the provisions of late-night refreshment in a defined area of Walsall".
- 5.9 12.7 of the policy states: "In this area applicants will be required to demonstrate how the granting of their licence will not have a cumulative impact on the licensing objectives. Where relevant representations are received to the application, the matter will be referred to the Licensing Sub-Committee to make a decision on the application."
- 5.10 12.8 of the policy states: "Walsall Council recognises that any special policy regarding cumulative impact is not absolute and where licence applications will not add to cumulative impact and no relevant representations received, the licence/certificate will be granted as applied for".
- 5.11 12.10 of the policy states: "In determining an application, Walsall Council will have particular regard to the licensing objectives, the cumulative effect, and any adverse impact that may arise from the saturation of premises in the defined area".
- 5.12 12.12 of the policy states: "Walsall Council recognises the difference between cumulative impact and the commercial need for premises in an area. Need and market forces are not matters for the Authority to consider as part of its licensing function."

## **6. Walsall Council Licensing Policy (in effect from September 2021)**

- 6.1. Please click this link [Statement of licensing policy | Walsall Council](#) (**Appendix 9**) to access Walsall Council's Statement of Licensing Policy or copy <https://go.walsall.gov.uk/business/licensing-and-regulation/alcohol-and-entertainment-licences-and-permits/statement> into a web search engine.

## **7. Resource Considerations**

- 7.1. **Financial:** Application fees are set by central government and are non-refundable. The Licensing Authority would have to cover the cost of any successful appeals made to magistrate's court.
- 7.2. Any decision taken by the Licensing Authority may be appealed to the Magistrates' Court. The Licensing Authority may have to bear the costs of defending such an appeal.
- 7.3. **Legal:** Any representations received must be relevant to the likely effect on the promotion of the licensing objectives in respect of the application received, namely: Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, Protection of Children from Harm. Representations which are not relevant must be rejected.
- 7.4. At a hearing, the Licensing Authority upon receipt of relevant representations, and only if it is considered to be appropriate and proportionate to promote the licensing objectives. may consider attaching additional conditions, modifying conditions proposed in the operating schedule of the application (including hours), or to reject the application.
- 7.5. Any conditions further imposed by the committee must be appropriate and proportionate and should be tailored to the size, style, characteristics, and activities taking place at the premises. They should not be merely aspirational and should not go further than what is needed for that purpose.
- 7.6. Walsall Council has stated that at all times the licensing authority will try to strike a fair balance between the benefits to the community of a licensed venue and the risk of disturbance to residents.
- 7.7. The Licensing Sub Committee must have due regard to Walsall Council's Statement of Licensing Policy issued in 2021 and the statutory guidance issued under section 182 of the Licensing Act 2003.

## **8. Relevant Extracts from Section 182 Guidance:**

- 8.1 The section 182 guidance issued under the Licensing Act 2003 states:  
*"Licensing authorities should look to the police as the main source of advice on crime and disorder."*
- 8.2 The section 182 guidance 14.19 states - There can be confusion about the difference between the "need" for premises and the "cumulative impact" of premises on the licensing object "Need" concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.

- 8.3 The section 182 guidance also states - “Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.
- 8.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.

## 9. Relevant Representations

- 9.1. In determining whether a representation is ‘relevant,’ and may therefore be taken into account, the Sub-Committee must have regard to Sections 18(6) and 18(7) of the Licensing Act 2003, which state:

18 (6) For the purposes of this section, “relevant representations” means representations which—

- (a) are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives;
- (b) meet the requirements of subsection (7);
- (c) if they relate to the identity of the person named in the application as the proposed premises supervisor, meet the requirements of subsection (9); and
- (d) are not excluded representations by virtue of section 32 (restriction on making representations following issue of provisional statement).

18 (7) the requirements of Section 18 subsection (7), referenced above, are —

- (a) that the representations were made by a responsible authority or other person within the period prescribed under section 17(5) (c);
- (b) that they have not been withdrawn; and
- (c) in the case of representations made by a person who is not a responsible authority, that they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

## 9.2. Licensing Objectives

The Licensing Objectives are:

- The prevention of crime and disorder;
- The prevention of public nuisance;
- The protection of children from harm; and
- Public safety.

- 9.3. The Licensing Act 2003 and associated guidance suggests a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a business owner that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation.
- 9.4. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.
- 9.5. Should the Sub-Committee decide to grant the licence with additional conditions, such conditions must comply with the requirements specified in the Section 182 Guidance - specifically:
- 1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must,” “shall” and “will” is encouraged. Licence conditions:
- must be appropriate for the promotion of the licensing objectives;
  - must be precise and enforceable;
  - must be unambiguous and clear in what they intend to achieve;
  - should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
  - must be tailored to the individual type, location and characteristics of the premises and events concerned;
  - should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
  - should not replicate offences set out in the 2003 Act or other legislation;
  - should be proportionate, justifiable and be capable of being met;
  - cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
  - should be written in a prescriptive format.

- 9.6. Conditions must be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour, and crime generally.

Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

- 9.7. The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells, and litter.
- 9.8. Applicants have the opportunity to demonstrate how they intend to promote the licensing objectives through the operating schedule, section 8.41 of the guidance states: “in completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area.”

They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps, they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.”

- 9.9. Applicants are expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:
- the layout of the local area and physical environment, including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;

- any risk posed to the local area by the applicants' proposed licensable activities; and
  - any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.
- 9.10. Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.
- 9.11. Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.
- 9.12. The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 9.13. The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises.
- 9.14. Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning (2.2 of the guidance).
- 9.15. Where a local authority's Director of Public Health in England (DPH)<sup>6</sup> or Local Health Board (LHB) (in Wales) exercises its functions as a responsible authority, it should have sufficient knowledge of the licensing policy and health issues to ensure it is able to fulfil those functions. If the authority wishes to make representations, the DPH or LHB will need to decide how best to gather and coordinate evidence from other bodies



which exercise health functions in the area, such as emergency departments and ambulance services (9.20).

