



Walsall Council

Licensing Sub-Committee

Wednesday 5 February 2025 at 10:30am

Conference Room 2 at the Council House, Lichfield Street, Walsall

Membership:

Councillor S. Samra
Councillor S. Cooper
Councillor *to be confirmed*
Councillor *to be confirmed (reserve)*

Quorum:

Three Members

Democratic Services, The Council House, Walsall, WS1 1TW
Contact name: Jack Thompson Telephone: 01922 654196 Email: jack.thompson@walsall.gov.uk
[Walsall Council Website](http://www.walsall.gov.uk)

**If you are disabled and require help to and from the meeting room,
please contact the person above**

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</p>

	hundredth of the total issued share capital of that class.
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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.

Part 1 – Public Session

- 1.** Appointment of the Chair
- 2.** Apologies
- 3.** Substitutions
To receive notice of any substitutions for a Member of the Committee for the duration of the meeting.
- 4.** Declarations of Interest
- 5.** Local Government (Access to Information) Act, 1985 (as amended):
To agree that the public be excluded from the private session during consideration of the agenda items indicated for the reasons shown on the agenda.
- 6.** Application for a new Premises License under Section 17 of The Licensing Act 2003 for Burger King, The Keyway Retail Park, Willenhall, WV13 2QU
(Pages 1 - 36)



REPORT OF THE DIRECTOR OF RESILIENT COMMUNITIES TO THE

LICENSING SUB – COMMITTEE

WEDNESDAY 5 FEBRUARY 2025

APPLICATION FOR A NEW PREMISES LICENCE

UNDER SECTION 17 OF THE LICENSING ACT 2003

**Burger King
The Keyway Retail Park
Willenhall
WV13 2QU**

1. Summary of Report

- 1.1 The purpose of this report is for the Licensing and Safety Sub-Committee to determine an application for a new premises licence in respect of The Burger King, The Keyway Retail Park, Willenhall, WV13 2QU. The premises is described as a high-quality, great-tasting, and affordable food premises serving hot food and drinks on & off the premises.
- 1.2 The application was made under section 17 of the Licensing Act 2003 and is due to be determined under section 18.
- 1.3 The application was submitted by Poppleston Allen Solicitors on behalf of BKUK Group Ltd (applicant).
- 1.4 During the consultation period the Council received one relevant representation from Walsall Public Health.

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. The application for a premises licence, attached as **Appendix 1**, was received by the licensing authority on 26 November 2024.

- 3.2. A summary of the licensable activities and times applied for is provided in the table below:

Licensable Activities/ Opening Hours	Days	From	To
Late Night Refreshment (Indoors & Outdoors)	Monday to Sunday (inclusive)	23:00	05:00
Hours open to public	Monday to Sunday (inclusive)	00:00	00:00

- 3.3. Location plans are 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:
- 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 **24 December 2024**.
 - 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
 - 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 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 Representations/Responses from Responsible Authorities

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

Walsall Council Trading Standards

On 28 November 2024 Trading Standards confirmed that they had no issues/comments to make in respect of the application. The email response is attached as **Appendix 3**.

West Midlands Police

On 29 November 2024, the Police Licensing Officer confirmed that West Midlands Police had no representations to make to the application. A copy of the mediation email response is attached as **Appendix 4**.

Walsall Council Community Protection (as Noise Pollution)

On the 2 December 2024 Community Protection (Noise Pollution team) a responsible authority, confirmed that they have no comments/concerns regarding the application. A copy of the email is attached as **Appendix 5**.

Walsall Council Public Health

On the 17 December 2024 Public Health Walsall responded to the application informing the Licensing Authority that they are objecting to the grant of the licence. A copy of the email is attached as **Appendix 6**.

Other responsible authorities

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

4.1. Representations from ‘other persons’

4.2 No representations received from other Persons

5. Cumulative Impact Policy

5.1. The premises does not fall under a Cumulative Impact Policy.

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

- 6.1. Please click this link to access Walsall Council's Statement of Licensing Policy or copy the URL address into a search bar: [Statement of licensing policy | Walsall Council](#)

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. The Licensing Sub Committee may grant the application as requested, grant with additional/modified conditions attached to the premises licence or reject the application.
- 9.15. 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:**

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 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 Trading Standards
Appendix 4 – West Midlands Police Response
Appendix 5 – Response from Community Protection
Appendix 6 – Representation from Public Health

