

# **BIRMINGHAM CITY COUNCIL**

## **LICENSING SUB-COMMITTEE A**

**MONDAY, 26 JUNE 2023 AT 10:00 HOURS**  
**IN ON-LINE MEETING, MICROSOFT TEAMS**

*Please note a short break will be taken approximately 90 minutes from the start of the meeting and a 30 minute break will be taken at 1300 hours.*

### **A G E N D A**

#### **1 NOTICE OF RECORDING/WEBCAST**

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

#### **2 DECLARATIONS OF INTERESTS**

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.



3 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

**3 - 8**

4 **MINUTES**

To note the public part of the Minutes of the meeting held on 5 June 2023 at 1000 hours and to confirm and sign the Minutes as a whole.

**9 - 258**

5 **LICENSING ACT 2003 PREMISES LICENCE – GRANT SOHO ROAD  
CONVENIENCE STORE AND POST OFFICE, 206 SOHO ROAD,  
HANDSWORTH, BIRMINGHAM, B21 9LR**

Report of the Director of Regulation and Enforcement.  
N.B. Application scheduled to be heard at 10:00am.

6 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

7 **EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraph 3

**P R I V A T E   A G E N D A**

1 **MINUTES**

To note the private part of the Minutes of the meeting held on 5 June 2023 at 1000 hours and to confirm and sign the Minutes as a whole.

2 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.



# BIRMINGHAM CITY COUNCIL

## LICENSING SUB-COMMITTEE Monday 5 June 2023

### MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD ON MONDAY 5 JUNE 2023 AT 1000 HOURS AS AN ON- LINE MEETING.

**PRESENT:** - Councillor Phil Davis in the Chair;

Councillors Adam Higgs and Mary Locke

### **ALSO PRESENT**

Bhupinder Nandhra – Licensing Section  
Joanne Swampillai – Legal Services  
Ed Brown – Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

\*\*\*\*\*

### 1/050623 **NOTICE OF RECORDING/WEBCAST**

The Chair advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site and that members of the press/public would record and take photographs except where there are confidential or exempt items.

### 2/050623 **DECLARATION OF INTERESTS**

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.  
If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.



If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.  
Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

---

3/050623 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

No Apologies

4/05/0623 **MINUTES**

That the public section of the Minutes of the meeting held on 11 May 2023 at 1000 hours were noted and the minutes as a whole were confirmed and signed by the Chair.

The Minutes of the meeting held on 15 May 2023 at 1000 hours were circulated, and confirmed and signed by the Chair.

That the public section of the Minutes of the meeting held on 22 May 2023 at 1000 were noted and the minutes as a whole were confirmed and signed by the Chair.

5/050623 **LICENSING ACT 2003 PREMISES LICENCE – REVIEW O BAR, 265 BROAD STREET, LADYWOOD, BIRMINGHAM, B1 2DS**

The Chair introduced the Members and officers present and the Chair asked if there were any preliminary points for the Sub-Committee to consider.

Christopher Jones, West Midlands Police, requested that the review be heard in private session as it was the subject of an ongoing Police investigation, and it was intended that CCTV footage be shown which may prejudice the investigation if shown in public.

The Chair then explained the hearing procedure prior to inviting the Licensing Officer, Bhapinder Nandhra, to outline the report.

**EXCLUSION OF THE PUBLIC**

**RESOLVED:-**

That in accordance with Regulation 14 of the Licensing Act 2003 (Hearing) Regulations 2005, the public be excluded from the hearing due to the sensitive nature of the evidence to be presented.



---

The public were readmitted into the meeting.

The Members, Committee Lawyer and Committee Manager conducted the deliberations in a separate private session and the decision of the Sub-Committee was announced and a copy of that decision was sent to all parties as follows;

**RESOLVED:-**

That having reviewed the premises licence held under the Licensing Act 2003 by City Leisure Entertainment Limited in respect of O Bar, 265 Broad Street, Ladywood, Birmingham B1 2DS, following an application for an expedited review made on behalf of a Superintendent of West Midlands Police, following an application for an expedited review made on behalf of the Chief Officer of West Midlands Police, this Sub-Committee hereby determines that