- 9.16. Health bodies may hold information which other responsible authorities do not, but which would assist a licensing authority in exercising its functions. This information may be used by the health body to make representations in its own right or to support representations by other responsible authorities, such as the police. Such representations can potentially be made on the grounds of all four licensing objectives. Perhaps the most obvious example is where drunkenness leads to accidents and injuries from violence, resulting in attendances at emergency departments and the use of ambulance services. Some of these incidents will be reported to the police, but many will not. Such information will often be relevant to the public safety and crime and disorder objectives (9.21).
- 9.17. However, health bodies are encouraged to make representations in respect of any of the four licensing objectives without necessarily seeking views from other responsible authorities where they have appropriate evidence to do so. There is also potential for health bodies to participate in the licensing process in relation to the protection of children from harm. This objective not only concerns the physical safety of children, but also their moral and psychological well being (9.22).
- 9.18. Evidence relating to under 18s alcohol-related emergency department attendance, hospital admissions and underage sales of alcohol, could potentially have implications for both the protection of children from harm and the crime and disorder objectives. Health bodies can provide evidence to lead or support representations in relation to this objective (9.23).
- 9.19. The Licensing Sub Committee may grant the application as requested, grant with additional/modified conditions attached to the premises licence or reject the application.
- 9.20. Where the applicant, a responsible authority, or other person who has made a relevant representation is aggrieved by the decision of the Licensing Authority, they may appeal to the Magistrates' Court.

#### 10.0 **Staffing issues:**

10.1 None arising from this report.

#### 11. **Citizen Impact**

11.1 Residents or businesses ('Other Persons') within the licensing authorities' area can submit 'relevant representations'

#### 12. **Community Safety**



12.1 Issues raised in relation to potential public safety are addressed through consultation with responsible authorities and by committee through the decision-making process.

13. **Environmental Impact**

13.1 Nothing arising from this report.

14. **Performance and Risk Management Issues**

14.1 Nothing arising from this report.

15. **Equality Implications**

15.1 When considering this application and reaching a determination the licensing authority must always have due regard to the Public Sector Equality Duty (PSED) set out in section 149 of the Equality Act 2010:

A public authority must, in the exercise of its functions, have due regard to the need to—

- (a) eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

15.2 The licensing authority's approach to having "due regard" is based on legal principles arising from case law including those set out in *Brown vs. Secretary of State for Work and Pensions* (2008) and other cases. These principles may be summarised as:

- **Knowledge** - decision makers should be aware of their duty to have due regard to the aims of PSED.
- **Sufficient information** - decision makers must consider whether they have sufficient information in order to give proper consideration to the matters set out in the PSED. This will assist decision makers to understand the potential impact of their proposed decisions on people with relevant protected characteristics.
- **Timeliness** - public bodies must have due regard "before and at the time that a particular decision is being considered." This means that equality must form part of the decision-making process as it happens and not after the event.

- **Real consideration** - consideration of the aims of the PSED must form an integral part of the decision-making process. The PSED duty must be exercised fully, rigorously and with an open mind.
- **No delegation** - public bodies and others carrying out public functions may use their staff and third parties to assist them to assess the impact of a decision on equality. However, where they make the ultimate decision, they cannot delegate their responsibility to consider the aims of the PSED to another person.
- **Review** - public bodies must have due regard to the aims of the PSED not only when a policy is developed and decided, but also when it is implemented and reviewed. The PSED is a continuing duty.

## 16. **Consultation**

- 16.1 Consultation/advertising is carried out in accordance with prescribed statutory regulations.

## 17. **Associated Papers**

- Appendix 1 Application.
- Appendix 2 Location Plan
- Appendix 3 Response from Environmental Health
- Appendix 4 Response from Trading Standards
- Appendix 5 Representation from West Midlands Police
- Appendix 6 Representation from West Midlands Fire Service
- Appendix 7 Representation from Walsall Council Public Health
- Appendix 8 List of Relevant offences in determining a personal licence application
- Appendix 9 Link to Walsall Council's Statement of Licensing Policy

## 18. **Contact Officer**

Muhammed Sayful Alom, Licensing Team Leader –  
[Licensing@walsall.gov.uk](mailto:Licensing@walsall.gov.uk)

\* required information

**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is the applicant's business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

**Continued from previous page...**

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

**Continued from previous page...**

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)



**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

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

**Section 4 of 21**

**NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth

\* Nationality  [Documents that demonstrate entitlement to work in the UK](#)

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

African Restaurant / Takeaway

**Continued from previous page...**

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

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?



Continued from previous page...

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth   
dd      mm      yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text" value="Walsall"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="WS/PEL/2203"/>
Issuing licensing authority (if known)	<input type="text" value="Walsall"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

*Continued from previous page...*

TUESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)



**Continued from previous page...**

List here steps you will take to promote all four licensing objectives together.

- Ensure that any person selling or supplying alcoholic drink under the authority of a personal licence holder asks for a photo ID proof of age where they have reason to suspect that the individual may be under 25 years of age.
- Adopt and comply with the British Beer and Pub Associations Guidelines on On-Trade Promotion

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

- Provide a means of two way communication to report incidents between the premises and the local police or CCTV monitoring centre.
- Install Video/CCTV equipment inside/outside the premises and ensure that it is maintained in working order.
- Set Video/CCTV equipment to record from the time that the premises open to the public until the premises close and all members of the public have left.
- Ensure that any cameras covering the exterior of the premises are left to record for the duration of the tape and for a period not less than 24 hours a day.
- Ensure that monitoring tapes are retained for at least twenty eight days and are produced to an authorised officer on demand.
- Put up notices advising that CCTV has been installed on the premises so that they are clearly visible to the public within the licensed premises.