18. **Contact Officer**

Muhammed Sayful Alom, Licensing Team Leader –
Licensing@walsall.gov.uk

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

We BKUK Group Ltd

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Burger King The Keyway Retail Park			
Post town	Willenhall	Post code	WV13 2QU

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£86,500

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick yes

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> | please complete section (B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |

- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of Birth old or over			I am 18 years <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of Birth old or over			I am 18 years <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					

Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)			

(B) OTHER APPLICANTS

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

Name BKUK Group Ltd
Address 5 New Street Square London EC4A 3TW
Registered number (where applicable) 10980808
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	
A	S	A	P		

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

Day		Month		Year	

A

Please give a general description of the premises (please read guidance note1)

Burger King is known for serving high-quality, great-tasting, and affordable food. Founded in 1954, Burger King is the second largest fast food hamburger chain in the world. The commitment to premium ingredients, signature recipes, and family-friendly dining experiences is what has defined the brand for more than 50 successful years.

Licence to start upon grant.

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

N/A

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A) ☐
- b) films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☐
- f) recorded music (if ticking yes, fill in box F) ☐
- g) performances of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

Provision of late night refreshment (if ticking yes, fill in box I)

☒

Supply of alcohol (if ticking yes, fill in box J)

☐

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	23:00	05:00	<u>Please give further details here</u> (please read guidance note 4) Hot food and hot drinks served		
Tue	23:00	05:00			
Wed	23:00	05:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	05:00			
Fri	23:00	05:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	23:00	05:00			
Sun	23:00	05:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 8)		On the premises	<input type="checkbox"/>
					Off the premises	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 5)			
Tue						
Wed						
Thur			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)			
Fri						
Sat						
Sun						

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

Name N/A	
Date of birth N/A	
Address N/A	
Postcode	N/A
Personal Licence number (if known) N/A	
Issuing licensing authority (if known) N/A	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)
None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) 24 hours opening Please see the attached condition list.
Day	Start	Finish	
Mon	00:00	00:00	
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

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

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

Please see the attached condition list.

b) The prevention of crime and disorder

Please see the attached condition list.

c) Public safety

Please see the attached condition list.

d) The prevention of public nuisance

Please see the attached condition list.

e) The protection of children from harm

Please see the attached condition list.

Please tick yes


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

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.



Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15) The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	26/11/2024
Capacity	Poppleston Allen – Solicitors for and on behalf of the applicant

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional) 			

Notes for Guidance

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

and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

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

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

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

Applicants must demonstrate that they have 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 which an applicant may provide to demonstrate their entitlement to work in the UK (which do not need to be certified) that are published on GOV.UK and in guidance issued under section 182 of the Licensing Act 2003.
2. by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below)

Home Office online right to work checking service

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

To demonstrate their right to work via the Home Office online right to work check 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 copies of documents as set out above.

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

Burger King – Premises Licence Conditions.

1. A CCTV system shall be installed at the premises. a. CCTV shall be maintained in good order and recordings shall be retained for at least 31 days.

b. The correct time and date will be generated onto both the recording and the real-time image screen

c. The footage will be made available for inspection by authorised officers of the Licensing Authority and the Police upon request.

d. There shall be signs displayed in the customer area to advise that CCTV is in operation.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

3. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

4. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

5. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received concerning crime and disorder

