

# Agenda

## Licensing Sub Committee 1

**Tuesday 30 January 2024 at 11.00 am**  
**in Committee Room 1, Sandwell Council House, Oldbury**

- |          |   |                 |
|----------|---|-----------------|
| <b>1</b> | <b>Apologies for Absence</b>  | <b>5 - 6</b>    |
|          | To receive any apologies for absence.   |                 |
| <b>2</b> | <b>Declarations of Interest</b>   | <b>7 - 8</b>    |
|          | Members to declare any interests in matters to be discussed at the meeting.   |                 |
| <b>3</b> | <b>Application for the grant of a New Premises Licence at Club Ochio Rios, 198 Dudley Port, Tipton, DY4 7RG</b>                       | <b>9 - 84</b>   |
|          | To consider the Application for the grant of a New Premises Licence at Club Ochio Rios, 198 Dudley Port, Tipton, DY4 7RG.             |                 |
| <b>4</b> | <b>Application for the grant of a New Premises Licence at Mediterranean Grill, 214 Causeway Green Road, Oldbury B68 8LS</b>           | <b>85 - 118</b> |
|          | To consider the Application for the grant of a New Premises Licence at Mediterranean Grill, 214 Causeway Green Road, Oldbury B68 8LS. |                 |



**Shokat Lal**  
**Chief Executive**  
Sandwell Council House  
Freeth Street  
Oldbury  
West Midlands

**Distribution**  
Councillor J Giles (Chair)  
Councillors Khan and N Singh

Contact: [democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk)

## Information about meetings in Sandwell



If you are attending the meeting and require assistance to access the venue, please contact Democratic Services ([democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk)).



If the fire alarm sounds, please follow the instructions of the officers present and leave the building by the nearest exit.



Only people invited to speak at a meeting may do so. Everyone at the meeting is expected to be respectful and listen to the discussion.



Agendas with reports with exempt information should be treated as private and confidential. It is your responsibility to ensure that any such reports are kept secure. After the meeting confidential papers should be disposed of in a secure way.



This meeting may be recorded and broadcast on the Internet. If this is the case, it will be confirmed at the meeting and further information will be provided.



You are allowed to use devices for the purposes of recording or reporting during the public session of the meeting. When using your devices they must not disrupt the meeting – please ensure they are set to silent.



Members who cannot attend the meeting should submit apologies by contacting Democratic Services ([democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk))



All agenda, reports, minutes for Sandwell Council's meetings, councillor details and more are available from our [website](#)



## Licensing Sub Committee 1

### Apologies for Absence

To receive any apologies for absence from the members of the Committee.



This page is intentionally left blank

# Licensing Sub Committee 1

## Declarations of Interests

Members to declare any interests in matters to be discussed at the meeting.



This page is intentionally left blank



## Report to Licensing Sub Committee 1

**30 January 2024**

<b>Subject:</b>	Application for the grant of a New Premises Licence at Club Ochio Rios, 198 Dudley Port, Tipton, DY4 7RG
<b>Director:</b>	Director – Borough Economy – Alice Davey
<b>Contact Officer:</b>	Geeta Bangerh Licensing Officer licensing_team@sandwell.gov.uk

### 1. Recommendations


1. To consider the application for the grant of a new premises licence under section 17 of the Licensing Act 2003 in respect of Club Ochio Rios, 198 Dudley Port, Tipton, DY4 7RG.

### 2. Reasons for Recommendations

- 2.1 The Licensing Sub Committee is asked to make a decision on the application based on any evidence presented at the hearing taking into account the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy and to give reasons for their decision.
- 2.2 To consider an application for the grant of a new premises licence in respect of Club Ochio Rios, 198 Dudley Port, Tipton, DY4 7RG, following receipt of representation from responsible authorities and local residents objecting to the grant of the application due to the four licensing objectives.



### 3. How does this deliver objectives of the Corporate Plan?

	<p><b>A strong and inclusive economy</b> Investing in people and jobs. Licensed premises provide employment in the Borough and help to support the Borough's economy.</p> <p>It is the Authority's aim to offer a wide choice of high quality and well managed entertainment and cultural venues within a safe, orderly and attractive environment; valued by those who live here, work here and come to visit. We want to ensure that businesses operate responsibly and safely so that our residents live in decent neighbourhoods and have a good quality of life.</p>
---	---

### 4. Context and Key Issues

- 4.1 Under the Licensing Act 2003, a responsible authority or any other person may make representations in respect of the application which must be relevant to one or more of the four licensing objectives, namely:
- The Prevention of Crime and Disorder
  - Public Safety
  - The Prevention of Public Nuisance
  - The Protection of Children from Harm
- 4.2 Representations received are attached at Appendix 4.
- 4.3 Each application must be considered on its merits taking into account the evidence presented at the hearing, and the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's Licensing Policy. The options that can be considered once evidence has been heard are detailed at section 5.

#### CURRENT POSITION

- 4.4 An application has been made by Club Ochio Rios Limited for the grant of a new premises licence.
- 4.4 A copy of the full application and consent form is attached at Appendix 1.



- 4.5 The application is for Live Music, Recorded Music, Late Night Refreshment (indoors) Monday –Sunday 23:00 – 03:00. Supply of Alcohol (On the premises) 11.00am – 02:30am.
- 4.6 The proposed hours the premises will be open to the public is Monday – Sunday 11:00 – 04:00.
- 4.7 **Operating Schedule/Proposed Conditions**

### **General**

No enforceable licensable conditions have been identified

### **The prevention of crime and disorder**

**Strict Entry Policies:** The premises licence holder shall implement stringent entry policies including ID checks to ensure all patrons are of legal drinking age. To prevent underage drinking and related disorderly behaviour. The licence holder shall be mainly operating as a members only club where by patrons will all have to pre sign up online to enter weekly events, this way any patron that does not adhere to rules and may cause problems these details can be shared with the relevant bodies to keep our members safe.

**Security Personnel:** Licence holders shall employ trained and licensed security personnel to monitor the club, particularly at the entrance and around the premises. Their presence can deter criminal activities and help manage any disorderly conduct.

**CCTV Surveillance:** There are CCTV cameras in and around the club as a deterrent against criminal activity and to monitor for any signs of disorder.

**Staff Training:** staff will undertake training, including bar staff and security, in conflict resolution and de-escalation techniques. Ensure they understand the procedures for handling disorderly or aggressive behaviour.



**Collaboration with Local Authorities:** The premises licence holder shall work closely with local law enforcement and community groups to understand local crime trends and implement strategies to address them.

**Incident Reporting System:** The premises licence holder shall establish a clear system for reporting and recording any incidents of crime or disorder. This data can be used to improve safety measures and strategies.

**Controlled Alcohol Sales:** The premises licence holder shall monitor and control alcohol sales to prevent excessive drinking. Implement policies like refusing service to intoxicated patrons and promoting responsible drinking.

**Clear Signage:** The premises licence holder shall display clear signs throughout the club regarding acceptable behaviour, age restrictions, and legal penalties for drug use or violence.

**Emergency Procedures:** The premises licence holder shall develop and communicate clear emergency procedures for dealing with criminal activities or disorderly conduct. This includes evacuation plans and first aid arrangements.

**Regular Review of Policies and Procedures:** The premises licence holder shall regularly review and update our safety and security policies to ensure they remain effective and compliant with current laws and best practices.

## Public Safety

**Risk Assessment:** The premises licence holder shall conduct regular risk assessments to identify potential safety hazards within the club. Address any issues promptly to prevent accidents or injuries.



**Fire Safety Measures:** The premises licence holder shall ensure compliance with fire safety regulations. This includes having clearly marked exits, functioning fire alarms and extinguishers, and an evacuation plan that is well communicated to staff and patrons.

**Structural Safety:** The premises licence holder shall regularly inspect the club's infrastructure, including stages, balconies, and other structures, to ensure they are in good condition and safe for use.

**Crowd Control:** Implement effective crowd management strategies, especially during peak hours or special events, to prevent overcrowding and ensure safe movement within the club.

**First Aid and Emergency Response:** The premises licence holder shall have trained first aid staff available and an emergency response plan in place. Ensure that all staff know basic first aid and emergency procedures.

**Well-Trained Staff:** The premises licence holder shall train staff in health and safety practices, including handling emergency situations, managing intoxicated patrons, and identifying potential safety risks.

**Clear Signage:** The premises licence holder shall display clear signs indicating emergency exits, no-smoking areas, and other safety-related information.

**Regular Maintenance:** The premises licence holder shall keep all electrical systems, plumbing, and other infrastructure in good working order to prevent accidents or health hazards.

**Alcohol Management:** The premises licence holder shall monitor alcohol consumption and train staff to recognise and deal with intoxicated patrons responsibly, including refusing service when necessary.

**Accessible Facilities:** The premises licence holder shall ensure the club is accessible and safe for all patrons, including those with



disabilities. This includes having accessible restrooms, entrances, and pathways.

**Communication with Emergency Services:** The premises licence holder shall establish a good relationship with local emergency services and have a plan for quick communication and response in case of an emergency.

**Safety Equipment:** The premises licence holder shall equip the club with safety equipment such as anti-slip mats, adequate lighting, and barriers where needed.

### The prevention of public nuisance

**Strict Age Verification:** The premises licence holder shall implement rigorous ID checks at the entrance to prevent underage individuals from entering the club. This might include using ID scanning technology.

**Age-Specific Events:** • If hosting events that are suitable for families or younger audiences, clearly specify age limits and enforce them. For adult-only events, ensure no minors are admitted.

**Staff Training:** • The premises licence holder shall train all staff, especially those at the entrance and serving alcohol, to recognise and refuse service to minors. They should also be trained to handle situations involving minors appropriately.

**Clear Signage:** • The premises licence holder shall display clear signage about age restrictions, both at the entrance and within the club.

**Collaboration with Authorities:** • The premises licence holder shall work closely with local authorities, like the police and child protection services, to understand and implement best practices for protecting minors.



**Safe Environment:** • The premises licence holder shall ensure the club environment is safe and free from materials or entertainment that could be harmful to children.

**Supervision:** • In events where children are allowed, ensure adequate supervision and a safe environment for them.

**Parental Consent:** • For events catering to a younger audience, consider requiring parental consent or accompaniment.

**Emergency Contact Procedures:** • The premises licence holder shall have procedures in place for dealing with lost or unaccompanied children, including having a designated safe area and trained staff to handle such situations.