**c) Public safety**

- Where glass bottles are used, they will be retained or disposed of on the premises.
- Customers will only be permitted to leave with sealed containers when purchasing alcohol
- Ensure that the consumption of alcohol is restricted to the areas identified on the plan attached to the operating schedule.
- Ensure that a secure deposit box is kept on the premises for the retention of confiscated items and that the Police are advised of any items which require safe disposal.
- Responsible for the disposal of waste on the frontage of the premises and make provision for the emptying of litter bins in the vicinity of the premises.
- Ensure that lighting is provided outside the premises (and in my private car park) during the hours of darkness when any licensable activity takes place on the premises.
- Ensure that escape routes and exits, including external exits, are maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.
- Ensure that where chairs and tables are provided, internal gangways are kept unobstructed.
- Ensure that all exit doors are easily openable and do not require the use of a key, card, code or similar means
- Ensure that doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check is kept.
- Not alter the premises in such a way as to make it impossible to comply with an existing licence condition, without first seeking a variation of the premises licence.
- Free drinking water available at all times the premises is open to the public.

**d) The prevention of public nuisance**

- Ensure that public information notices about crime and disorder issues are displayed at the request of the Council or the local Constabulary. (e.g. Customer Code of Conduct)
- Display any conditions of entry to the premises in the vicinity of any entrance to the premises.
- Ensure that any request by an authorised officer of the Council in relation to reducing noise levels is complied with.
- Ensure that the placing of bottles into receptacles outside the premises takes place at times that will minimise disturbance to nearby properties.
- Display prominent, clear and legible notices at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
- Ensure that offensive smells from the licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.
- Ensure that receptacles for waste are emptied regularly to minimise nuisance smells.
- Ensure that flashing or particularly bright lights on or outside the licensed premises do not cause a nuisance to nearby properties, whilst balancing the need for lighting in the interests of prevention of crime and disorder.

***Continued from previous page...***

- Provide adequate and suitable (lidded) receptacles to receive and store refuse from the premises/site.
- Ensure that receptacles for refuse storage are maintained in a clean condition.
- Ensure litter is regularly cleared from the vicinity of the premises.

e) The protection of children from harm

- Display any restrictions on the admittance of individuals according to age (e.g. Children) on or immediately outside the premises.
- Implement a proof of age policy agreed by the police and local authority.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**



*Continued from previous page...*

### **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

**Continued from previous page...**

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.



***Continued from previous page...***

If the document is not a passport, a copy of the whole document should be provided.

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

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

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

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

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

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

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**

**Continued from previous page...**

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.



**Continued from previous page...**

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

190.00

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

Continued from previous page...

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

I/WE UNDERSTAND IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
  2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/walsall/apply-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

*Continued from previous page...*

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**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**

**Consent of individual to being specified as premises supervisor**

Catharine Stephens

---

I

*[full name of prospective premises supervisor]*

Of



---

*[home address of prospective premises supervisor]*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Premise

---

*[type of application]*

by

Unique Bar and Grill

---

*[name of applicant]*

relating to a premises licence

---

*[number of existing licence, if any]*

for

Unique bar and grill

77 Bradford street

Walsall

WS1 3QD

---

*[name and address of premises to which the application relates]*

and any premises licence to be granted or varied in respect of this application made by

Catharine Stephens

---

*[name of applicant]*

concerning the supply of alcohol at

Unique bar and grill

77 Bradford street

Walsall

WS1 3QD

---

*[name and address of premises to which application relates]*

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

ws/pel/2203

---

*[insert personal licence number, if any]*

Personal licence issuing authority

Walsall

---

*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed



Name (please print)