(d) any incidents of disorder

(e) all seizures of drugs or offensive weapons

(f) any faults in the CCTV system, searching equipment or scanning equipment

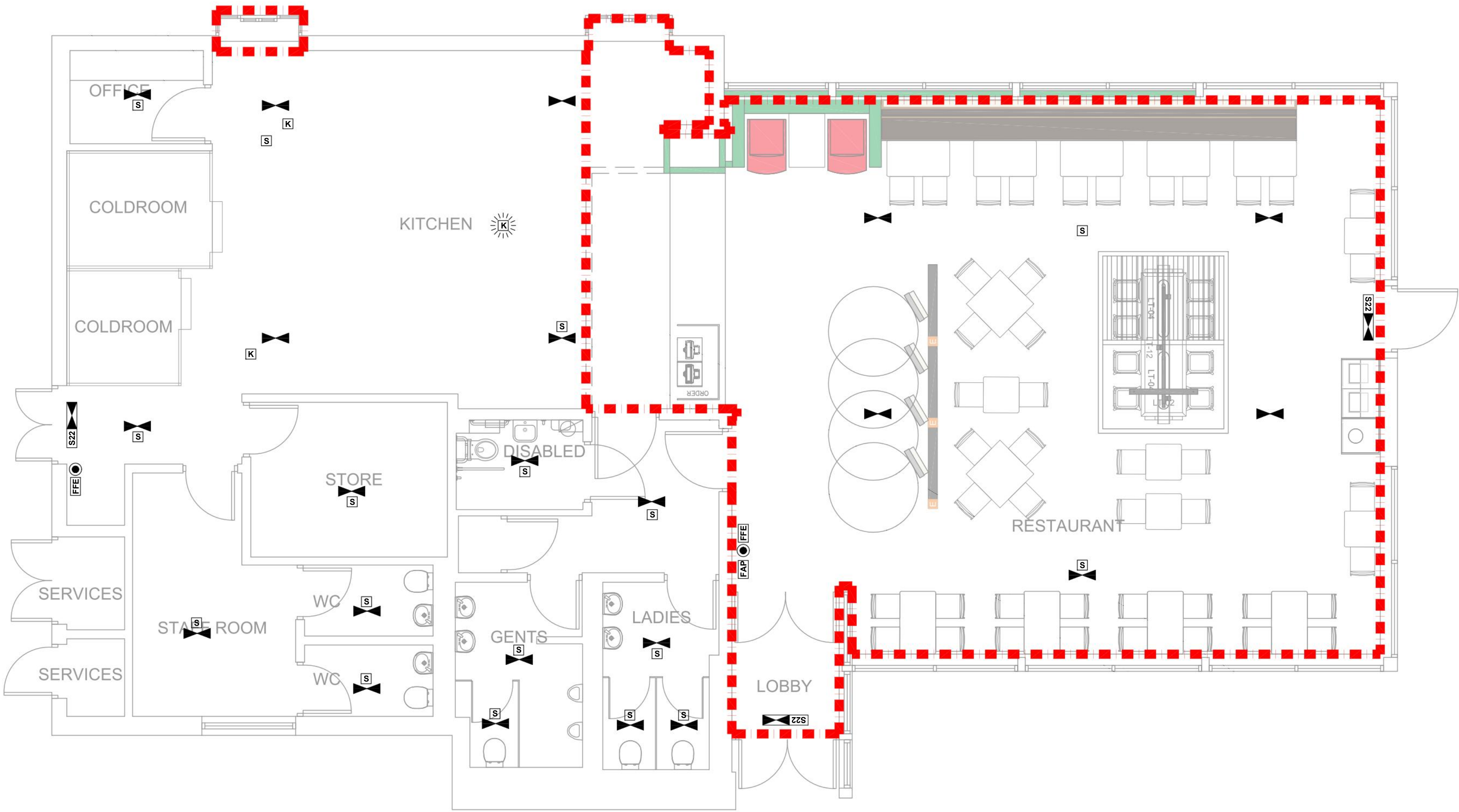
(g) any visit by a relevant authority or emergency service.

6. The Premises Licence Holder or nominated person shall ensure that all relevant members of staff receive training in their responsibilities under the Licensing Act 2003. Such training shall be documented, and records made available upon request from the Police or an authorised officer of the Licensing Authority.

7. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

8. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

9. The sales of hot food & drink are to be via the drive-thru facility only from 23:00 and the internal restaurant will be closed from this time.



LEGEND:
■ ■ ■ DENOTES AREA FOR LICENSABLE ACTIVITIES

EMERGENCY LIGHTING SYSTEM
An independant self-contained non-maintained sytem, type XOA180, will be installed in accordance with BS 5266-1:2005, Emergency Lighting - Part 1 : Code of Practice for Emergency Lighting of premises other than cinemas and certain other specified premises for entertainment, and BS EN 50172 : 2004, BS 5266-8 : 2004 Lighting Applications - Emergency Lighting. Luminaires will be located in the apprxiamate positions imdicated on this drawing. All signs and notices will comply with BS 5499 : Part 1 - Fire Safety Notices and Graphic Symbols.

- 3 hr maintained exit legend
- 3 hr maintained exit light & legend
- 3 hr non-maintained light
- 3 hr maintained external light
- 3 hr non-maintained flood light
- Fire fighting equipment

FIRE ALARM SYSTEM
A Fire Alarm system will be installed to BS 5839 : Part 1, 2002 Code of Practice for system design, installation, commissioning and maintenance, comprising of devices as indicated. The system category to be a L4 system.