**Cyber Safety:** • If your club has an online presence that might attract a younger audience (like social media), ensure that content is appropriate and complies with online safety regulations.

**Community Outreach:** • The premises licence holder shall engage in community outreach to promote awareness of child safety and harm prevention.

**Policy Review and Compliance:** • The premises licence holder shall regularly review and update your policies regarding the protection of children to ensure compliance with the latest laws and regulations.

## The Protection of children from harm

**Strict Age Verification Process:** The premises licence holder shall a rigorous age verification policy at the entrance to prevent underage individuals from accessing the premises, particularly during events or hours when alcohol is served.

**Age-Appropriate Events:** For events that are open to younger audiences, we ensure they are age-appropriate, with clear guidelines



and supervision. We strictly adhere to the legal age limits for alcohol consumption and entertainment content.

**Staff Training:** The premises licence holder shall all staff members, including security, bar staff, and event organisers, receive training on child protection laws and how to identify and respond to any concerns regarding child safety.

**Clear Signage:** The club displays clear signage stating age restrictions and child protection policies, ensuring that these guidelines are visible and understood by all patrons.

**Designated Child Protection Officer:** The premises licence holder shall appoint a trained Child Protection Officer who is responsible for overseeing the safety of children on the premises and for responding to any child protection concerns.

**Collaboration with Authorities:** The premises licence holder shall maintain a close working relationship with local authorities, including law enforcement and child welfare organisations, to stay informed about best practices in child protection.

**Monitoring and Supervision:** During family-friendly events, we ensure adequate supervision and monitoring to prevent any potential harm to children.

**Emergency Procedures:** The club has clear procedures for handling situations involving unaccompanied or lost children, ensuring their safety and quick reunion with guardians.

**Restricted Areas:** The premises licence holder shall ensure certain areas of the club, especially where alcohol is served, are designated as adult-only zones, with clear demarcations to prevent access by underage individuals.





**Internet Safety:** If we provide internet access, we ensure appropriate filters are in place to prevent children from accessing harmful content.

**Feedback and Review Process:** The premises licence holder shall regularly review our child protection policies and welcome feedback from staff, patrons, and local authorities to continuously improve our practices.

4.8 A location map of the premises is attached at Appendix 3.

#### 4.9 **Consultation (customers and other stakeholders)**

A notice has been published in a local paper and a public notice has been displayed at the premises outlining the application and inviting comments/representations to be sent to the Licensing Authority, detailing a closing date for these to be received. Details of the application were also published on the Council's website.

### 5. **Alternative Options**

5.1 The options available to the Licensing Sub-Committee having considered all the relevant information are as follows:

- to grant the licence subject to conditions consistent with the operating schedule accompanying the application, and any mandatory conditions which must be included in the licence
- to exclude from the scope of the licence any of the licensable activities to which the application relates;
- to refuse to specify a person in the licence as the premises supervisor;
- to reject the application

5.2 Conditions may be altered or omitted, or any new condition added.

5.3 Additional conditions or restrictions to licensable activities and/or times should only be imposed if considered appropriate for the promotion of the licensing objectives. If other law already places certain statutory



responsibilities on a premise, it would not be appropriate to impose similar duties.

- 5.4 Members of the Sub Committee should be advised that the applicant, or any other person who made relevant representations in relation to the application, may appeal against the decision made to the Magistrates' Court within 21 days of the date on which they were notified.

## 6. Implications

<b>Resources:</b>	<p>There are no direct strategic resource implications associated with this application.</p> <p>In respect of premises licence applications, we do not foresee any issues in respect of sustainability of proposals.</p> <p>The application relates to a privately owned property.</p>
<b>Legal and Governance:</b>	<p>Members of the Licensing Sub Committee when making their decision on the application must take into account the four licensing objectives, the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy. The applicant and those who have made relevant representations have the right to appeal the decision made by the Licensing Sub Committee to the Magistrates Court, so the Committee are asked to give reasons for their decision wherever possible.</p> <p>Members of the Sub-Committee should not allow themselves to predetermine the application or to be prejudiced in favour or opposed to the applicant and/or the licence holder and shall only determine the application having had an opportunity to consider all relevant facts.</p>
<b>Risk:</b>	<p>The Police are a statutory consultee for all Licensing Act 2003 applications. Prevention of Crime and Disorder is one of the four licensing objectives and applicants have to demonstrate how they will achieve this objective by volunteering measures in the</p>



	<p>operating schedule submitted with the Licence application.</p> <p>The Police have <b>not</b> made a representation to this application.</p> <p>Whilst full details of the application and any representations have been shared with the committee members, only information that is in the public domain has been made available for the reports that have been made public online, in line with data protection protocols.</p>
<b>Equality:</b>	<p>The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.</p> <p>The operators of this premises are responsible for complying with all relevant legislation.</p>
<b>Health and Wellbeing:</b>	This is not applicable to applications for premises licences submitted under the Licensing Act 2003.
<b>Social Value</b>	This is not applicable to applications for premises licences submitted under the Licensing Act 2003.
<b>Climate Change:</b>	This is not applicable to applications for premises licences submitted under the Licensing Act 2003.
<b>Corporate Parenting:</b>	This is not applicable to applications for premises licences submitted under the Licensing Act 2003.

## 7. Appendices

- Appendix 1 – Application Form and Consent
- Appendix 2 – Plan
- Appendix 3 – Location Plan
- Appendix 4 – Representations
- Appendix 5 – Agreed conditions from Police and EHO

## 8. Background Papers

- Sandwell Metropolitan Borough Council Licensing Policy
- Guidance issued under Section 182 of the Licensing Act 2003
- The Licensing Act 2003 (Hearings) Regulations 2005



This page is intentionally left blank

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

### Please read the following instructions first

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

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

I/We CLUB OCHIO RIOS LIMITED

(Insert name(s) of applicant)

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

### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description  198 DUDLEY PORT, TIPTON, DY4 7RG			
<b>Post town</b>	TIPTON	<b>Postcode</b>	DY4 7RG

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 49,250

### Part 2 - Applicant details

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

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
	i as a limited company/limited liability partnership	X	please complete section (B)
	ii as a partnership (other than limited liability)		please complete section (B)
	iii as an unincorporated association or		please complete section (B)
	iv other (for example a statutory corporation)		please complete section (B)

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

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

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

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

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

--

**Second individual applicant** (if applicable)

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

**(B) Other applicants**

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

Name	CLUB OCHIOS RIOS LIMITED
Address	OLD BANK BUILDINGS, UPPER HIGH STREET, CRADLEY HEATH, B64 5HY

Registered number (where applicable) 15309468
Description of applicant (for example, partnership, company, unincorporated association etc.) This is a Ltd company registered under the name CLUB OCHIO RIOS
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
26	12	2023

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

DD	MM	YYYY

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>In the premises license application for Club Ochio Rio's, we wish to highlight that the layout of the club remains unchanged from its original construction. The attached floor plans provide a detailed overview of the current layout, including the precise location of the bar area.</p> <p>Additionally, these plans clearly delineate all exits and entrances to the premises, ensuring easy access and egress for patrons and staff. The layout has been thoughtfully designed to facilitate smooth movement within the club while adhering to safety and accessibility standards.</p> <p>The floor plans also illustrate the strategic placement of the bar, which is an integral part of Club Ochio Rio's operations. Its positioning has been carefully considered to optimize service efficiency and customer flow.</p> <p>We believe that the existing layout, as detailed in the attached plans, aligns well with our operational needs and the overall experience we aim to provide to our patrons at Club Ochio Rio's.</p>
---

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

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

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

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	
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)	x
f)	recorded music (if ticking yes, fill in box F)	x
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

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

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

**A**

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	
Day	Start	Finish		Outdoors	
Mon				Both	
			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**B**

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

**C**

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

**D**

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

**E**

Live music Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	x
Day	Start	Finish		Outdoors	
				Both	
Mon	11am	3am	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	11am	3am			
Wed	11am	3am	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur	11am	3am			
Fri	11am	3am	<b><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></b> (please read guidance note 6)		
Sat	11am	3am			
Sun	11am	3am			

**F**

Recorded music Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	x
				Outdoors	
Day	Start	Finish		Both	
Mon	11am	3am	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	11am	3am			
Wed	11am	3am	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur	11am	3am			
Fri	11am	3am	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	11am	3am			
Sun	11am	3am			

**G**

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



# H

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


I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	x
Day	Start	Finish		Outdoors	
				Both	
Mon	2300	3am	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	2300	3am			
Wed	2300	3am		<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)	
Thur	2300	3am			
Fri	2300	3am	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	2300	3am			
Sun	2300	3am			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 8)	On the premises	x
				Off the premises	
Day	Start	Finish		Both	
Mon	11am	2:30am	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 5)		
Tue	11am	2:30am			
Wed	11am	2:30am			
Thur	11am	2:30am	<b><u>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</u></b> (please read guidance note 6)		
Fri	11am	2:30am			
Sat	11am	2:30am			
Sun	11am	2:30am			

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

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

**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).**

**L**

<p><b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)</p>			<p><b><u>State any seasonal variations</u></b> (please read guidance note 5) EXTEND BY 1 HOUR ON CHRISTMAS, EASTER, NEW YEARS EVE AND DAY AND BAK HOLIDAYS</p>
Day	Start	Finish	
Mon	11am.	4am	
Tue	11am.	4am	
Wed	11am.	4am	
Thur	11am.	4am	
Fri	11am.	4am	
Sat	11am.	4am	
Sun	11am.	4am	
<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)</p>			

## **M**

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

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

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

pls see attached notes labeled PREVENTION OF CRIME DISORDER

**c) Public safety**

pls see attached notes labeled PUBLIC SAFETY

**d) The prevention of public nuisance**

pls see attached notes labeled PUBLIC NUISANCE

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

PLS SEE ATTACHED THE PROTECTION OF CHILDREN FROM ARM

**Checklist:**

**Please tick to indicate agreement**

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


It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

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

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

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

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

	<p>the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	30/11/2023
Capacity	Director

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

Signature	
Date	
Capacity	

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

**Notes for Guidance**

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



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

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

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

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

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

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

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

They do this in one of two ways:

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

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

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

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

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

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

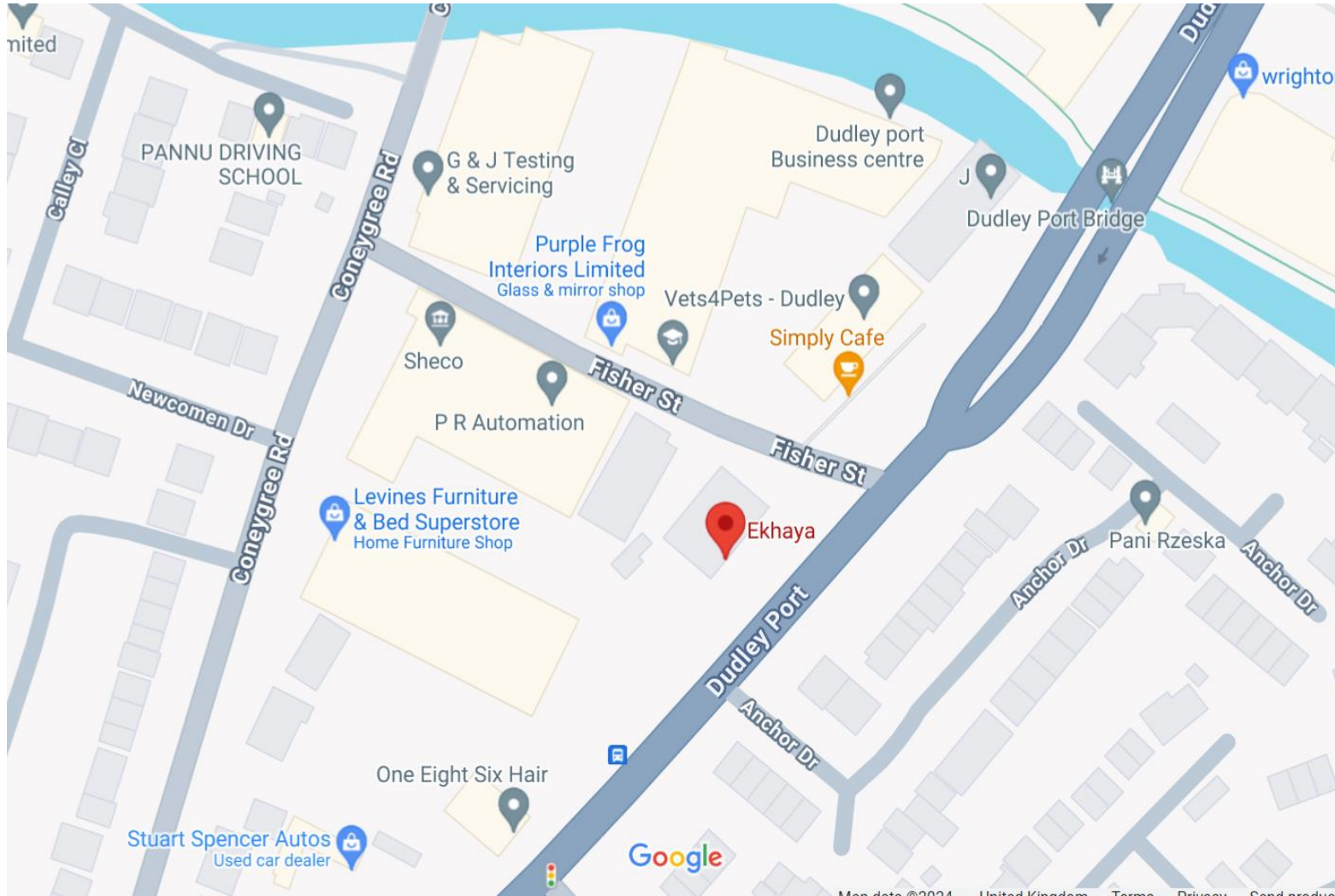
Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

This page is intentionally left blank



This page is intentionally left blank

Appendix 3 – Location Plan



This page is intentionally left blank



Objector 1 – xxxxxxxx



**Licensing Act 2003**

**Representation form from interested parties**

Are you a (tick as appropriate):

<b>Responsible authority:</b>	
Police	
Fire	
Environmental health	
Child protection	
Trading standards	
Planning authority	

Or a

Resident or business	<input checked="" type="checkbox"/>
----------------------	-------------------------------------

Your name/organisation name/name of body you represent (see note 3)	Les Charters
Organisation name/name of body you represent (if appropriate) (see note 3)	Anchor Drive Residents
Postal and email address	19 Anchor Drive, Dudley Port, Tipton. DY4 7RD lescharters@talktalk.net
Contact telephone number	07789952795

Name of premises you are making a representation about	Club Ochio Rios Ltd
Address of the premises you are making a representation about	198 Dudley Port, Tipton. DY4 7RG

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes or no	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	Yes	The premises has previously been used as a Bar/Restaurant. Users of the facility spilled out onto the car park, drunk and disorderly causing fights to break out on a regular basis. Police presence was required on numerous occasions. Anchor Drive and surrounding areas are residential and should not be subject to drunks who cannot control themselves.
Public safety	Yes	Vehicles passing by were subject to users of the facility spilling out onto the road causing traffic to swerve around them and almost causing collisions. Vehicles who could not park on the car park were using the pavement as a car park. Clearly this is a very dangerous practice as Dudley Port is a Red Route

To prevent public nuisance	Yes	<p>Residents were regularly disturbed from their sleep by the facility users exiting the building in a very drunk state, noisy and fighting on the car park. The addition of music until 3.00am will only add to the problem. The residents are working people who need their rest and sleep.</p> <p>We have been subject to this disorder ever since the building was erected. We have enjoyed a period of silence and calm whilst the building has not been in use and do not want a repeat of previous bad experiences.</p>
To protect children from harm	No	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account	<ul style="list-style-type: none"> <li>a. Sound proofing to be added</li> <li>b. Restricted music times</li> <li>c. Prevention of incorrect parking</li> <li>d. Review 6 months from inception</li> </ul>
---	---

Signed: *L S Charters*

Date: 04/01/24

Objector 2 – xxxxxxxxxxxxxx



### Licensing Act 2003

#### Representation form from interested parties

Are you a (tick as appropriate):

<b>Responsible authority:</b>	
Police	
Fire	
Environmental health	
Child protection	
Trading standards	
Planning authority	

Or a

Resident or business	Resident
----------------------	----------

Your name/organisation name/name of body you represent (see note 3)	xxxxxxxxxxxxxxxxxxxxxxxx
Organisation name/name of body you represent (if appropriate) (see note 3)	

Postal and email address	xxx xxxxxxxxxx
Contact telephone number	xxxxxxxx

Name of premises you are making a representation about	<b>Club Ochio Rios</b>
Address of the premises you are making a representation about	198 dudley port DY4 7RG

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes or no	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	Yes	<b>Disorder:</b> This nightclub will be a hub for violence, including altercations fuelled by alcohol and drugs.
Public safety	Yes	As this building is situated near a road, pedestrians may be affected by intoxicated individuals, or even become victim to theft/assault by criminals lurking and loitering.

To prevent public nuisance	Yes	<p>Noise Pollution: Loud music and drunken individuals can lead to neighbourhood disruptions, lowering residents' quality of life and causing a public nuisance.</p> <p>Large crowds and congestion near nightclubs may cause traffic difficulties, making emergency services harder to reach and inconveniencing local neighbours.</p>
To protect children from harm	Yes	<p>Underage Drinking: Minors may seek to acquire entrance to the nightclub using a false ID, or they may gain access due to a lack of rule enforcement by management, providing minors access to alcohol and perhaps exposing them to danger.</p> <p>Exposure to Inappropriate Conduct: Nightclubs include inappropriate performances or situations for youngsters, exposing them to inappropriate conduct.</p>

Please suggest any conditions that could be added to the licence to remedy your representation or other	This license should not be given in my opinion; it should remain a
---	--

suggestions you would like the Licensing Sub Committee to take into account

family restaurant; these things should not be tolerated in the area.

Signed:

[Redacted signature]

Notes

Date - 04/01/2024

Objector 3 [Redacted name]



### Licensing Act 2003

### Representation form from interested parties

Are you a (tick as appropriate):

<b>Responsible authority:</b>	
Police	
Fire	
Environmental health	
Child protection	
Trading standards	

Planning authority	

Or a

Resident or business	Resident
----------------------	----------

Your name/organisation name/name of body you represent (see note 3)	
Organisation name/name of body you represent (if appropriate) (see note 3)	
Postal and email address	scott street
Contact telephone number	

Name of premises you are making a representation about	<b>Club Ochio Rios</b>
Address of the premises you are making a representation about	198 dudley port DY4 7RG

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes or no	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
---------------------	-----------------	--



To prevent crime and disorder	Yes	<ul style="list-style-type: none"> <li>• <b>Violence:</b> Nightclubs are usually breeding grounds for violence, including fights and altercations, often fuelled by alcohol and crowded environments.</li> <li>• <b>Drug Use:</b> Nightclubs are known to attract illegal drug activities, leading to increased drug-related crimes in and around the premises.</li> </ul>
Public safety	Yes	<ul style="list-style-type: none"> <li>• <b>Overcrowding:</b> Poor crowd management and overcrowded conditions can pose serious safety risks, including the potential for stampedes, trampling, or other accidents.</li> <li>• <b>Inadequate Security Measures:</b> Insufficient security measures may make it easier for criminal activities to go unchecked, putting members of public at risk.</li> </ul>

To prevent public nuisance	Yes	<p><b><u>Noise Pollution:</u></b></p> <p>Loud music and intoxicated individuals can contribute to neighbourhood disturbances, affecting residents' quality of life and creating a public nuisance.</p> <p><b><u>Traffic Issues:</u></b></p> <p>Large crowds and congestion around nightclubs may lead to traffic problems, making it difficult for emergency services and inconveniencing local residents.</p>
To protect children from harm	Yes	<ul style="list-style-type: none"> <li>• <b><u>Underage Drinking:</u></b> It is possible that minors may attempt to gain access to the nightclub through means of fake ID, they may gain access by lack of rule enforcement via management allowing minors access to alcohol and exposing them to potential harm.</li> <li>• <b><u>Exposure to Inappropriate Content:</u></b> Nightclubs feature performances or environments that are not suitable for children, exposing them to inappropriate behaviour.</li> </ul>

Objector 4 - xxxxxxxxxxxxxxx

From:

Sent: 03 January 2024 16:54

To: Licensing Team for Alcohol & Gambling <Licensing\_Team@sandwell.gov.uk>

Subject: 198 Dudley Port DY4 7RG License Appeal



Licensing Act 2003

Representation form from interested parties

Are you a (tick as appropriate):

Responsible authority:

Police

Fire

Environmental health

Child protection

Trading standards

Planning authority

Or a

Resident or business

Your name/organisation name/name of body you represent (see note 3)	Ajaypal Sopral
Organisation name/name of body you represent (if appropriate) (see note 3)	
Postal and email address	75 South Street N/A
Contact telephone number	+44-7488-328845

Name of premises you are making a representation about	EL-Khyah
Address of the premises you are making a representation about	198 Dudley Port DY4-7RG

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes or no	Please detail the evidence supporting your representation or the reason for your representation. Please use

	separate sheets if necessary
To prevent crime and disorder	✓ Night clubs are often known to cause violence, our area does not need a crime boost.
Public safety	✓ This area has a number of local drug gangs, this club will become a crime hub for them endangering public.
To prevent public nuisance	✓ Loud music and drunk ppl will increase public nuisance.
To protect children from harm	✓ There's a high chance that children under 16 may try to enter the club and buy alcohol.