1. The interim step of suspension of the licence, which had been lifted to permit trading from Saturday 13th May 2023 onwards, be formally confirmed as lifted
2. The conditions of the Licence be modified by the adoption of those conditions agreed between the premises licence holder and West Midlands Police which were imposed as interim steps [as detailed below]
3. The interim step of the modification of the licence by way of conditions agreed between the premises licence holder and West Midlands Police [as detailed below], shall be maintained pending the determination of any Appeal

The conditions of the Licence shall be modified as agreed between the premises and West Midlands Police in advance of the Interim Steps meeting, namely:

- From 21.00hrs all customers/artists/DJs to be searched on entry. This search to include metal detection. No search means no entry
- From 21.00hrs premises to operate an ID scanner. All customers will be required to provide ID to satisfy the scanning requirement. No ID or ID not accepted then no entry
- All staff will be trained in (crime) scene management. This training will be documented and signed by the trainer and trainee. These training records to be made immediately available to any of the responsible authorities on request
- The premises security risk assessment for deployment and numbers will be made available to any of the responsible authorities immediately on request
- All door staff to wear either a hi- visibility coat, jacket or tabard
- The premises to ensure that door staff will wear body cams. There will be a minimum of 50% of door staff on duty who wear a body cam. These cameras will record throughout the tour of duty with images &



audio, be downloadable and be made available to West Midlands Police on request. Images will be kept for a minimum of 31 days

- Door staff to sign on and off duty. Each entry will include their full SIA licence number. This documentation to be made immediately available to any of the responsible authorities on request and kept on the premises for a minimum of 2 months
- Premises to keep a profile of all door staff to include a copy of their SIA licence, photographic ID (or if photographic is not available then a copy of a utility bill, no older than 3 months.) These profiles to be kept on the premises for a minimum of 2 months after the last shift
- The premises will have a staff member on duty that is first aid trained
- The premises will have a bleed kit available on site
- Premises to risk assess the smoking area to minimise the risk of illicit items passed in by persons outside the venue. This risk assessment to be made available to any of the responsible authorities on request
- CCTV will be updated to the recommendation of West Midlands Police Central Licensing Team

The meeting was conducted in private session after the Sub-Committee considered an application made by West Midlands Police under regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005. The Police explained that to view the CCTV evidence in public could prejudice an ongoing criminal investigation. The Police therefore asked for the Sub-Committee to go into private session for the meeting. The consultant acting for the premises endorsed this course.

The meeting therefore went into private session and Members were shown the CCTV footage of the incident which had given rise to the application for an expedited Review of the licence. The Sub-Committee then heard the submissions of West Midlands Police, who confirmed that they had been advising the licence holder since the last meeting, had been to the venue to conduct inspections, and were satisfied with all aspects of the premises' implementation of the requirements. The premises had reopened and had been trading since Saturday 13th May 2023, without problems. The Police noted that the period in question had included four weekends and one Bank Holiday.

The Police view was that adopting the interim step conditions onto the licence (permanently) would ensure a robust regime, such that the licensing objectives could be upheld. The Police also observed that the management team was satisfactory, noting that the premises had volunteered its Incident Report and extra CCTV footage. Since the reopening, there had been no issues noted by the local teams policing the night-time economy area of Birmingham.

All in all, the Police were confident that those at the O Bar would ensure safe trading, and felt that it was unlikely that there would be any further serious crime or disorder incidents. The Police had found the premises to be "very proactive" in their plan to learn from the incident and to promote the licensing objectives in future. The Police recommendation



was therefore that the Sub-Committee should simply adopt all of the conditions imposed at the interim steps hearing onto the licence permanently.

The premises confirmed via its agent that all of the required measures had been put in place without delay. The resumption of the operation from 13<sup>th</sup> May onwards had been satisfactory in all aspects, and trading had been smooth. The premises had been cooperating with the Police fully, and intended to continue to do so. The designated premises supervisor in particular was keen to ensure that everything was safe for staff and patrons alike.

The agent confirmed that the designated premises supervisor was a very capable and experienced person who had carefully implemented all the conditions; he remarked that the events of the 7<sup>th</sup> May 2023 had been a one-off incident which had simply been unfortunate. The premises would remain vigilant and was confident that it could trade safely. The designated premises supervisor, who also attended the meeting, then addressed the Sub-Committee personally, to confirm that she had made sure that all the staff understood what was required.