- Fire Alarm Panel
- Magnetic Door Hold
- Manual Call Point
- Heat Detector
- Smoke Detector
- Indicator For Void detector
- Indicates Void Detector
- Sounder
- Xenon Beacon
- Sounder Base
- Interface

The location and type of any fire safety and any other safety equipment is shown as at present, this may be varied at time to time with agreement of the fire officer or after a fire risk assessment.

All fire safety equipment drawn indicatively & subject to confirmation by fitout contractor.

Anything shown on this plan which is not required by the plan regulations is for illustrative purposes only, and does not form part of the premises licence.



15 HALFORD STREET,
LEICESTER
LE1 1JA

t: (0)20 8446 0500
e: info@brownstudio.co.uk
w: www.brownstudio.co.uk

Project:
**BURGER KING
LICENSING PACK**

Client:
BURGER KING, UK

ADDRESS:
RETAIL PARK, THE KEYWAY,
ARMSTRONG WAY, WILLENHALL, WV13
2PZ

Drawing Title:
PROPOSED GENERAL ARRANGEMENT PLAN

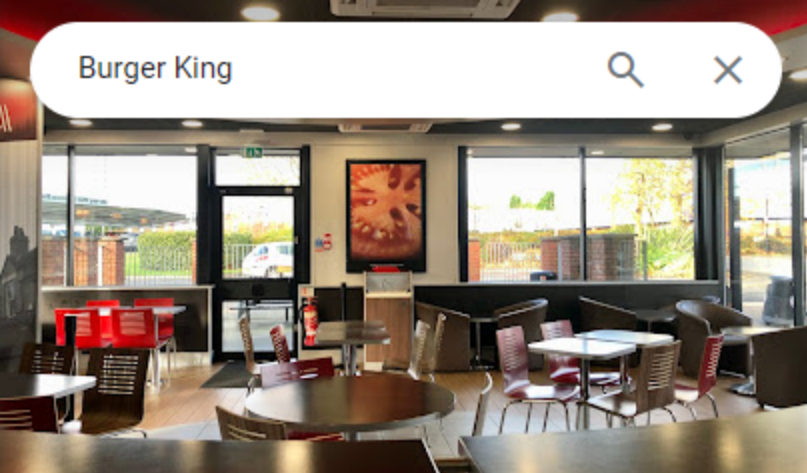
Drawing No: G100

Job No:1710	Status:L1	Date:25.11.24
Scale: 1: 50@A1	Drawn:SA	Checked:CB

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ALL M&E SERVICES TO BE CONFIRMED

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Burger King

3.6 ★★★★★ (1,645) ⓘ · £10–20
Restaurant · 🚗

Overview

Reviews

About



Directions



Save



Nearby



Send to
phone



Share

ORDER ONLINE

Well-known fast-food chain serving grilled burgers, fries & shakes.

