



**BIRMINGHAM CITY COUNCIL**

**LICENSING SUB COMMITTEE C**

**WEDNESDAY 15 JULY 2020**

**MINI SUPERMARKET, 121 WITTON LODGE ROAD, PERRY COMMON,  
BIRMINGHAM, B23 5JD**

That the application by Tesfit Meles for a premises licence in respect of Mini Supermarket, 121 Witton Lodge Road, Perry Common, Birmingham, B23 5JD be granted.

Those matters detailed in the operating schedule, and the relevant mandatory conditions under the Licensing Act 2003, will form part of the licence issued, together with those additional conditions which were agreed by email in advance of the meeting (and reproduced in the Report) following discussions between the applicant, West Midlands Police and Licensing Enforcement, namely:

- If for any reason the CCTV hard drive needs to be replaced or repaired the previous/ old hard drive will be kept on site for a minimum of 28 days and made immediately available to any of the responsible authorities on request
- Cameras outside the premises are required to be able to still function in conditions of reduced lighting in order to be able to provide recordings of an evidential quality
- All staff with the exception of personal licence holders will receive training in their responsibilities under the Licensing Act 2003, the licensing objectives and the Challenge 25 policy
- A record of training will be maintained and this will be signed by both the trainer and trainee. The training will be documented, kept on site and produced upon request to an authorised person. It will be refreshed every 6 months. No staff will be permitted to work in the premises if they have not completed this training
- A sales refusals book will be kept on site and completed by the member of staff each time they refuse a sale of an age restricted product. The refusals book will be signed off by the DPS every month
- Single cans or bottles of less than 75 ml of beers, ciders and alcopops, and plastic cups to accompany purchases of alcohol, are not to be sold
- A notice will be displayed at the exit of the premises requesting customers to leave quietly and respect the local neighbourhood

The Sub Committee deliberated the operating schedule put forward by the applicant and the likely impact of the application, including the agreed conditions, and concluded that by granting this application, the four licensing objectives contained in the Act will be properly promoted.

Members carefully considered the representations made by another person, who submitted a written objection, but were not convinced that there was an evidential and causal link between the issues raised and the effect on the licensing objectives.

Other licensed premises in the area already operated to similar, or even later, hours. The applicant was an experienced person who currently held a 24 hour licence elsewhere, and had been operating at that premises without problems. It would be a family-run convenience store with 'off' sales of alcohol. All in all, the Sub-Committee was satisfied that the applicant had sufficient experience to manage such a shop in the Witton Lodge Road area responsibly.

The Sub-Committee considers the conditions agreed between the applicant, West Midlands Police and Licensing Enforcement to be appropriate, reasonable and proportionate to address concerns raised by the objector.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under section 182 of the Licensing Act 2003 by the Secretary of State, the information in the application, the written representations received and the submissions made at the hearing by the applicant via his representative.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.