Catharine Stephens

---

Date

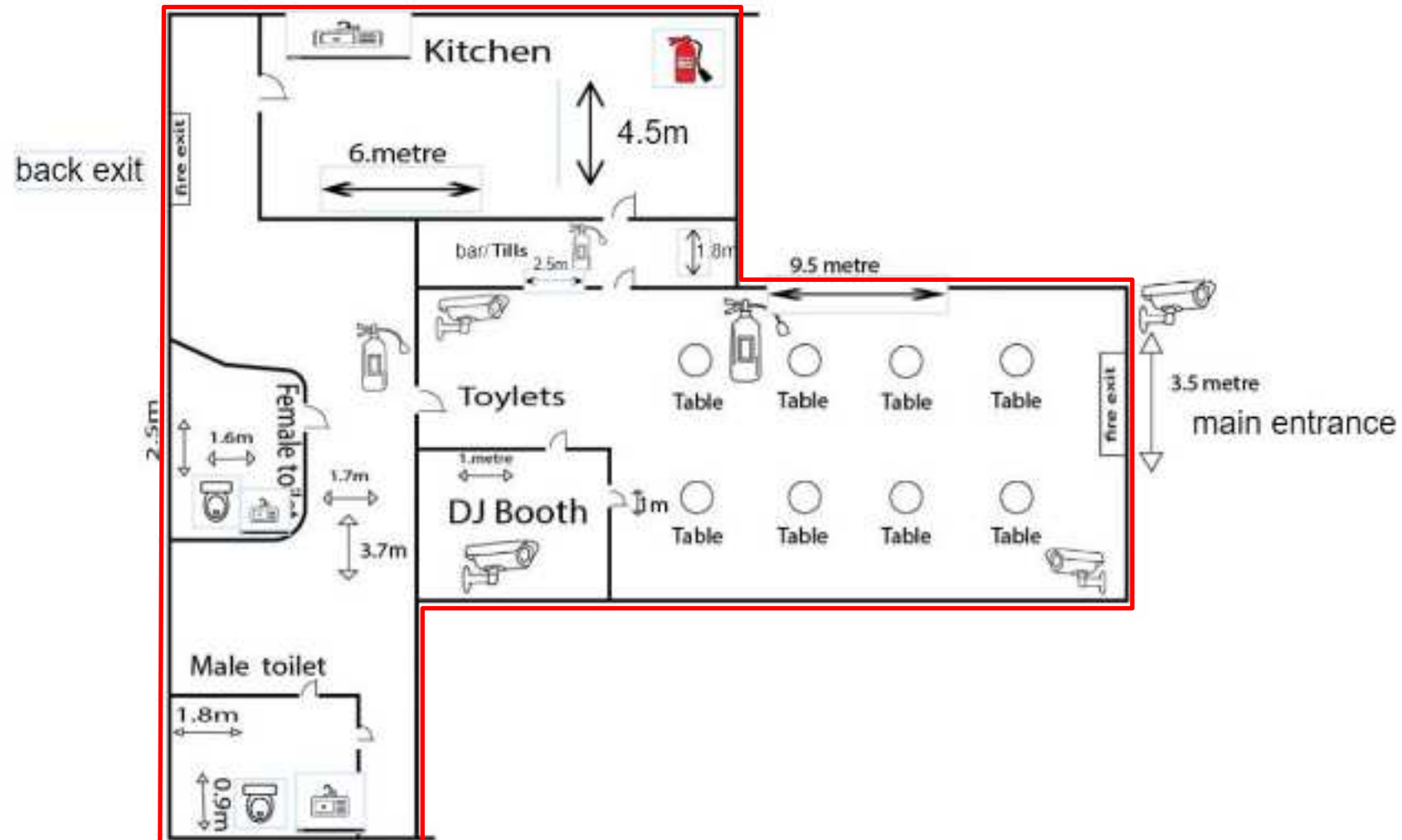
06.09.2023

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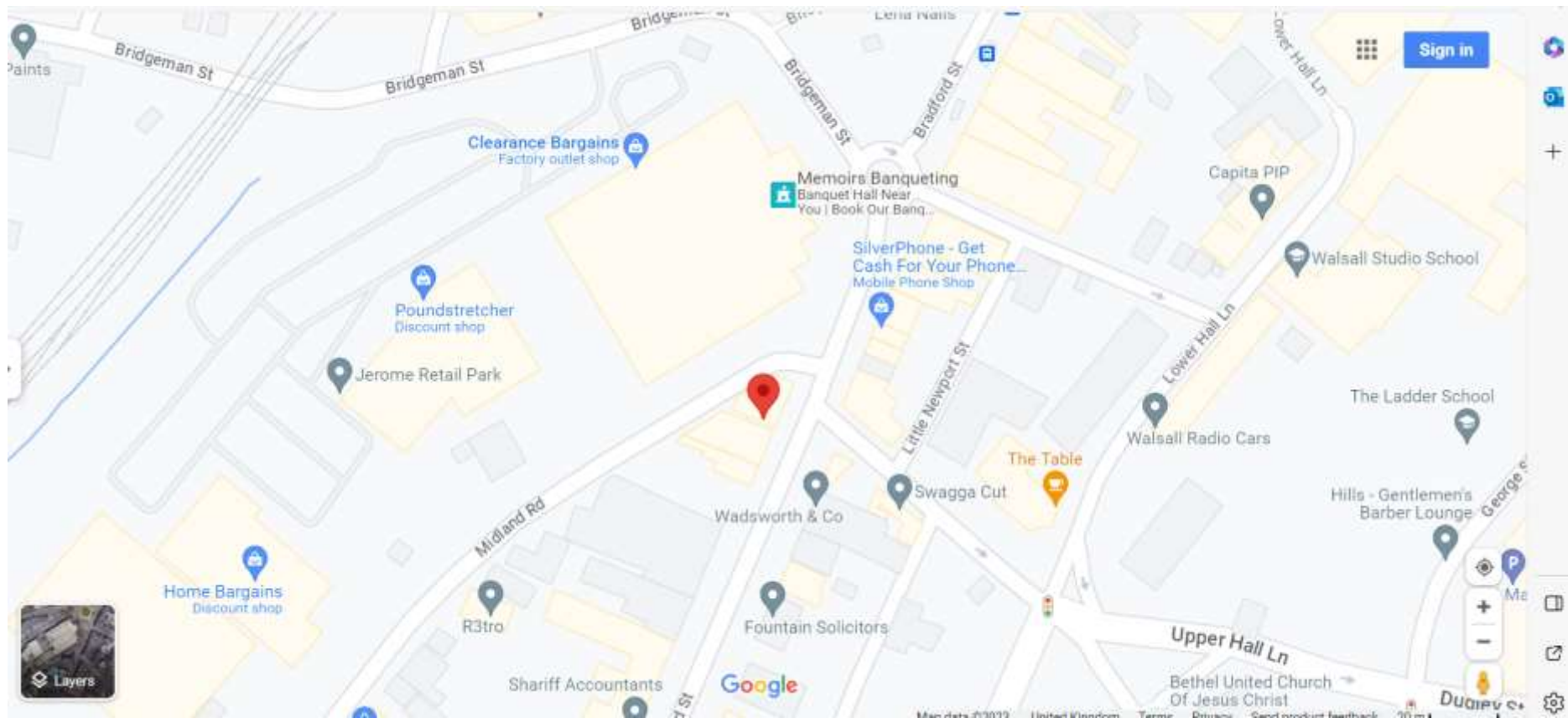
Unique bar and grill  
77 Bradford street,  
Walsall,  
WS1 3QD

— PROPOSED LICENSABLE AREA



SCALE 1:100





## Karen Price

---

**From:** Rishi Bawa  
**Sent:** 06 October 2023 15:37  
**To:** Karen Price  
**Cc:** Sarah Heath  
**Subject:** Unique Bar & Grill, 77 Bradford Street, Walsall, WS1 3QD

Good afternoon all

I write to confirm, Environmental Health have no objections for the grant of a premises licence in respect of the above.