- ✓ Dine-in · ✓ Drive-through
- ✓ No-contact delivery

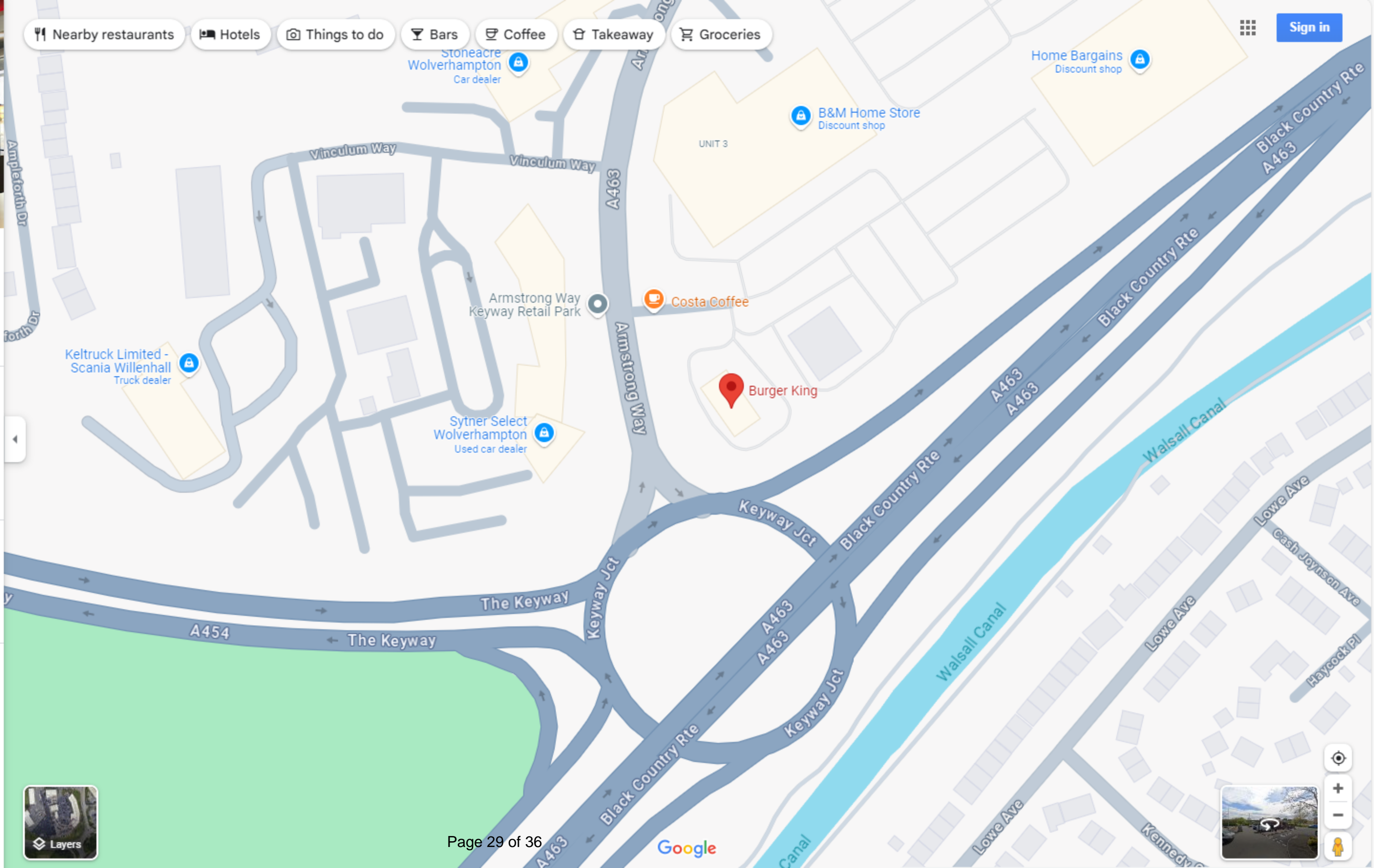
📍 The Keyway Retail Park, Armstrong Way, Willenhall WV13 2PZ

Located in: Keyway Retail Park

🕒 Open · Closes 11 pm ▾

👁️ £10–20 per person
Reported by 209 people ▾

🍴 Menu



Andrew Eardley

From: Rapinder Kaur Kler on behalf of Licensing
Sent: 28 November 2024 17:16
To: Andrew Eardley
Subject: FW: Burger King

From: Gemma Fisher
Sent: 28 November 2024 16:38
To: Licensing <Licensing@walsall.gov.uk>
Subject: Burger King

Good afternoon,

Trading Standards have no issues with the application for Burger King, Armstrong Way, Wednesbury.

Kind regards

Gemma Fisher
Trading Standards Compliance Officer
Walsall Council

www.walsall.gov.uk



Walsall Council

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Andrew Eardley

From: Rebecca Dangor on behalf of Licensing
Sent: 29 November 2024 15:49
To: Andrew Eardley
Subject: FW: [External]: Consultation for New Premises licence - Burger King, The Keyway Retail Park, Willenhall. WV13 2QU

From: Walsall Licensing <H_WALSALL_LICENSING@westmidlands.police.uk>
Sent: 29 November 2024 15:46
To: Licensing <Licensing@walsall.gov.uk>; alcohol@homeoffice.gov.uk; Walsall Licensing <H_WALSALL_LICENSING@westmidlands.police.uk>; firesafety.admin@wmfs.net; Neil Aston-Baugh Community Protection <CommunityProtection@walsall.gov.uk>; TradingStandards <TradingStandards@walsall.gov.uk>; Environmental Health <EnvironmentalHealth@walsall.gov.uk>; Namita Mistry ; public.health@walsall.gov.uk; planningservices <planningservices@walsall.gov.uk>; PHBusinessSupport <PHBusinessSupport@walsall.gov.uk>
Cc: Sarah Heath; Gemma Fisher
Subject: RE: [External]: Consultation for New Premises licence - Burger King, The Keyway Retail Park, Willenhall. WV13 2QU

CAUTION: STOP and THINK - This email originated from outside of the council. If it looks suspicious it probably is and YOU SHOULD NEVER enter your council username and password into an external link or open files attached to a suspicious email.