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account

License should not be granted.

Signed: 

Date: 3/01/2024

Notes

1. If you do make a representation you will be expected to attend a meeting of the Licensing Authority's Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made. Any representations you do make will be made available to all those attending the hearing including the applicant. This Authority will not accept anonymous representations.
2. This form must be returned within the statutory period of 28 days from the date the application was displayed on the premises and the date given in the public notice in a local newspaper or other local publication.
3. Please be aware that your name and address will be shared with the applicant and those persons attending the hearing and may appear on agenda papers unless you provide the Council with exceptional circumstances that justify withholding those details. This is a requirement of the Licensing Act 2003 and further details on the requirement to disclose personal details of persons making representations can be found in paragraphs 9.26 to 9.30 of the [Revised guidance issued under section 182 of Licensing Act 2003](#) issued April 2018.
4. These can only relate to the four licensing objectives.
5. Please return this form when completed to:

Sandwell Metropolitan Borough Council  
General Licensing Team

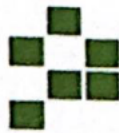
Objector 5 – xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

From: xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

Sent: 03 January 2024 17:02

To: Licensing Team for Alcohol & Gambling <Licensing\_Team@sandwell.gov.uk>

Subject: 198 Dudley Port Appeal



**Sandwell**  
Metropolitan Borough Council

**Licensing Act 2003**

**Representation form from interested parties**

Are you a (tick as appropriate):

**Responsible authority:**

Police

Fire

Environmental health

Child protection

Trading standards

Planning authority

Or a

Resident  or business

Your name/organisation name/name of body you represent (see note 3)	[Redacted]
Organisation name/name of body you represent (if appropriate) (see note 3)	[Redacted]
Postal and email address	Scott Street [Redacted]
Contact telephone number	[Redacted]

Name of premises you are making a representation about	e' Kogn
Address of the premises you are making a representation about	198 Dudley Port

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes or no	Please detail the evidence supporting your representation or the reason for your representation. Please use

	separate sheets if necessary
To prevent crime and disorder	✓ Crime and disorder will be increased heavily with a night club.
Public safety	✓ The increased crime, drug abuse may face danger to public.
To prevent public nuisance	✓ Loud music will create public nuisance.
To protect children from harm	✓ The presence of a nightclub poses risks to children exposing them to inappropriate activities and environment.

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account

The permit should be rejected.

Signed



Date: 01/02/2024

#### Notes

1. If you do make a representation you will be expected to attend a meeting of the Licensing Authority's Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made. Any representations you do make will be made available to all those attending the hearing including the applicant. This Authority will not accept anonymous representations.
2. This form must be returned within the statutory period of 28 days from the date the application was displayed on the premises and the date given in the public notice in a local newspaper or other local publication.
3. Please be aware that your name and address will be shared with the applicant and those persons attending the hearing and may appear on agenda papers unless you provide the Council with exceptional circumstances that justify withholding those details. This is a requirement of the Licensing Act 2003 and further details on the requirement to disclose personal details of persons making representations can be found in paragraphs 9.26 to 9.30 of the [Revised guidance issued under section 182 of Licensing Act 2003](#) issued April 2018.
4. These can only relate to the four licensing objectives.
5. Please return this form when completed to:

Sandwell Metropolitan Borough Council  
General Licensing Team

Objector 6 – xxxxxxxxxxxx



### Licensing Act 2003

#### Representation form from interested parties

Are you a (tick as appropriate):

<b>Responsible authority:</b>	
Police	
Fire	
Environmental health	
Child protection	
Trading standards	
Planning authority	

Or a

Resident or business	Resident
----------------------	----------

Your name/organisation name/name of body you represent (see note 3)	xxxxxxxxxxxxx
Organisation name/name of body you represent (if appropriate) (see note 3)	

Postal and email address	xx scott street xxxxxxx N/A
Contact telephone number	xxxxxxxxxxxx

Name of premises you are making a representation about	<b>Club Ochio Rios</b>
Address of the premises you are making a representation about	198 dudley port DY4 7RG

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes or no	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	Yes	<ul style="list-style-type: none"> <li>• <b>Violence:</b> This nightclub will increase the influx of violence in the area as it will be seen as a hub to get drunken at and drugged up, and then go on to cause ruckus in the local area.</li> <li>• <b>Drug Use:</b> Nightclubs are known to attract illegal drug activities, leading to an influx drug-related crimes in and around the premises.</li> </ul>



Public safety	Yes	<b>Public safety is a big concern, as criminals will use the club to facilitate drug sales, or incite violence with their rivals, this is a big possibility as it's a common trend in clubs amongst cities, - case study by Robert Mackworth est 2018 ~ WSJ.</b>
---------------	-----	--

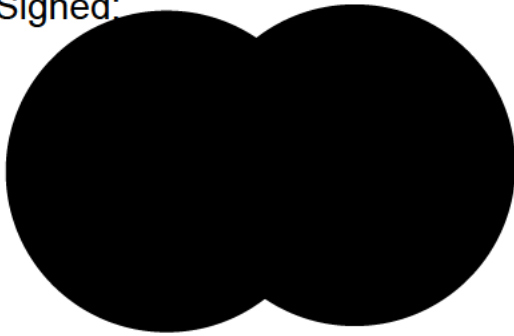
To prevent public nuisance	Yes	<p><b><u>Noise Pollution:</u></b></p> <p>Loud music and intoxicated individuals can contribute to neighbourhood disturbances, affecting residents' quality of life and creating a public nuisance.</p> <p><b><u>Traffic Issues:</u></b></p> <p>Large crowds and congestion around nightclubs may lead to traffic problems, making it difficult for emergency services and inconveniencing local residents.</p>
To protect children from harm	Yes	<ul style="list-style-type: none"> <li>• <b><u>Underage Drinking:</u></b> It is possible that minors may attempt to gain access to the nightclub through means of fake ID, they may gain access by lack of rule enforcement via management allowing minors access to alcohol and exposing them to potential harm.</li> <li>• <b><u>Exposure to Inappropriate Content:</u></b> Nightclubs feature performances or environments that are not suitable for children, exposing them to inappropriate behaviour.</li> </ul>

Please suggest any conditions that could be added to the	
--	--

licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account

***I believe this license should not be granted, it should stay a family restaurant, this is not an area where these things should be permitted, this is not a city centre, it's in direct view of a quiet estate where families reside and their children/***

Signed:



Date:

04/01/2024



	separate sheets if necessary
To prevent crime and disorder	✓ A new club will bring disorderly conduct, substance abuse and violence.
Public safety	✓ There is serious risk of violence, altercations and accidents.
To prevent public nuisance	✓ People will be intoxicated and pollute the area.
To protect children from harm	✓ Children may fall victim to drug abuse due to increase in crime.

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account

No night-club should be made in ~~the~~ this area.

Signed



Date: 02/01/2024

#### Notes

1. If you do make a representation you will be expected to attend a meeting of the Licensing Authority's Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made. Any representations you do make will be made available to all those attending the hearing including the applicant. This Authority will not accept anonymous representations.
2. This form must be returned within the statutory period of 28 days from the date the application was displayed on the premises and the date given in the public notice in a local newspaper or other local publication.
3. Please be aware that your name and address will be shared with the applicant and those persons attending the hearing and may appear on agenda papers unless you provide the Council with exceptional circumstances that justify withholding those details. This is a requirement of the Licensing Act 2003 and further details on the requirement to disclose personal details of persons making representations can be found in paragraphs 9.26 to 9.30 of the [Revised guidance issued under section 182 of Licensing Act 2003](#) issued April 2018.
4. These can only relate to the four licensing objectives.
5. Please return this form when completed to:

Sandwell Metropolitan Borough Council  
General Licensing Team

## Objector 8 – Fire

**From:**

**Sent:** 09 January 2024 13:28

**To:** Licensing Team for Alcohol & Gambling <Licensing\_Team@sandwell.gov.uk>

**Subject:** Re: Fire Authority representation to a premises licence application mediation document received.

**CAUTION:** This email originated from outside of the Council / Children's Trust. Do not click links or open attachments

OFFICIAL

Hi xxxx

Thank you for your email.

I have not withdrawn my representation. Please can you send me an invite to the hearing, if one takes place. However, if other representations are removed, there will be no need for a hearing.

Many thanks.

*Regards*

xxxxxxxxx

xxxxxxxxxxxxxxxx

Tipton Fire Station

Alexandra Road

Tipton

West Midlands

xxxxxxxxx

xxxxxxxxxxxxxxxx

Email : xxxxxxxxxxx

**Team Email:** xxxxxxxxxxxxxxxxxxxxxxx

**Fire Safety Admin Email** xxxxxxxxxxxxxxxxxxxxxxx

OFFICIAL

---

**From:** Licensing Team for Alcohol & Gambling <Licensing\_Team@sandwell.gov.uk>

**Sent:** Tuesday, January 9, 2024 1:21 PM

**To:** xxxxxxxxxxxxxxxxxxxxxxx

**Cc:** xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

**Subject:** RE: Fire Authority representation to a premises licence application mediation document received.

Dear Sirs

Thank you for letting me know and informing me you are withdrawing your rep.