The Sub-Committee considered the modification of the conditions proposed by the Police to be reasonable, proportionate and targeted to address the concerns which had been raised by the Police in the certificate - in particular the likelihood of serious crime and/or serious disorder. The Sub-Committee was pleased to hear that safe trading had resumed at the venue, and considered that the management of the O Bar could be trusted to ensure the promotion of the licensing objectives.

In addition to the above conditions, those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will continue to form part of the licence issued.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued by the Home Office under s182 of the Act, the application and certificate issued by West Midlands Police under Section 53A of the 2003 Act, and the submissions made by the premises via its agent, and by West Midlands Police, at the hearing.

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.

The determination of the Sub-Committee, save for the maintenance of the interim step conditions, does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the appeal is determined.







# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee A</b>
<b>Report of:</b>	<b>Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Monday 26<sup>th</sup> June 2023</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>Soho Road Convenience Store and Post Office, 206 Soho Road, Handsworth, Birmingham, B21 9LR</b>
<b>Ward affected:</b>	<b>Handsworth</b>
<b>Contact Officer:</b>	<b>Bhupinder Nandhra, Senior Licensing Officer, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### 1. Purpose of report:

To consider representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption off the premises) to operate from 09:00am until 08:00pm (Monday to Sunday).

Premises to remain open to the public from 09:00am until 08:00pm (Monday to Sunday).

### 2. Recommendation:

To consider the representations that have been made and to determine the application, having regard to:

- The submissions made by all parties
- The Statement of Licensing Policy
- The Public Sector Equality Duty
- The s182 Guidance

### 3. Brief Summary of Report:

An application for a Premises Licence was received on 5<sup>th</sup> May 2023 in respect of Soho Road Convenience Store and Post Office, 206 Soho Road, Handsworth, Birmingham, B21 9LR.

Representations have been received from West Midlands Police as a responsible authority, and from other persons.

### 4. Compliance Issues:

#### 4.1 Consistency with relevant Council Policies, Plans or Strategies:

The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.



## **5. Relevant background/chronology of key events:**

Bappa Ltd applied on 5<sup>th</sup> May 2023 for the grant of a Premises Licence for Soho Road Convenience Store and Post Office, 206 Soho Road, Handsworth, Birmingham, B21 9LR.

A representation has been received from West Midlands Police as a responsible authority, which is attached at Appendix 1.

Representations have been received from other persons, which are attached at Appendices 2 – 18.

The application is attached at Appendix 19.

Site Location Plans at Appendix 20.

When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-

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

## **6. List of background documents:**

Copies of the representations as detailed in Appendices 1 – 18  
Application Form, Appendix 19  
Site Location Plans, Appendix 20

## **7. Options available**

To Grant the licence in accordance with the application.

To Reject the application.

To Grant the licence subject to conditions modified to such an extent as considered appropriate.

Exclude from the licence any of the licensable activities to which the application relates.

Refuse to specify a person in the licence as the premises supervisor.



**From:** Huram Taj  
**Sent:** 25 May 2023 13:13  
**To:** Licensing  
**Cc:**  
**Subject:** RE: [External]: Grant Application - Soho Road Convenience Store & Post Office, 206 Soho Road, Handsworth, Birmingham, B21 9LR - 165130

Good Afternoon Licensing,

West Midlands Police have considered the Premises licence application for Soho Road Convenience Store & Post Office, 206 Soho Road, Handsworth, Birmingham, B21 9LR.

West Midlands Police licensing team, when determining this application, have consulted with the local neighbourhood team for their expert local knowledge. This was sought along their views on the impact of the granting of this license and its ability to promote the licensing objectives. It has been determined, the granting of this application will be detrimental to the local community, exacerbate current issues within the area and in turn negate the promotion of the licensing objectives.

West Midlands Police object to the granting of this premises license.

A full evidence bundle will be provided in due course, containing impact statements from Licensing officers and Neighbourhood officers.

The applicant has been made aware of this objection and included in this email.