Good Afternoon,

Following enquiries, West Midlands Police have no objections to make in relation to the attached new premise licence for Burger King, The Keyway.

Regards and thanks

Liz

Liz Cope
Licensing Officer
Walsall LPA
West Midlands Police

M:
W: [Working in partnership, making communities safer](#)



Andrew Eardley

From: Rapinder Kaur Kler on behalf of Licensing
Sent: 02 December 2024 16:46
To: Andrew Eardley
Subject: FW: Consultation for New Premises licence - Burger King, The Keyway Retail Park, Willenhall. WV13 2QU

From: Sarah Heath
Sent: 02 December 2024 16:30
To: Licensing <Licensing@walsall.gov.uk>; alcohol@homeoffice.gov.uk; Walsall Licensing <H_WALSALL_LICENSING@westmidlands.police.uk>; firesafety.admin@wmfs.net; Neil Aston-Baugh; Community Protection <CommunityProtection@walsall.gov.uk>; TradingStandards <TradingStandards@walsall.gov.uk>; Environmental Health <EnvironmentalHealth@walsall.gov.uk>; Namita Mistry; public.health@walsall.gov.uk; planningsservices <planningsservices@walsall.gov.uk>; PHBusinessSupport <PHBusinessSupport@walsall.gov.uk>
Subject: RE: Consultation for New Premises licence - Burger King, The Keyway Retail Park, Willenhall. WV13 2QU

Hi

After checking our systems I can advise that there have not been any recent complaints received against this premises

Therefore there are no comments/concerns in regards to this application from the community protection team the conditions they have offered in terms of public nuisance are proportionate and appropriate in light of the type of premises this is for.

Kind Regards

Sarah Heath

Sarah Heath-Marshall ICA QA(RCO)
Interim Community Protection Team Leader
Walsall Council

sarah.heath@walsall.gov.uk



Walsall Council

PROUD OF OUR PAST, OUR PRESENT AND FOR OUR FUTURE

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Andrew Eardley

From: Hollie-Mae Janes
Sent: 17 December 2024 10:52
To: Licensing
Cc: PHBusinessSupport; Andrew Eardley
Subject: RE: Consultation for New Premises licence - Burger King, The Keyway Retail Park, Willenhall. WV13 2QU
Attachments: Burger King WV13 2QU.pdf

Hi Licensing,

Please find attached our representation regarding the premises below.

Best wishes,

Hollie

Hollie-Mae Janes (she/her)

Wider-Determinants Lead
Public Health Development Officer

Walsall Council
www.walsall.gov.uk

I work flexibly. It suits me to email you at this time, but I don't expect a reply outside of your working hours.



Walsall Council

PROUD OF OUR PAST, OUR PRESENT AND FOR OUR FUTURE

From: Kulvinder Kaur; **On Behalf Of** PHBusinessSupport
Sent: 27 November 2024 11:31
To: Angela Aitken
Cc: Hollie-Mae Janes
Subject: FW: Consultation for New Premises licence - Burger King, The Keyway Retail Park, Willenhall. WV13 2QU

Hi Angela

Please find attached documents for your review and comment. Please respond directly to Licencing (cc PHBusinessSupport) by 24 December 2024.

Kindest regards

Representation regarding Burger King, Keyway Retail Park, Willenhall (WV13 2QU)

Walsall Public Health object to Burger King at Willenhall increasing their opening hours from 11pm – 5am. This increases the restaurants opening hours by 6hrs, meaning the restaurant is open 24hrs a day.

Public Health will be objecting to the proposal due to the following licensing objectives not being met, despite the conditions that Burger King outline in their proposal;

- Protecting children from harm
 - Health
- Preventing public safety
 - Air pollution
- Preventing public nuisance
 - Noise pollution

Protecting children from harm

What we eat has become one of the biggest risk factors for preventable disease and early death.

In Walsall, 41.6% of children in year 6 are living with overweight or obesity – Walsall is one of the worst areas for childhood obesity in England ¹. The prevalence of obesity and dietary related ill-health increases throughout the life course, with over two-thirds of adults living with excess weight or obesity ¹.