Please be advised a hearing will still be taking place as licensing have received reps from several residents and planning.

Many thanks

**Kind Regards**

Licensing Officer



[licensing\\_team@sandwell.gov.uk](mailto:licensing_team@sandwell.gov.uk)

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

**Address for all correspondence:**

General Licensing Team, Regulated Services, Borough Economy, Sandwell Council House, PO Box 2374, Oldbury, B69 3DE



**From:** xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

**Sent:** 09 January 2024 10:18

**To:** Licensing Team for Alcohol & Gambling <Licensing\_Team@sandwell.gov.uk>

**Cc:** xxxxxxxxxxxxxxxxxxxxxxxx

**Subject:** Fire Authority representation to a premises licence application mediation document received.

OFFICIAL

LICENSING ACT 2003

NAME OF PREMISES: Club Ochio Rios Ltd

ADDRESS:198 Dudley Port, Tipton. DY4 7RG

I refer to the representation made by the Fire Authority regarding the application for the Grant of a Premises Licence, for the above premises.

The applicant has supplied a voluntary undertaking to complete works to the appropriate standards and/or restrict the use of the premises. (As attached).

The Fire Authority considers this undertaking is sufficient, to show that the Public Safety Objective (as it relates to Fire Safety), will be adequately promoted and confirms that there will be **no need for a hearing**, providing there are no other relevant representations.

Any voluntary undertaking that the applicant gives to the Fire Authority does not constitute Licence conditions and should not be treated as such.

You should be aware however that failure to act in accordance with the undertaking may result in the Issue of an enforcement notice under the Regulatory Reform (Fire Safety) Order 2005 and/or a review of the Premises Licence.

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

*Regards*

xxxxxxxxxxxxx

xxxxxxxxxxxxxxxxxxxx

Tipton Fire Station

Alexandra Road

Tipton

West Midlands

xxxxxxxxxxxxxxxxxxxx

Tel: xxxxxxxxxxxxxxxx

Email : xxxxxxxxxxxxxxxx

Team Email: xxxxxxxxxxxxxxxx

Fire Safety Admin Email xxxxxxxxxxxxxxxxxxxxxxxx

OFFICIAL

**From:** xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

**Sent:** Tuesday, January 9, 2024 10:02 AM

To: xxxxxxxxxxxxxxxxxxxxxxxxxxxx>

Subject: Re: Fire Authority representation to a premises licence application and offer of voluntary undertaking.

Hixxxxxxxxx

I have re signed do hope this is will Suffice if not let me know thanks

xxxxxxxxxxxxxxxxxxxxxxxx

OFFICIAL

**WEST MIDLANDS FIRE SERVICE**

LICENSING ACT 2003

**Voluntary undertaking- Supplement to Application**

**NAME OF PREMISES:** Club Ochio Rios

**ADDRESS:** 198 Dudley Port, Tipton. DY4 7RG

*Before signing this document, you should be aware that failure to comply with this undertaking may result in a review of the premises licence and/or enforcement action under the Regulatory Reform (Fire Safety) Order 2005*

**PUBLIC SAFETY**

- 1) The safe capacity of the premises will not be allowed to exceed **100 persons on the ground floor, initially.**  
The above will be reflected in the fire risk assessment and suitable management procedures will be adopted to ensure that the safe capacity is not exceeded.  
*The safe capacity will not be increased until the means of escape have been modified in accordance with a suitable building regulations application and any revised capacity is agreed with the fire officer.*
- 2) The 1st floor function room will not be occupied until an appropriate 30 minute fire wall has been constructed to form a protected corridor to the fire exit. If a door is to be provided for kitchen access within the fire wall, the door must be to FD30s standard, incorporating an intumescent strip, cold smoke seal and suitable self-closing device. The threshold strip hazard on the fire exit door will be remedied and the door rehung so that it gives a clear unobstructed opening. All narrowing's on approach will be widened to at least 750mm. *The fire officer will be contacted so that he can check the work before the function room is brought back into use and the safe capacity confirmed.*
- 3) The fire alarm system will be provided with an automatic cut out device which silences the amplified music upon activation of the fire alarm.  
Works will be carried out by a competent fire alarm engineer in accordance with BS 5839-1.
- 4) The artificial, flammable, plastic plants will be removed from the premises. If they are to be replaced they will be replaced with suitably inherent materials and a suitable fire certificate will be provided.

**APPLICANT'S SIGNATURE**

Print Name... [Redacted]

Date... 8 / 1 / 24... OFFICIAL

**AUTHORISED OFFICER**... [Redacted]  
(POSITION)... Fire Safety Inspecting Officer (Authorised on behalf of West Midlands Fire Authority)

On Mon, 8 Jan 2024 at 7:50 am, xxwrote:

OFFICIAL

Hi

Please can you resign, date and resend ensuring all wording is visible on the document. I have attached a new document with slightly smaller text in case the print field needed adjusting.

Please let me know if you have any further problems with this. I do need the completed document before I can respond to licensing. Many thanks.

Regards

xxxxxxxxxxxx

xxxxxxxxxxxx  
Tipton Fire Station  
Alexandra Road



Tipton  
West Midlands  
DY4 7NZ  
xxxxxxxxxxxxx  
xxxxxxxxxxxxx

Email : [xxxxxxxxxxxxxxxxxxxxx](mailto:xxxxxxxxxxxxxxxxxxxxx)

Team Email: xxxxxxxxxxxxxxxxxxxxx

Fire Safety Admin Email



OFFICIAL

---

From: [xxxxxxxxxxxxxxxxxxxxx](mailto:xxxxxxxxxxxxxxxxxxxxx)>

Sent: Friday, January 5, 2024 2:01 PM

To: xxxxxxxxxxxxxxxxxxxxx

Subject: Re: Fire Authority representation to a premises licence application and offer of voluntary undertaking.

Hi xxxxxxx

Hope all is well here is the signed copy as agreed and thank you again

On Thu, 4 Jan 2024 at 2:36 pm, xxxxxxxxxxxxxxxxxxxxxxxxxxxx wrote:

OFFICIAL

LICENSING ACT 2003

NAME OF PREMISES: Club Ochio Rios Ltd

ADDRESS:198 Dudley Port, Tipton. DY4 7RG

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

The premises has been inspected and there are some fire safety issues which could negatively affect the **Public Safety Objective**, if the licence is granted without remedial actions.

- The means of escape are not currently suitable for the proposed use.
- The artificial plants are a fire hazard

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

I can inform you that I have been in contact with the applicant and following the discussion, I can offer a voluntary undertaking to the applicant, to modify the proposed use of the premises and/or complete works to the appropriate standard. A copy of the proposed undertaking is attached.

**Should the applicant wish to agree, by signing, dating and returning the undertaking agreement to the Fire Authority, there will be no need for a hearing, providing there are no other relevant representations.**

*A scan or photograph of the completed document returned by email would be acceptable.*

Any voluntary undertaking that the applicant gives to the Fire Authority does not constitute Licence Conditions and should not be treated as such.

You should be aware however that failure to act in accordance with the undertaking may result in the Issue of an enforcement notice under the Regulatory Reform (Fire Safety) Order 2005 and/or a review of the premises licence.

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

*Regards*

XXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Tipton Fire Station

Alexandra Road

Tipton

West Midlands

XXXXXXXXXX

Tel: XXXXXXXXXXXXXXXXXXXXXXXXXX

Email :XXXXXXXXXXXXXXXXXXXXXXX

Fire Safety Admin Email XXXXXXXXXXXXX

-

## Objector 9 – Planning

-----Original Message-----

From: xxxxxxxxxxxxxxxxxxxx>

Sent: 03 January 2024 16:39

To: xxxxxxxxxxxxxxxxxxxx

Cc: xxxxxxxxxxxxxxxxxxxx

xxxxxxxxxxxxxxxxxxxxxxxxxxxx

Subject: RE: Music application

Importance: High

Good afternoon

Thank you for your email.

Given the last day is tomorrow, I can confirm that the Council's Planning department formally objects to the proposal. The objection is based on the following:

i) the proposal requires planning permission and we are concerned over the potential negative impact the proposal would have on the public highway, and the potential for noise from comings and goings to occupiers of nearby properties.

ii) No details have been provided of sound insulation so internal music maybe a concern for environmental health

iii) Planning policy - these type of uses are usually found in local centres. No evidence has been provided to demonstrate why it should be here.

Until we get further information of the final use (is it still a restaurant or is it a music venue?), the Council maintains its objection.

Many thanks,

xxxxxxxxxxxx

Principal Planning Officer

Development Planning

Mobile: xxxxxxxxxxxxxxxxxxxx

This page is intentionally left blank

## Appendix 5 – Agreed conditions from police and EHO

**From:** xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx  
**Sent:** 04 January 2024 16:22  
**To:** Licensing Team for Alcohol & Gambling <Licensing\_Team@sandwell.gov.uk>  
**Cc:** xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx  
**Subject:** FW: [External]: Re: Club Ochio Rios, 198 Dudley Port, Tipton, DY4 7RG

**CAUTION: This email originated from outside of the Council / Children's Trust. Do not click links or open attachments**

Licensing

Please see attached email agreeing and I have copied in the applicant and should you want further confirmation.

xxxxxxx – Can you email again and state you agree to amend the application to operate the times stated and agree the conditions stated and just send to the Licensing email address and copy me in.



XXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX

Licensing, Partnerships Team  
West Midlands Police

**M:** xxxxxxxxxxxxxxxxx **T:xxx** ext extxxxxxxxxxxxxxx

**W:** [west-midlands.police.uk](https://www.west-midlands.police.uk)

**Working in partnership, making communities safer**



**From:** xxxxxxxxxxxxxxxxxxxxxxx>  
**Sent:** 04 January 2024 16:19  
**To:** xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx  
**Subject:** [External]: Re: Club Ochio Rios, 198 Dudley Port, Tipton, DY4 7RG

**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.**

Agreed thx

On Thu, 4 Jan 2024 at 3:44 pm, xxxxxxxxxxxxxxxxxxxxxxxx <xxxxxxxxxxxxxxxxxxxxxxxxxxxxx> wrote:

Licensing,

I have been in discussions with the applicant about the proposals and the application is to be amended to reflect the times stated below in bold which includes seasonal hours:

- **Sale of alcohol 11am to 2am Monday to Sunday**

- **Late Night Refreshment (sale of hot food or drinks after 11pm) 11pm to 2am Monday to Sunday**
- **Live Music and Recorded Music 11am to 2.30am Monday to Sunday**
- **Hours premises open to the public are 11am to 3am Monday to Sunday**
- **In addition to the above, on New Year's Eve, Xmas Day, Boxing Day and Sundays preceding a Statutory Bank Holiday to operate live music and recorded music until 3am, sale off alcohol until 2.30am and premises can remain open until 4am.**

In addition to the above amendments, the below conditions have been requested by West Midlands Police and agreed by the applicant who is copied in. The amended times and conditions reduce some of the concerns the Police have about the application although I remain mindful of the proximity of residents to the location and the lack of similar establishments in the area however the additional matters of concern would seem more appropriate for other Responsible Authorities to comment on given their expertise. The below conditions allay the concerns we have under the crime and disorder objective.

- The smoking area shall be secured so that it can only be accessed by persons already inside the Premises and that have passed the search point. The smoking area will be secured so those within the smoking area are not visible from outside and secured in such a way that no items can be passed into the smoking area from outside of it.
- CCTV that is approved by West Midlands police and able to capture images particularly outside under conditions of low lighting will be fitted in the premises and operational at all times the premises are open. Images will be retained for a period of at least 31 days and will be made available to any of the responsible authorities to view or copies produced on request. If for any reason the CCTV hard drive needs to be replaced the previous / old hard drive will be kept on site for a minimum of 31 days and made immediately available to any of the responsible authorities on request. The CCTV will be checked each day to ensure that it is working prior to licensable activity taking place. The date, time, identity of the checker and the result of the check will be recorded in the premises incident log. All images/recordings from the CCTV shall show the correct date and time .
- The premises will deploy door staff when trading. Door staff will sign on and off duty. The premise shall maintain staff profiles for all door staff working at the premises, and for any door staff that have worked on the premises in the last three months. The door staff profile will consist of identification for the member of staff which shall include the following: a) A copy of his/her SIA Badge. b) Passport or driving licence. If the proof of identification is anything other than the photo driving licence, then the member of staff will need proof of address, which must be a utility bill and to be dated within the last three months. Door staff will sign on and off duty.

The signing in & out sheets and profiles will be kept on the premises for a minimum of 3 months and made immediately available to any of the responsible authorities on request.

The numbers of door staff will be risk assessed by the premises and the risk assessment will be made available to any of the responsible authorities immediately on request. Door supervisors at the venue (inside and outside) will wear their SIA badge in clear arm sleeve holder in visible view to the public at all times whilst on duty. Door staff will remain on duty until all the customers have dispersed and this will form part of the premises dispersal plan.

- The premises will operate a search policy which will be made available to responsible authorities upon request. From 10pm, Monday to Sunday, each person entering the premises will be subject to a full body search including metal detection search in the form of a metal wand detection.
- The premises will have a "zero tolerance approach" in relation to the misuse of drugs and will display signage at the premises and within any promotional literature advising of this. The premises will operate a drugs policy which will be made available to any of the responsible authorities on request.
- The premises will operate a dispersal policy which will be made available to any of the responsible authorities on request
- The premises will operate an incident book and record all incidents that occur inside and immediately outside the premises. Incident book can be inspected at any time upon request. The incident book to be available for inspection by any regulatory body or responsible authority.
- Venue to provide 28 days' notice or sooner if agreed with WMP, for new events or new promoters who wish to conduct a promotion at the premises. Notification shall be in writing or via email to the Police Licensing Officer for the area and shall be given to the address/email address specified as the notification address for them as a responsible authority. Premises also to provide a full risk assessment with the notification. When the premises wish to hold an event as above, all recommendations made by the risk assessment to become conditions of the licence for that event.

Agreed conditions from EHO

**From:** xxxxxxxxxxxxxxxxxxxxxx

**Sent:** 10 January 2024 11:18

**To:** Licensing Team for Alcohol & Gambling <Licensing\_Team@sandwell.gov.uk>

**Cc:** xxxxxxxxxxxxxxxxxxxxxx

**Subject:** RE: Premises Licence Application 198 Dudley Port

Hi xxxxxxxxxxxxxxxxxxxxxxx

Thanks for letting me know. I can confirm that, following Mr McCalla agreeing that the condition can be added to the premises licence, the Environmental Health responsible authority withdraws its representation.

Kind regards,

xxxxxxxxxxxxxxxxxxxxxx  
xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx Officer

**From:** Licensing Team for Alcohol & Gambling  
**Sent:** 09 January 2024 11:58  
**To:** xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx  
**Subject:** RE: Premises Licence Application 198 Dudley Port

Dear xxxxxx

Further to your representation received for Club Ochio Rios, 198 Dudley Port, I have received this email below from Mr McCalla, accepting conditions you have imposed, to be added on the premises licence.

Can you confirm you formally withdraw your representation, I will require this to withdraw.

I look forward to hearing from you.

Many thanks

**Kind Regards**

xxxxxxxxxxxxxx  
Licensing Officer



[licensing\\_team@sandwell.gov.uk](mailto:licensing_team@sandwell.gov.uk)  
[www.sandwell.gov.uk](http://www.sandwell.gov.uk)

**Address for all correspondence:**  
General Licensing Team, Regulated Services, Borough Economy, Sandwell Council House, PO Box 2374, Oldbury, B69 3DE



**From:** xxxxxxxxxxxxxxxxxxxxxxx  
**Sent:** 09 January 2024 01:48  
**To:** Licensing Team for Alcohol & Gambling <Licensing\_Team@sandwell.gov.uk>  
**Subject:** Premises Licence Application 198 Dudley Port

**CAUTION: This email originated from outside of the Council / Children's Trust. Do not click links or open attachments**



Dear xxxxxx

I accept the proposed conditions from environmental and it can be dealt with similarly to those proposed by West Midlands Police. The conditions are as follows:

1. The premises hereby licensed shall not be brought into operation until such time that a noise management policy has been approved by the Local Authority. The policy should:

(a) be based on the findings of an acoustic assessment, carried out by a suitably competent person, with the assessment methodology to be approved by the Environmental Health responsible authority prior to the assessment taking place;

(b) set out sound attenuation measures to prevent or control music, singing, and speech noise breakout, or any other noise from regulated entertainment at the premises, from impacting on existing residents and businesses, with the attenuation measures to be fully implemented prior to the operation of the licensed premises;

(c) set out control measures for noise resulting from customers or staff using external areas of the premises, and from noise caused by people arriving at or leaving the premises;

(d) ensure that all staff are trained on the content of the policy to ensure a commitment to good noise management. A record should be kept of the date and name of each person trained and made available for inspection by the licensing authority or environmental health responsible authority;

(e) detail how those providing any form of entertainment will be made aware of the policy in advance of any performance/entertainment;

If you're happy with the proposed conditions you can forward this email to the licensing team, including a statement that you accept the proposed conditions, and it can be dealt with similarly to those proposed by West Midlands Police. In that case, it may be possible for our representation to be withdrawn. Otherwise, it would be for the Licensing Committee to determine your application and impose any conditions they thought necessary.

I understand that you're already in contact with the Planning team at Sandwell Council regarding the question of whether a change of use consent would be required for the premises.

Thank you for your time today, and please do contact me if you have any questions or concerns.

Kind regards,

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXXXXXXXXXX Officer

Sandwell Council House, [Freeth Street, Oldbury, B69 3DE](#)

E: [XXXXXXXXXXXXXXXXXXXXXXXXXXXX](#)



----- Forwarded message -----

From: XXXXXXXXXXXXXXXXXXXXXXXX

To: "Licensing Team for Alcohol & Gambling" <[Licensing\\_Team@sandwell.gov.uk](mailto:Licensing_Team@sandwell.gov.uk)>

Cc:

Bcc:

Date: Thu, 4 Jan 2024 20:41:07 +0000

Subject: Representation against Premises Licence Application

Dear Licensing Team,

I'm emailing you because the Environmental Health team, as a responsible authority under the Licensing Act 2003, wishes to make a representation against the premises licence application made by Club Ochio Rios Ltd in relation to the premises at 198 Dudley Port, Tipton, DY4 7RG.

Our representation is made in relation to the 'prevention of public nuisance' licensing objective. Specifically, our concerns are that:

- The premises at 198 Dudley Port is located in close proximity to residential premises (approximately 30-40 metres).
- There is potential for noise breakout associated with the provision of regulated entertainment at the premises which might cause disturbance at nearby residential premises, and this might lead to significant nuisance to the occupants of those premises.
- There is potential for noise to be produced by customers and staff in external areas of the premises, including smoking areas, which might cause disturbance to the occupiers of nearby residential premises.
- There is potential for noise to be produced by customers arriving at and leaving from the premises, which might cause disturbance to the occupiers of nearby residential premises.
- The application does not provide details of control measures that would be adequate to address these potential sources of disturbance, and those outlined do not appear to be tailored towards the specific premises.

We are therefore concerned that, should the application be granted as it has currently been made, the applicant will fail to promote or uphold the licensing objective of prevention of public nuisance.

Kind regards,

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXXXXXXXXXX Officer

Sandwell Council House, Freeth Street, Oldbury, B69 3DE

E: [XXXXXXXXXXXXXXXXXXXXXXXXXXXX](mailto:XXXXXXXXXXXXXXXXXXXXXXXXXXXX)

This page is intentionally left blank

## Report to Licensing Sub Committee 1

**30 January 2024**

<b>Subject:</b>	Application for the grant of a New Premises Licence at Mediterranean Grill, 214 Causeway Green Road, Oldbury B68 8LS
<b>Director:</b>	Director – Borough Economy – Alice Davey
<b>Contact Officer:</b>	Kiran Dhesi Licensing Officer licensing_team@sandwell.gov.uk

### 1. Recommendations


1. To consider the application for the grant of a new premises licence under section 17 of the Licensing Act 2003 in respect of Mediterranean Grill, 214 Causeway Green Road, Oldbury B68 8LS

### 2. Reasons for Recommendations

- 2.1 The Licensing Sub Committee is asked to make a decision on the application based on any evidence presented at the hearing taking into account the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy and to give reasons for their decision.
- 2.2 To consider an application for the grant of a new premises licence in respect of Mediterranean Grill, 214 Causeway Green Road, Oldbury B68 8LS following receipt of representation from the Fire Authority on the grounds of Public Safety.