Regards

**Rishi Bawa**  
**Environmental Health Officer**  
(work days - Thursday, Friday & alternate Wednesdays)



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[www.walsall.gov.uk](http://www.walsall.gov.uk)



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**Karen Price**

---

**From:** Gemma Fisher  
**Sent:** 11 October 2023 08:43  
**To:** Licensing  
**Subject:** Licence Application

Morning,

Trading Standards have no comments to make in relation to the application for Unique Bar and Grill, 77 Bradford Street, Walsall.

Kind regards

**Gemma Fisher**  
**Trading Standards Compliance Officer**  
Walsall Council

[www.walsall.gov.uk](http://www.walsall.gov.uk)



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## Karen Price

---

**From:** Walsall Licensing <H\_WALSALL\_LICENSING@westmidlands.police.uk>  
**Sent:** 18 October 2023 11:40  
**To:** Licensing; Walsall Licensing; [REDACTED] planningservices; Community Protection; Fire Safety Admin; Neil Aston-Baugh; Environmental Health; TradingStandards; [REDACTED] PHBusinessSupport  
**Cc:** uk  
**Subject:** RE: [External]: Unique Bar & Grill, 77 Bradford Street, Walsall, WS1 3QD  
**Categories:** Karen

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Further to the receipt of a Premise Licence application for 77 Bradford Street namely Unique Bar and Grill West Midlands Police strongly object to this application, therefore we are making representations as the following licensing objectives will be undermined:

Crime and Disorder  
Public Safety  
Public Nuisance  
Protection of Children from Harm

Although this application is in a company name the sole director Mr John Obumese is known to Police. He has a long offending history which includes relevant offences in accordance with the Licensing Act. These offences include assaulting police officers, drugs including possession with intent to supply, driving offences including failing to stop for police and possession of a bladed article. This continuous offending history and failure to uphold the law would undermine all 4 of the licensing objectives should this application be granted

Should this application proceed to a full hearing, full details of all the offences will be provided as additional evidence.

Kind regards

Jennifer

60384 Jennifer Mellor  
Walsall Licensing and Regulatory Services Officer  
Walsall Partnership Team, West Midlands Police



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---

**From:** Karen Price [REDACTED] **On Behalf Of** Licensing  
**Sent:** 28 September 2023 12:00 [Page 44 of 60](#)

**To:** Walsall Licensing <H\_WALSALL\_LICENSING@westmidlands.police.uk>; Namita Mistry  
<[REDACTED]> planningservices <planningservices@walsall.gov.uk>; Community Protection  
<CommunityProtection@walsall.gov.uk>; Fire Safety Admin <firesafety.admin@wmfs.net>; Neil Aston-Baugh  
<[REDACTED]> Environmental Health <EnvironmentalHealth@walsall.gov.uk>; TradingStandards  
<TradingStandards@walsall.gov.uk>; [REDACTED]; PHBusinessSupport  
<PHBusinessSupport@walsall.gov.uk>; alcohol@homeoffice.gov.uk  
**Subject:** [External]: Unique Bar & Grill, 77 Bradford Street, Walsall, WS1 3QD

**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.

Good afternoon all

Please find attached for consideration an application for the grant of a premises licence in respect of the above, should you have any concerns, please ensure they are received by this office, no later than the closing date of **25 October 2023**

Please note.. the attached application is not showing the signature of the Company Director John Obumese, this has not pulled through when saving the documents, however the original application submitted does show the applicant signature, should you require further clarification on this matter, please do not hesitate to contact me.

Please let me know if you require any further information and I will be pleased to assist.

Regards



Karen Price  
Licensing Officer  
Resilient Communities  
Economy Environment & Communities

[licensing@walsall.gov.uk](mailto:licensing@walsall.gov.uk)  
[www.walsall.gov.uk](http://www.walsall.gov.uk)



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## Karen Price

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**From:** Jennifer Mellor [REDACTED]  
**Sent:** 18 October 2023 12:45  
**To:** Licensing; Walsall Licensing; Namita Mistry; planning services; Community Protection; Fire Safety Admin; Neil Aston-Baugh; Environmental Health; Trading Standards; [REDACTED] PHBusinessSupport  
**Cc:** licensing@nationalcompliancetraining.co.uk  
**Subject:** FW: [External]: Unique Bar & Grill, 77 Bradford Street, Walsall, WS1 3QD

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Further to the police representations for Unique Bar and Grill we would like to include the following in our objection:

Bradford Street sits within the Cumulative Impact Policy (CIP). This CIP has been scrutinised and accepted by Walsall Council in September 2021 which West Midlands Police supported, we therefore believe the CIP to be proportionate, timely and evidenced based.

Under the Home Office Guidance, issued under section 182 of the Licensing Act 2003, the definition of Cumulative Impact is: Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area.

Therefore by allowing an additional licenced premise in an already concentrated area of such premises does have the potential to impact on crime and disorder. In relation to this application, if authorisation was granted we would have an additional venue in the CIP having the ability of alcohol sales of an evening which could impact on the night time economy. This area is a concern for West Midlands Police with extra measures being put in place over recent years to combat crime and disorder in the town centre. Again full details will be evidenced at a full hearing including crime data for this location.