**Regards**  
**Huram Taj 60679**| Licensing Department  
Birmingham Partnerships Team| Lloyd House Birmingham  
West Midlands Police



**From:** Soho Road BID  
**Sent:** 26 May 2023 12:28  
**To:** Licensing  
**Cc:**  
**Subject:** Objection to License Application [165130] for Soho Road Convenience Store & Post Office  
**Importance:** High

Dear Birmingham City Council

I am writing to **strongly object to the alcohol license application** submitted by:-

**Soho Road Convenience Store & Post Office**  
**206 Soho Road**  
**Birmingham**  
**B21 9LR**

Application Number: **165130**

As the manager of the Soho Road Business Improvement District, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council. Firstly, the prevention of crime and disorder is a primary concern in our community. Soho Road already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behaviour, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighbourhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community. This shop is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city.

Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales at Soho Road Convenience Store & Post Office would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting women and children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Considering the prevailing challenges in the area, it is imperative that the Birmingham City Council takes a firm stance in support of the community's well-being and safety. Granting an alcohol license to Soho Road Convenience Store & Post Office would directly contradict these principles and exacerbate the social issues already plaguing the neighbourhood.

I urge the council to carefully evaluate the potential consequences and prioritize the welfare of the community by rejecting the alcohol license application.

**Going forward, I would like to discuss the possibility of setting a default objection on all new applications for alcohol premises licenses within the postcodes of the Soho Road Business Improvement District area, exemption only to applications for consumption of alcohol on indoors premises e.g. restaurants. This will hugely reduce the risk of applications/consultations being passed for the unknowing public including BID's.**



Thank you for your attention to this matter.  
Kind regards

BID Manager

**Soho Road Business Improvement District CIC**

Soho Road  
Handsworth  
Birmingham  
B21 .



**From:**

**Sent:** 25 May 2023 14:53

**To:** Licensing

**Subject:** Objection to License Application [165130] for Soho Road Convenience Store & Post Office

Subject: Objection to License Application [165130] for Soho Road Convenience Store & Post Office

Dear Birmingham City Council,

I am writing to strongly object to the alcohol license application submitted by Soho Road Convenience Store & Post Office. As a concerned resident of the area, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council.

Firstly, the prevention of crime and disorder is a primary concern in our community. Soho Road already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behavior, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighborhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community. This shop is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city.

Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales at Soho Road Convenience Store & Post Office would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Considering the prevailing challenges in the area, it is imperative that the Birmingham City Council takes a firm stance in support of the community's well-being and safety. Granting an alcohol license to Soho Road Convenience Store & Post Office would directly contradict these principles and exacerbate the social issues already plaguing the neighborhood.

I urge the council to carefully evaluate the potential consequences and prioritize the welfare of the residents by rejecting the alcohol license application.

Thank you for your attention to this matter.

Yours sincerely,

Scholars Close, Birmingham, B21



From:  
Sent: 25 May 2023 15:16  
To: Licensing  
Subject: Objection to License Application [165130] for Soho Road Convenience Store & Post Office

Dear Birmingham City Council,

I am writing to strongly object to the alcohol license application submitted by Soho Road Convenience Store & Post Office. As a concerned resident of the area, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council.

Firstly, the prevention of crime and disorder is a primary concern in our community. Soho Road already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behaviour, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighbourhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community. This shop is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city.

Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales at Soho Road Convenience Store & Post Office would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Considering the prevailing challenges in the area, it is imperative that the Birmingham City Council takes a firm stance in support of the community's well-being and safety. Granting an alcohol license to Soho Road Convenience Store & Post Office would directly contradict these principles and exacerbate the social issues already plaguing the neighbourhood.

I urge the council to carefully evaluate the potential consequences and prioritize the welfare of the residents by rejecting the alcohol license application.

Thank you for your attention to this matter.

Yours sincerely,

West Avenue  
B20



**From:**

**Sent:** 25 May 2023 15:24

**To:** Licensing

**Subject:** Objection to License Application [165130] for Soho Road Convenience Store & Post Office

Dear Birmingham City Council,

I am writing to strongly object to the alcohol license application submitted by Soho Road Convenience Store & Post Office. As a concerned resident of the area, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council.

Firstly, the prevention of crime and disorder is a primary concern in our community. Soho Road already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behaviour, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighbourhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community. This shop is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city.

Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales at Soho Road Convenience Store & Post Office would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Considering the prevailing challenges in the area, it is imperative that the Birmingham City Council takes a firm stance in support of the community's well-being and safety. Granting an alcohol license to Soho Road Convenience Store & Post Office would directly contradict these principles and exacerbate the social issues already plaguing the neighbourhood.

I urge the council to carefully evaluate the potential consequences and prioritize the welfare of the residents by rejecting the alcohol license application.

Thank you for your attention to this matter.

Yours sincerely,

Scholars Close

B21

--

Regards



From:

Sent: 25 May 2023 15:28

To: Licensing

Subject: Subject: Objection to License Application [165130] for Soho Road Convenience Store & Post Office

Dear Birmingham City Council,

I am writing to strongly object to the alcohol license application submitted by Soho Road Convenience Store & Post Office. As a concerned resident of the area, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council.

Firstly, the prevention of crime and disorder is a primary concern in our community. Soho Road already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behaviour, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighbourhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community. This shop is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city.

Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales at Soho Road Convenience Store & Post Office would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Considering the prevailing challenges in the area, it is imperative that the Birmingham City Council takes a firm stance in support of the community's well-being and safety. Granting an alcohol license to Soho Road Convenience Store & Post Office would directly contradict these principles and exacerbate the social issues already plaguing the neighbourhood.

I urge the council to carefully evaluate the potential consequences and prioritize the welfare of the residents by rejecting the alcohol license application.

Thank you for your attention to this matter.

Yours sincerely,



From:  
Sent: 25 May 2023 15:28  
To: Licensing  
Subject: Objection to License Application [165130] for Soho Road Convenience Store & Post Office

\*Alcohol License Application at Soho Road Post Office\*

Dear Birmingham City Council,

I am writing to strongly object to the alcohol license application submitted by Soho Road Convenience Store & Post Office. As a concerned resident of the area, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council.

Firstly, the prevention of crime and disorder is a primary concern in our community. Soho Road already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behaviour, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighbourhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community. This shop is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city.

Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales at Soho Road Convenience Store & Post Office would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Considering the prevailing challenges in the area, it is imperative that the Birmingham City Council takes a firm stance in support of the community's well-being and safety. Granting an alcohol license to Soho Road Convenience Store & Post Office would directly contradict these principles and exacerbate the social issues already plaguing the neighbourhood.

I urge the council to carefully evaluate the potential consequences and prioritize the welfare of the residents by rejecting the alcohol license application.

Thank you for your attention to this matter.

Yours sincerely,

scholars close



**From:**

**Sent:** 25 May 2023 15:29

**To:** Licensing

**Subject:** Objection to License Application [165130] for Soho Road Convenience Store & Post Office

Dear Birmingham City Council,

I am writing to strongly object to the alcohol license application submitted by Soho Road Convenience Store & Post Office. As a concerned resident of the area, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council.

Firstly, the prevention of crime and disorder is a primary concern in our community. Soho Road already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behaviour, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighbourhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community. This shop is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city. Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales at Soho Road Convenience Store & Post Office would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Considering the prevailing challenges in the area, it is imperative that the Birmingham City Council takes a firm stance in support of the community's well-being and safety. Granting an alcohol license to Soho Road Convenience Store & Post Office would directly contradict these principles and exacerbate the social issues already plaguing the neighbourhood.

I urge the council to carefully evaluate the potential consequences and prioritize the welfare of the residents by rejecting the alcohol license application.

Thank you for your attention to this matter.

Yours sincerely,

Soho Road  
B21



**From:**

**Sent:** 25 May 2023 15:32

**To:** Licensing

**Subject:** Objection to License Application [165130] for Soho Road Convenience Store & Post Office  
Dear Birmingham City Council,

I am writing to strongly object to the alcohol license application submitted by Soho Road Convenience Store & Post Office. As a concerned resident of the area, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council.

Firstly, the prevention of crime and disorder is a primary concern in our community. Soho Road already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behaviour, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighbourhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community. This shop is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city.

Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales at Soho Road Convenience Store & Post Office would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Considering the prevailing challenges in the area, it is imperative that the Birmingham City Council takes a firm stance in support of the community's well-being and safety. Granting an alcohol license to Soho Road Convenience Store & Post Office would directly contradict these principles and exacerbate the social issues already plaguing the neighbourhood.