### 3. How does this deliver objectives of the Corporate Plan?

	<p><b>A strong and inclusive economy</b> Investing in people and jobs. Licensed premises provide employment in the Borough and help to support the Borough's economy.</p> <p>It is the Authority's aim to offer a wide choice of high quality and well managed entertainment and cultural venues within a safe, orderly and attractive environment; valued by those who live here, work here and come to visit. We want to ensure that businesses operate responsibly and safely so that our residents live in decent neighbourhoods and have a good quality of life.</p>
---	---

### 4. Context and Key Issues

- 4.1 Under the Licensing Act 2003, a responsible authority or any other person may make representations in respect of the application which must be relevant to one or more of the four licensing objectives, namely:
- The Prevention of Crime and Disorder
  - Public Safety
  - The Prevention of Public Nuisance
  - The Protection of Children from Harm
- 4.2 Representations received are attached at Appendix 4.
- 4.3 Each application must be considered on its merits taking into account the evidence presented at the hearing, and the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's Licensing Policy. The options that can be considered once evidence has been heard are detailed at section 5.

#### CURRENT POSITION

- 4.4 An application has been made by Ervis Hallaci for the grant of a new premises licence.
- 4.4 A copy of the full application is attached at Appendix 1.



4.5 The application is for Live Music, Recorded Music (indoors) Late Night Refreshment (indoors & outdoors) Monday –Sunday 23:00 – midnight. Supply of Alcohol (On & Off the premises) Monday – Sunday 11.00am – midnight.

4.6 The proposed hours the premises will be open to the public is Monday – Sunday 09:00 – 00.30

#### 4.7 **Operating Schedule/Proposed Conditions**

**General** – The Licence holder shall ensure that they fully uphold all of the four licensing objectives, at all times. Take into consideration the following documents – (1) Statement of Licensing Policy (2) Section 182 Guidance.

The premises Licence holder has submitted a robust operating schedule with modest hours of operation, demonstrating a commitment to due diligence at the restaurant.

As the Premises Licence Holder, I will ensure that I fully uphold all of the licensing objectives, at all times.

We believe we have submitted a robust operating schedule for this operation, demonstrating a commitment to due diligence in all areas of the day-to-day management of the premises.

Policies and procedures are being fully implemented for the safe and efficient running of events, including:

1. Staff training and operations manual
2. Refusals log
3. Challenge 25
4. Signage
5. Incident log
6. Noise management policy/Strategy

**The prevention of crime and disorder** – The Licence holder shall ensure CCTV is fully installed, operated, and fully maintained at all times; images will be retained for at least 28 days and be produced on request of any Responsible Authority. The CCTV will be operational at all times whilst the premises are trading.

If for any reason the CCTV hard drive needs to be replaced the previous / old hard drive will be kept on site for a minimum of 31 days and made immediately available to any of the responsible authorities on request. The CCTV system will be checked each day prior to licensable activity



taking place. The identity of the checker and the result of the checks will be recorded in the incident log and will be signed and dated.

Warning notices will be displayed in public areas of the premises advising that CCTV is in operation.

A refusals register will be maintained at all times and will be checked and signed off by the DPS at the end of each week. The log will be made

**Public Safety** - The premises licence holder or DPS will carry out pre-opening checks of the restaurant, to ensure that there are no risks to patrons and that all safety precautions are in place.

The licence holder will ensure that all staff receive appropriate staff training.

The licence holder would ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol.

All safety certificates and inspection reports will be kept on site and made available to officers of relevant statutory bodies.

The premises will comply with all food safety regulations. The staff involved in food preparation will be fully trained.

**The prevention of public nuisance** - As the Premises Licence Holder, I will ensure that the disturbance caused to the general public is kept to a minimum, and signage will be placed in a prominent place asking customers to respect our neighbours. All doors and windows will be kept closed when music is played, other than for access and egress. (Generally ambient background music).

The Licence holder shall ensure premises staff will be checking that the frontage of the restaurant is checked regularly for litter and rubbish, clearing any debris away.

No rubbish, including bottles, shall be moved, removed, or placed in outside areas between 2300hours and 0800hours.

**The Protection of children from harm** – The Premises Licence holder shall ensure a challenge 25 policy is in place and only recognised forms of ID will be accepted. {PASS accredited ID, passport, or photo driving licence}.





4.8 A location map of the premises is attached at Appendix 3.

#### 4.9 **Consultation (customers and other stakeholders)**

A notice has been published in a local paper and a public notice has been displayed at the premises outlining the application and inviting comments/representations to be sent to the Licensing Authority, detailing a closing date for these to be received. Details of the application were also published on the Council's website.

### 5. **Alternative Options**

5.1 The options available to the Licensing Sub-Committee having considered all the relevant information are as follows:

- to grant the licence subject to conditions consistent with the operating schedule accompanying the application, and any mandatory conditions which must be included in the licence
- to exclude from the scope of the licence any of the licensable activities to which the application relates;
- to refuse to specify a person in the licence as the premises supervisor;
- to reject the application

5.2 Conditions may be altered or omitted, or any new condition added.

5.3 Additional conditions or restrictions to licensable activities and/or times should only be imposed if considered appropriate for the promotion of the licensing objectives. If other law already places certain statutory responsibilities on a premise, it would not be appropriate to impose similar duties.

5.4 Members of the Sub Committee should be advised that the applicant, or any other person who made relevant representations in relation to the application, may appeal against the decision made to the Magistrates' Court within 21 days of the date on which they were notified.



## 6. Implications

<p><b>Resources:</b></p>	<p>There are no direct strategic resource implications associated with this application.</p> <p>In respect of premises licence applications, we do not foresee any issues in respect of sustainability of proposals.</p> <p>The application relates to a privately owned property.</p>
<p><b>Legal and Governance:</b></p>	<p>Members of the Licensing Sub Committee when making their decision on the application must take into account the four licensing objectives, the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy. The applicant and those who have made relevant representations have the right to appeal the decision made by the Licensing Sub Committee to the Magistrates Court, so the Committee are asked to give reasons for their decision wherever possible.</p> <p>Members of the Sub-Committee should not allow themselves to predetermine the application or to be prejudiced in favour or opposed to the applicant and/or the licence holder and shall only determine the application having had an opportunity to consider all relevant facts.</p>
<p><b>Risk:</b></p>	<p>The Police are a statutory consultee for all Licensing Act 2003 applications. Prevention of Crime and Disorder is one of the four licensing objectives and applicants have to demonstrate how they will achieve this objective by volunteering measures in the operating schedule submitted with the Licence application.</p> <p>The Police have <b>not</b> made a representation to this application.</p> <p>Whilst full details of the application and any representations have been shared with the committee members, only information that is in the public domain has been made available for the reports that have</p>



	been made public online, in line with data protection protocols.
<b>Equality:</b>	The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.  The operators of this premises are responsible for complying with all relevant legislation.
<b>Health and Wellbeing:</b>	This is not applicable to applications for premises licences submitted under the Licensing Act 2003.
<b>Social Value</b>	This is not applicable to applications for premises licences submitted under the Licensing Act 2003.
<b>Climate Change:</b>	This is not applicable to applications for premises licences submitted under the Licensing Act 2003.
<b>Corporate Parenting:</b>	This is not applicable to applications for premises licences submitted under the Licensing Act 2003.

## 7. Appendices

- Appendix 1 – Application Form
- Appendix 2 – Plan
- Appendix 3 – Location Plan
- Appendix 4 – Representations

## 8. Background Papers

- Sandwell Metropolitan Borough Council Licensing Policy
- Guidance issued under Section 182 of the Licensing Act 2003
- The Licensing Act 2003 (Hearings) Regulations 2005



This page is intentionally left blank

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

I/We **Ervis Hallaci**

*(Insert name(s) of applicant)*

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
214 Causeway Green Road Oldbury B68 8LS			
<b>Post town</b>	Birmingham	<b>Postcode</b>	B68 8LS

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£4,700 - Band B

**Part 2 - Applicant details**

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

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i as a limited company/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  please complete section (B)
  - iii as an unincorporated association or  please complete section (B)
  - iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales.  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England.  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> XXXXXXX			<b>First names</b> XXXXXX		
<b>Date of birth</b> xxxxxx		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
<b>Nationality</b> British					
Current residential address if different from premises address		XXXXXXXXXXXXXXXXXXXX XXXXXXX			
Post town	Birmingham			Postcode	xxxxxx
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
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)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> I am 18 years old or over					<input type="checkbox"/> Please tick yes
<b>Nationality</b>					
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)					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start? **ASAP**

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

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

A high-class restaurant/grill/bar, based on the ground floor of the premises, and serving the local community and wider area.

Policies and procedures will be in place for the safe and efficient running of the premises, including:

1. Staff training manual
2. Refusals log
3. Challenge 25
4. Signage
5. Incident log
6. Noise Management Plan/strategy

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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



**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**

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

## B

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

**C**

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

**D**

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

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	2300	0000			
Tue	2300	0000			
Wed	2300	0000			
			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur	2300	0000	Hours to be extended until 0200 hrs on New Year’s Eve.		
Fri	2300	0000	<b><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></b> (please read guidance note 6)		
Sat	2300	0000			
Sun	2300	0000			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	2300	0000			
Tue	2300	0000			
			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Wed	2300	0000			
			Hours to be extended until 0200 hrs on New Year’s Eve.		
Thur	2300	0000			
			<b><u>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri	2300	0000			
Sat	2300	0000			
Sun	2300	0000			

# G

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



# H

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

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	2300	0000	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	2300	0000			
Wed	2300	0000	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur	2300	0000	Hours to be extended until 0200 hrs on New Year’s Eve.		
Fri	2300	0000	<b><u>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	2300	0000			
Sun	2300	0000			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	1100	0000			
Tue	1100	0000			
Wed	1100	0000			
Thur	1100	0000			
Fri	1100	0000			
Sat	1100	0000			
Sun	1100	0000			
			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
			Hours to be extended until 0200 hrs on New Year’s Eve.		