Kind regards

Jennifer

60384 Jennifer Mellor  
Walsall Licensing and Regulatory Services Officer  
Walsall Partnership Team, West Midlands Police



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**From:** Jennifer Mellor  
**Sent:** 18 October 2023 11:46  
**To:** licensing@nationalcompliancetraining.co.uk

Page 47 of 60

Cc: Licensing <Licensing@walsall.gov.uk>

Subject: FW: [External]: Unique Bar & Grill, 77 Bradford Street, Walsall, WS1 3QD

Zoe

Further to my phone call to you this morning please find below WMP objection notice to your application for Unique Bar and Grill. My apologies, my first email was returned due to the incorrect email address being added.

Kind regards

Jennifer

60384 Jennifer Mellor  
Walsall Licensing and Regulatory Services Officer  
Walsall Partnership Team, West Midlands Police



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---

**From:** Walsall Licensing

**Sent:** 18 October 2023 11:40

**To:** Licensing <[Licensing@walsall.gov.uk](mailto:Licensing@walsall.gov.uk)>; Walsall Licensing <[H\\_WALSALL\\_LICENSEING@westmidlands.police.uk](mailto:H_WALSALL_LICENSEING@westmidlands.police.uk)>; Namita Mistry <[planningservices@walsall.gov.uk](mailto:planningservices@walsall.gov.uk)>; Community Protection <[CommunityProtection@walsall.gov.uk](mailto:CommunityProtection@walsall.gov.uk)>; Fire Safety Admin <[firesafety.admin@wmfs.net](mailto:firesafety.admin@wmfs.net)>; Neil Aston-Baugh <[EnvironmentalHealth@walsall.gov.uk](mailto:EnvironmentalHealth@walsall.gov.uk)>; TradingStandards <[TradingStandards@walsall.gov.uk](mailto:TradingStandards@walsall.gov.uk)>; PHBusinessSupport <[PHBusinessSupport@walsall.gov.uk](mailto:PHBusinessSupport@walsall.gov.uk)>

**Cc:** uk <[licensing@nationalcompliancetraining.co](mailto:licensing@nationalcompliancetraining.co)>

**Subject:** RE: [External]: Unique Bar & Grill, 77 Bradford Street, Walsall, WS1 3QD

Further to the receipt of a Premise Licence application for 77 Bradford Street namely Unique Bar and Grill West Midlands Police strongly object to this application, therefore we are making representations as the following licensing objectives will be undermined:

- Crime and Disorder
- Public Safety
- Public Nuisance
- Protection of Children from Harm

Although this application is in a company name the sole director is known to Police. He has a long offending history which includes relevant offences in accordance with the Licensing Act. These offences include assaulting police officers, drugs including possession with intent to supply, driving offences including failing to stop for police and possession of a bladed article. This continuous offending history and failure to uphold the law would undermine all 4 of the licensing objectives should this application be granted

Should this application proceed to a full hearing, full details of all the offences will be provided as additional evidence.

Kind regards

Jennifer



60384 Jennifer Mellor  
Walsall Licensing and Regulatory Services Officer  
Walsall Partnership Team, West Midlands Police



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---

**From:** Karen Price  **On Behalf Of** Licensing  
**Sent:** 28 September 2023 12:00  
**To:** Walsall Licensing <[H\\_WALSALL\\_LICENSEING@westmidlands.police.uk](mailto:H_WALSALL_LICENSEING@westmidlands.police.uk)>; Namita Mistry  
; planningservices <[planningservices@walsall.gov.uk](mailto:planningservices@walsall.gov.uk)>; Community Protection  
<[CommunityProtection@walsall.gov.uk](mailto:CommunityProtection@walsall.gov.uk)>; Fire Safety Admin <[firesafety.admin@wmfs.net](mailto:firesafety.admin@wmfs.net)>; Neil Aston-Baugh  
 Environmental Health <[EnvironmentalHealth@walsall.gov.uk](mailto:EnvironmentalHealth@walsall.gov.uk)>; TradingStandards  
<[TradingStandards@walsall.gov.uk](mailto:TradingStandards@walsall.gov.uk)>;  PHBusinessSupport  
<[PHBusinessSupport@walsall.gov.uk](mailto:PHBusinessSupport@walsall.gov.uk)>; [alcohol@homeoffice.gov.uk](mailto:alcohol@homeoffice.gov.uk)  
**Subject:** [External]: Unique Bar & Grill, 77 Bradford Street, Walsall, WS1 3QD

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Good afternoon all

Please find attached for consideration an application for the grant of a premises licence in respect of the above, should you have any concerns, please ensure they are received by this office, no later than the closing date of **25 October 2023**

Please note.. the attached application is not showing the signature of the Company Director John Obumese, this has not pulled through when saving the documents, however the original application submitted does show the applicant signature, should you require further clarification on this matter, please do not hesitate to contact me.

Please let me know if you require any further information and I will be pleased to assist.

Regards



Karen Price  
Licensing Officer  
Resilient Communities  
Economy Environment & Communities

[licensing@walsall.gov.uk](mailto:licensing@walsall.gov.uk)  
[www.walsall.gov.uk](http://www.walsall.gov.uk)



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**Karen Price**

---

**From:** Neil Aston-Baugh [REDACTED]  
**Sent:** 20 October 2023 14:58  
**To:** Licensing  
**Cc:** licensing@nationalcompliancetraining.co.uk; [REDACTED]  
**Subject:** Fire Authority representation to a premises licence application

**Categories:** Karen

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**LICENSING ACT 2003**

**NAME OF PREMISES: Unique Bar & Grill**  
**ADDRESS: 77 Bradford Street Walsall WS1 3QD**

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 negatively affect the Licensing Objective of Public Safety.

- The emergency lighting system was faulty and needs upgrading.
- A number of smoke detectors were covered and it could not be confirmed if the system is working suitably.
- There was no suitable fire risk assessment carried out.
- Staff had not received any suitable fire safety training.