Burger King proposing to increase their late-night opening hours impacts the children in the borough. This means children and young people can access the Burger King at all times of day. It could be argued that children and young people will not use the Burger King between 11pm and 5am, however, even if it was only adults accessing the Burger King, studies have shown that if adults are living with overweight and obesity, their children are more likely to be living with overweight and obesity too– therefore the cycle continues ². Studies show that children and young people learn from the habits of their parents.

Earlier in the year, The Advertising Standards Agency (ASA) banned Burger King from promoting an email campaign as it was targeting under 16s ³. Whilst this does not relate to this proposal to increase their opening hours, it does highlight that the brand do not have the health of our children and young people as a priority.

The health of our young people is paramount if we want to build a strong local economy.

Dietary related ill-health including obesity costs the NHS in Walsall over £82 million per year ⁴. It is estimated that obesity-related illness will result in over 43,000 working days, £14.5 million in lost earnings and a £40m loss to the wider economy in Walsall ⁴. Our residents need to be fit and healthy and free of dietary related ill-health if we want our communities to flourish. This starts from childhood.

The places where we buy food that's already prepared or cooked plays a significant role in our health.

Evidence found that in England ⁵;

- Two-thirds of meals purchased outside of the home exceed the recommended daily intake for a meal (600 calories). The study also found that 30% of fast-food meals are over half a person's recommended daily intake. Whilst fast food chains do technically offer a few healthy options on their menu, Burger King is not synonymous with healthy food – it's famous for burgers and foods that have been proven to be high in fat sugar and salt (HFSS). Evidence also shows that fast food outlets disproportionately advertise and promote HFSS offerings, not their healthier alternatives ⁸.
- 60% of the population buy food out-of-home at least once a week; a small proportion of the population (11%) uses it, on average, at least once a day. A drive thru will make Burger King even more accessible for our residents, including children.
- On average, people living with excess weight purchase more calories from out of home fast food outlets.
- Approximately 75% of the calories purchased from fast food outlets were ordered in-person.

It has been proven that reducing the number of fast-food outlets in an area has a positive impact on dietary related ill-health

In Gateshead, a policy was developed to reduce the proliferation of fast-food outlets ⁹. Research led by Lancaster University has shown that efforts to restrict new fast-food outlets has been associated with fewer overweight children in the borough ⁹. When researchers looked at neighbourhood deprivation, they found that in those areas with the highest proportion of fast-food outlets, there was a statistically significant reduction in the prevalence of childhood overweight and obesity in comparison with corresponding neighbourhoods ⁹.

Burger King extending their opening hours is not promoting/protecting the health and wellbeing of the children in the borough, which does not meet the licensing objective to 'protect children from harms'. In addition, the proposal does not meet the aims of Walsall 2040 which will enable our residents to thrive and be happy, be healthy and well, and prosper.

Preventing public safety

Air quality

Reducing air pollution is important for the health of our residents, including vulnerable groups and the borough's children.

The postcode of the Burger King (WV13 2QU) already exceeds two World Health Organisation (WHO) limits, and Burger King becoming a 24/7 venue would only increase the number of cars on the road and cars idling at the drive thru. Whilst the WHO limits are guidelines and not statutory, PM2.5 PM10 and NO² in our atmosphere has been proven to contribute to ill-health. Therefore, we need to reduce the presence of these into our environment to improve air quality.

Preventing public nuisance

Noise pollution

Burger King have stated in their application that there will 'No noise generated on the premises, or by its associated plant or equipment', yet this is not backed up by evidence. No independent noise assessment has been completed.

References

1. [Fingertips | Department of Health and Social Care](#)
2. [Global relationship between parent and child obesity: a systematic review and meta-analysis - PMC](#)
3. [BKUK Group Ltd - ASA | CAP](#)
4. [06.01-Obesity.pdf](#)
5. [How eating out contributes to our diets | Nesta](#)
6. [Friends of the Earth | Home](#)
7. [Health matters: air pollution - GOV.UK](#)
8. [The Broken Plate 2021 | Food Foundation](#)
9. Lancaster University. "How limiting new fast-food outlets may reduce childhood obesity." ScienceDaily. ScienceDaily, 23 October 2024. <www.sciencedaily.com/releases/2024/10/241023131354.htm>