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

<b>Name</b>	
<b>Date of birth</b>	
<b>Address</b>	
Currently attending an APLH course – DPS to be added at a later date.	
<b>Postcode</b>	
<b>Personal licence number (if known)</b>	
<b>Issuing licensing authority (if known)</b>	

**K**

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

**Not applicable**

**L**

<p><b>Hours premises are open to the public.</b> Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p>
Day	Start	Finish	<p><u>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p> <p>Hours to be extended until 0200 hrs on New Year's Eve.</p>
Mon	0900	0030	
Tue	0900	0030	
Wed	0900	0030	
Thur	0900	0030	
Fri	0900	0030	
Sat	0900	0030	
Sun	0900	0030	

## M

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

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

As the applicant, I will ensure that I fully uphold all of the four licensing objectives, at all times. I have taken into consideration the following documents – (1) Statement of Licensing Policy (2) Section 182 Guidance.

I have therefore submitted a robust operating schedule with modest hours of operation, demonstrating a commitment to due diligence at the restaurant.

As the Premises Licence Holder, I will ensure that I fully uphold all of the licensing objectives, at all times.

We believe we have submitted a robust operating schedule for this operation, demonstrating a commitment to due diligence in all areas of the day-to-day management of the premises.

Policies and procedures are being fully implemented for the safe and efficient running of events, including:

1. Staff training and operations manual
2. Refusals log
3. Challenge 25
4. Signage
5. Incident log
6. Noise management policy/Strategy

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

CCTV is fully installed, operated, and fully maintained at all times; images will be retained for at least 28 days and be produced on request of any Responsible Authority. The CCTV will be operational at all times whilst the premises are trading.

If for any reason the CCTV hard drive needs to be replaced the previous / old hard drive will be kept on site for a minimum of 31 days and made immediately available to any of the responsible authorities on request. The CCTV system will be checked each day prior to licensable activity taking place. The identity of the checker and the result of the checks will be recorded in the incident log and will be signed and dated.

Warning notices will be displayed in public areas of the premises advising that CCTV is in operation.

A refusals register will be maintained at all times and will be checked and signed off by the DPS at the end of each week. The log will be made

available for inspection by any Responsible Authority, upon reasonable request.

Staff other than personal licence holders involved in the sale/ supply of alcohol are to receive documented refresher training every six months.

An incident log will be maintained at the premises. At regular intervals, these will be signed off by the DPS. The log will be made available to any of the responsible authorities on request.

**c) Public safety**

The premises licence holder or DPS will carry out pre-opening checks of the restaurant, to ensure that there are no risks to patrons and that all safety precautions are in place.

The licence holder will ensure that all staff receive appropriate staff training. The licence holder would ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol.

All safety certificates and inspection reports will be kept on site and made available to officers of relevant statutory bodies.

The premises will comply with all food safety regulations. The staff involved in food preparation will be fully trained.

**d) The prevention of public nuisance**

As the Premises Licence Holder, I will ensure that the disturbance caused to the general public is kept to a minimum, and signage will be placed in a prominent place asking customers to respect our neighbours.

All doors and windows will be kept closed when music is played, other than for access and egress. (Generally ambient background music).

The premises staff will ensure that the frontage of the restaurant is checked regularly for litter and rubbish, clearing any debris away.

No rubbish, including bottles, shall be moved, removed, or placed in outside areas between 2300hours and 0800hours.

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

A challenge 25 policy is in place and only recognised forms of ID will be accepted. {PASS accredited ID, passport, or photo driving licence}.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- 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.**

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

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

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	<div style="border: 1px solid black; height: 40px; width: 150px;"></div>
Date	7 December 2023
Capacity	Agent on behalf of the applicant (Licence Leader Ltd)

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

Signature	
Date	
Capacity	

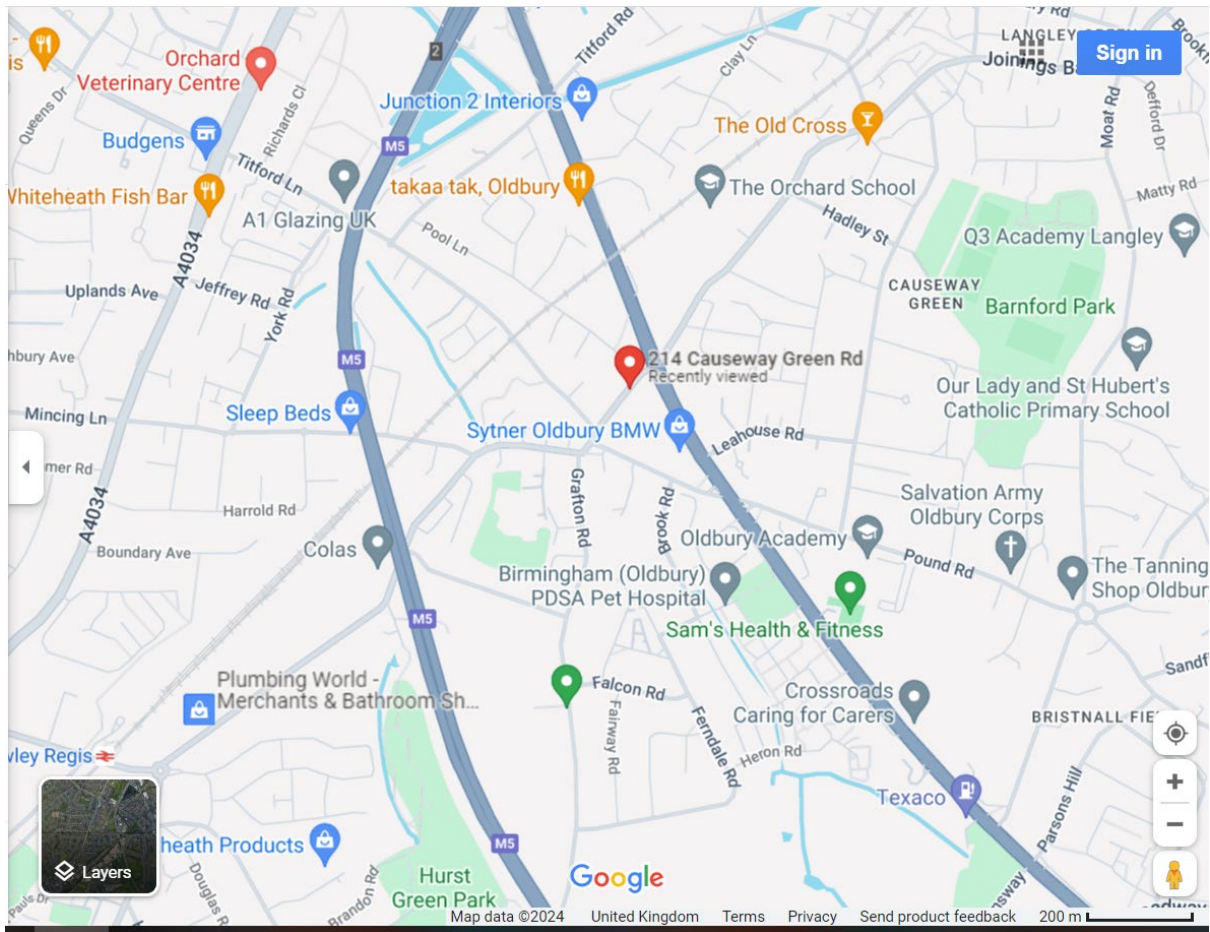
<p>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)</p> <p>XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXX</p>			
Post town	Birmingham	Postcode	xxxxxx
Telephone number (if any)	xxxxxxxx		
<p>If you would prefer us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





This page is intentionally left blank

Appendix 3 – Location Map



This page is intentionally left blank

**From:** xxxxxxxxxxxxxxxxxxxxxxxxx  
**Sent:** 18 December 2023 15:36  
**To:** xxxxxxxxxxxxxxxxxxxxxxxxx  
**Cc:** xxxxxxxxxxxxxxxxxxxxxxxxx  
**Subject:** Fire Authority representation to a premises licence application

**CAUTION: This email originated from outside of the Council / Children's Trust. Do not click links or open attachments**

OFFICIAL

**Licensing Act 2003**  
**NAME OF PREMISES:** Mediterranean Grill  
**ADDRESS:** 214 Causeway Green Road, Oldbury B68 8LS

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

The Fire Authority hereby makes representation to the application on the grounds of Public Safety for the following reason.

It is the opinion of the Fire Authority that the plan/s submitted with the application fail/s to comply with The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Order 2005- part 4 - Regulation 23- plans

In order to rectify this matter an amended plan/s detailing the full demise of the premises, the location and type of all fire safety equipment, including fire alarm, emergency lighting and fire exit signs , fire exits ,safety equipment in areas where cooking may take place, and the direction of exit doors on the means of escape should be forwarded to this Authority, other responsible Authorities and the Licensing Authority.

Please confirm also ;

- 60mins fire resistance is provided between occupancies, including the underside of the stairs leading to the first floor flat

A building regulations application should also be made to the extent that the layout differs significantly from any previously approved plans. Please also provide planning approval for the fire exits to open across council owned pathways, if this is the case.

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

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

xxxxxxxxxxxxxxxxxxxxxxxx

Email : xxxxxxxxxxxxxxxxxxxxxxxx

**Team Email:** xxxxxxxxxxxxxxxxxxxxxxxx

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



---

West Midlands Fire Service

Unless expressly stated otherwise, the information contained in this e-mail is confidential and is intended only for the named recipients. You must not copy, distribute, or take any action or reliance upon it. Any unauthorised disclosure of the information contained in this e-mail is strictly prohibited. If you have received it in error please notify us immediately on 0121 380 6067 or return it to <mailto:postmaster@wmfs.net> and then destroy it.

The information contained in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information is legally exempt from disclosure, the confidentiality of this e-mail and your reply cannot be guaranteed.

Any opinions expressed in this e-mail (including attachments) are those of the author and do not necessarily reflect the opinions of West Midlands Fire Service. Nothing in this e-mail message amounts to a contractual or other legal commitment on the part of West Midlands Fire Service unless confirmed by a communication signed on behalf of the Chief Fire Officer.

West Midlands Fire Service information is available from <http://www.wmfs.net>

This footnote also confirms that this e-mail message has been swept for the presence of computer viruses but does not guarantee that it is free from viruses and you should check all e-mail and attachments with your own anti-virus systems.