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

The Fire Authority will not reconsider its representation until it has been provided with evidence that the following has been addressed:

- **The emergency lighting system should be upgraded to include a maintained illuminated unit within the passageway at the rear.**
  - **The emergency lighting system should be serviced by a competent engineer in accordance with BS5266-1 and a copy of a suitable certificate should be sent to the Fire Authority.**
  - **A recent copy of the fire alarm certificate for the building, demonstrating it is working efficiently and effectively in compliance with BS5839-1 (or equivalent). should be sent to the Fire Authority.**
  - **Evidence that staff have received suitable training on what to do in the event of hearing the fire alarm and what to do upon discovering a fire, should be sent to the Fire Authority**
  - **Evidence that a suitable fire risk assessment has been carried out should be sent to the Fire Authority.**
- Should you require any further information or clarification, please do not hesitate to contact me.

*Regards*

Page 51 of 60

*Neil Aston-Baugh*

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



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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West Midlands Fire Service

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OFFICIAL

## Karen Price

---

**From:** Theo Grace  
**Sent:** 24 October 2023 09:37  
**To:** Karen Price  
**Cc:** PHBusinessSupport; Licensing  
**Subject:** RE: Unique Bar & Grill, 77 Bradford Street, Walsall, WS1 3QD

Hi Karen,

Walsall Public Health would like to make representation objecting to this application.

We believe licencing this premises conflicts with all 4 licencing objectives of - the prevention of crime and disorder; the prevention of public nuisance; the protection of children from harm; and public safety.

The application proposes a further licenced property within the existing cumulative impact area. Despite this and detail within both the Cumulative Impact Policy and the Statement of the Licencing Policy the applicant has failed to provide any evidence that they will not contribute to the cumulative impact within Walsall WS1. Within the application there are causes for concern with regards to the licencing objectives, there is a clause stipulating that alcoholic beverage may be taken off premises if they are in sealed containers, and there are no apparent references towards managing responsible drinking. There is a clear risk of both Crime and Disorder through increased drinking within this area in Walsall, as well as of public nuisance. While this application proposes the presence of posters and cameras as the primary means of addressing these risks, we believe these measures fail to meet the necessary standard to address the risk to licencing objectives for Crime and Disorder, Public Safety, Public Nuisance, and potentially the objective for Protection of Children from Harm.

The location is directly next door to an off-licence as well as within 10 minutes' walk of multiple licenced venues. This area is a saturated market which, as detailed within the cumulative impact assessment, contributes to violence, crime, disorder, and public nuisance. This is an area known for knife crime, and the subject of the application is less than 100m from premises where knife violence was reported as the basis for licence removal only a few months ago. We raise concern about this application with regard to additional cumulative impact in this area.

Many thanks,  
Theo

**Theo Grace (He/Him)**  
Senior Public Health Development Manager for Inequalities

---

**From:** Kulvinder Kaur [redacted] **On Behalf Of** PHBusinessSupport  
**Sent:** Monday, October 2, 2023 9:33 AM  
**To:** Theo Grace [redacted]  
**Subject:** FW: Unique Bar & Grill, 77 Bradford Street, Walsall, WS1 3QD

Good morning Theo

Please see attached application and supporting docs for review and comment. Please provide your response directly to Licensing and CC PHBusinessSupport by 25 October 2023.

Kindest regards

**Kulvinder Kaur**  
PA to Nadia Inglis, Interim Director of Public Health

**PA to Shaun Darcy, Director of Finance, Corporate Landlord and Performance**

Walsall Council



**From:** Karen Price <[redacted]> **On Behalf Of** Licensing  
**Sent:** Thursday, September 28, 2023 12:00 PM  
**To:** Walsall Licensing <[H\\_WALSALL\\_LICENSING@west-midlands.pnn.police.uk](mailto:H_WALSALL_LICENSING@west-midlands.pnn.police.uk)>; Namita Mistry <[redacted]> planningservices <[planningservices@walsall.gov.uk](mailto:planningservices@walsall.gov.uk)>; Community Protection <[CommunityProtection@walsall.gov.uk](mailto:CommunityProtection@walsall.gov.uk)>; Fire Safety Admin <[redacted]> Neil Aston-Baugh <[redacted]> Environmental Health <[EnvironmentalHealth@walsall.gov.uk](mailto:EnvironmentalHealth@walsall.gov.uk)>; TradingStandards <[TradingStandards@walsall.gov.uk](mailto:TradingStandards@walsall.gov.uk)>; <[redacted]> PHBusinessSupport <[PHBusinessSupport@walsall.gov.uk](mailto:PHBusinessSupport@walsall.gov.uk)>; [alcohol@homeoffice.gov.uk](mailto:alcohol@homeoffice.gov.uk)  
**Subject:** Unique Bar & Grill, 77 Bradford Street, Walsall, WS1 3QD

Good afternoon all

Please find attached for consideration an application for the grant of a premises licence in respect of the above, should you have any concerns, please ensure they are received by this office, no later than the closing date of **25 October 2023**

Please note.. the attached application is not showing the signature of the Company Director John Obumese, this has not pulled through when saving the documents, however the original application submitted does show the applicant signature, should you require further clarification on this matter, please do not hesitate to contact me.

Please let me know if you require any further information and I will be pleased to assist.

Regards



Karen Price  
Licensing Officer  
Resilient Communities  
Economy Environment & Communities

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## **Licensing Act 2003**

### **Relevant Offences - Determining Personal Licences**

1. An offence under the Licensing Act 2003.
2. An offence under any of the following enactments—
  - (a) Schedule 12 to the London Government Act 1963 (public entertainment licensing);
  - (b) the Licensing Act 1964;
  - (c) the Private Places of Entertainment (Licensing) Act 1967;
  - (d) section 13 of the Theatres Act 1968;
  - (e) the Late Night Refreshment Houses Act 1969;
  - (f) section 6 of, or Schedule 1 to, the Local Government (Miscellaneous Provisions) Act 1982;
  - (g) the Licensing (Occasional Permissions) Act 1983;
  - (h) the Cinemas Act 1985;
  - (i) the London Local Authorities Act 1990.
3. An offence under the Firearms Act 1968.
4. An offence under section 1 of the Trade Descriptions Act 1968 (false trade description of goods) in circumstances where the goods in question are or include alcohol.
5. An offence under any of the following provisions of the Theft Act 1968 —
  - (a) section 1 (theft);
  - (b) section 8 (robbery);
  - (c) section 9 (burglary);
  - (d) section 10 (aggravated burglary);
  - (e) section 11 (removal of articles from places open to the public);
  - (f) section 12A (aggravated vehicle-taking), in circumstances where subsection (2)(b) of that section applies and the accident caused the death of any person;
  - (g) section 13 (abstracting of electricity);
  - (h) section 15 (obtaining property by deception);
  - (i) section 15A (obtaining a money transfer by deception);
  - (j) section 16 (obtaining pecuniary advantage by deception);
  - (k) section 17 (false accounting);
  - (l) section 19 (false statements by company directors etc.);
  - (m) section 20 (suppression, etc. of documents);
  - (n) section 21 (blackmail);
  - (o) section 22 (handling stolen goods);
  - (p) section 24A (dishonestly retaining a wrongful credit);
  - (q) section 25 (going equipped for stealing etc.).

6. An offence under section 7(2) of the Gaming Act 1968 (allowing child to take part in gaming on premises licensed for the sale of alcohol).
7. An offence under any of the following provisions of the Misuse of Drugs Act 1971
  - (a) section 4(2)(production of a controlled drug);
  - (b) section 4(3)(supply of a controlled drug);
  - (c) section 5(3)(possession of a controlled drug with intent to supply);
  - (d) section 8 (permitting activities to take place on premises).
8. An offence under either of the following provisions of the Theft Act 1978
  - (a) section 1 (obtaining services by deception);
  - (b) section 2 (evasion of liability by deception).
9. An offence under either of the following provisions of the Customs and Excise Management Act 1979 —
  - (a) section 170 (disregarding subsection (1)(a))(fraudulent evasion of duty etc.);
  - (b) section 170B (taking preparatory steps for evasion of duty).
10. An offence under either of the following provisions of the Tobacco Products Duty Act 1979 —
  - (a) section 8G (possession and sale of unmarked tobacco);
  - (b) section 8H (use of premises for sale of unmarked tobacco).
11. An offence under the Forgery and Counterfeiting Act 1981 (other than an offence under section 18 or 19 of that Act).
12. An offence under the Firearms (Amendment) Act 1988.
13. An offence under any of the following provisions of the Copyright, Designs and Patents Act 1988 —
  - (a) section 107(1)(d)(iii)(public exhibition in the course of a business of article infringing copyright);
  - (b) section 107(3)(infringement of copyright by public performance of work etc.);
  - (c) section 198(2)(broadcast etc. of recording of performance made without sufficient consent);
  - (d) section 297(1)(fraudulent reception of transmission);
  - (e) section 297A(1)(supply etc. of unauthorised decoder).
14. An offence under any of the following provisions of the Road Traffic Act 1988
  - (a) section 3A (causing death by careless driving while under the influence of drink or drugs);
  - (b) section 4 (driving etc. a vehicle when under the influence of drink or drugs);
  - (c) section 5 (driving etc. a vehicle with alcohol concentration above prescribed limit);
  - (d) section 6(6) (failing to co-operate with a preliminary test).

15. An offence under either of the following provisions of the Food Safety Act 1990 in circumstances where the food in question is or includes alcohol—
- (a) section 14 (selling food or drink not of the nature, substance or quality demanded);
  - (b) section 15 (falsely describing or presenting food or drink).
16. An offence under section 92(1) or (2) of the Trade Marks Act 1994 (unauthorised use of trade mark, etc. in relation to goods) in circumstances where the goods in question are or include alcohol.
17. An offence under the Firearms (Amendment) Act 1997.
18. A sexual offence, being an offence —
- (a) listed in Part 2 of Schedule 15 to the Criminal Justice Act 2003, other than the offence mentioned in paragraph 95 (an offence under section 4 of the Sexual Offences Act 1967 (procuring others to commit homosexual acts));
  - (b) an offence under section 8 of the Sexual Offences Act 1956 (intercourse with a defective);
  - (c) an offence under section 18 of the Sexual Offences Act 1956 (fraudulent abduction of an heiress).
19. A violent offence, being any offence which leads, or is intended or likely to lead, to a person's death or to physical injury to a person, including an offence which is required to be charged as arson (whether or not it would otherwise fall within this definition).
20. An offence under section 3 of the Private Security Industry Act 2001 (engaging in certain activities relating to security without a licence).
21. An offence under section 46 of the Gambling Act 2005 if the child or young person was invited, caused or permitted to gamble on premises in respect of which a premises licence under this Act had effect.
22. An offence under the Fraud Act 2006.
23. An offence under regulation 6 of the Business Protection from Misleading Marketing Regulations 2008 (offence of misleading advertising) in circumstances where the advertising in question relates to alcohol or to goods that include alcohol.
24. An offence under regulation 8, 9, 10, 11 or 12 of the Consumer Protection from Unfair Trading Regulations 2008 (offences relating to unfair commercial practices) in circumstances where the commercial practice in question is directly connected with the promotion, sale or supply of alcohol or of a product that includes alcohol.
25. An offence under section 1 of the Criminal Attempts Act 1981 of attempting to commit an offence that is a relevant offence.
26. An offence under section 1 of the Criminal Law Act 1977 of conspiracy to commit an offence that is a relevant offence.

27. The offence at common law of conspiracy to defraud.

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