I urge the council to carefully evaluate the potential consequences and prioritize the welfare of the residents by rejecting the alcohol license application.

Thank you for your attention to this matter.

Yours sincerely,

Scholars Close  
Birmingham  
B21



**From:**

**Sent:** 25 May 2023 15:37

**To:** Licensing

**Subject:** Objection to License Application [165130] for Soho Road Convenience Store & Post Office

Dear Birmingham City Council,

I am writing to strongly object to the alcohol license application submitted by Soho Road Convenience Store & Post Office. As a concerned resident of the area, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council.

Firstly, the prevention of crime and disorder is a primary concern in our community. Soho Road already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behaviour, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighbourhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community. This shop is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city.

Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales at Soho Road Convenience Store & Post Office would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Considering the prevailing challenges in the area, it is imperative that the Birmingham City Council takes a firm stance in support of the community's well-being and safety. Granting an alcohol license to Soho Road Convenience Store & Post Office would directly contradict these principles and exacerbate the social issues already plaguing the neighbourhood.

I urge the council to carefully evaluate the potential consequences and prioritize the welfare of the residents by rejecting the alcohol license application.

Thank you for your attention to this matter.

Yours sincerely,

, Somerset Road, Handsworth, Birmingham  
B20



**From:**

**Sent:** 25 May 2023 16:46

**To:** Licensing

**Subject:** Objection to License Application [165130] for Soho Road Convenience Store & Post Office  
Dear Birmingham City Council,

I am writing to strongly object to the alcohol license application submitted by Soho Road Convenience Store & Post Office. As a concerned resident of the area, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council.

Firstly, the prevention of crime and disorder is a primary concern in our community. Soho Road already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behaviour, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighbourhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community. This shop is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city.

Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales at Soho Road Convenience Store & Post Office would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Considering the prevailing challenges in the area, it is imperative that the Birmingham City Council takes a firm stance in support of the community's well-being and safety. Granting an alcohol license to Soho Road Convenience Store & Post Office would directly contradict these principles and exacerbate the social issues already plaguing the neighbourhood.

I urge the council to carefully evaluate the potential consequences and prioritize the welfare of the residents by rejecting the alcohol license application.

Thank you for your attention to this matter.

Yours sincerely,

Golds hill road  
B21



From:  
Sent: 25 May 2023 17:10  
To: Licensing  
Subject: Objection to License Application [165130] for Soho Road Convenience Store & Post Office

Dear Birmingham City Council,

I am writing to strongly object to the alcohol license application submitted by Soho Road Convenience Store & Post Office. As a concerned resident of the area, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council.

Firstly, the prevention of crime and disorder is a primary concern in our community. Soho Road already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behaviour, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighbourhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community. This shop is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city.

Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales at Soho Road Convenience Store & Post Office would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Considering the prevailing challenges in the area, it is imperative that the Birmingham City Council takes a firm stance in support of the community's well-being and safety. Granting an alcohol license to Soho Road Convenience Store & Post Office would directly contradict these principles and exacerbate the social issues already plaguing the neighbourhood.

I urge the council to carefully evaluate the potential consequences and prioritize the welfare of the residents by rejecting the alcohol license application.

Thank you for your attention to this matter.

Yours sincerely,

B21



**From:**  
**Sent:** 25 May 2023 17:10  
**To:** Licensing  
**Subject:** reject

Here is the information. Post Office soho Road handsworth Birmingham

No more drinks license for soho Rd enough is enough with all the crime going on



From:  
Sent: 25 May 2023 18:46  
To: Licensing  
Subject: Objection to license application (165130) for Soho road convenience store & post office

Dear Birmingham City Council,

I am writing to strongly object to the alcohol license application submitted by Soho Road Convenience Store & Post Office. As a concerned resident of the area, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council.

Firstly, the prevention of crime and disorder is a primary concern in our community. Soho Road already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behaviour, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighbourhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community. This shop is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city.

Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales at Soho Road Convenience Store & Post Office would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Considering the prevailing challenges in the area, it is imperative that the Birmingham City Council takes a firm stance in support of the community's well-being and safety. Granting an alcohol license to Soho Road Convenience Store & Post Office would directly contradict these principles and exacerbate the social issues already plaguing the neighbourhood.

I urge the council to carefully evaluate the potential consequences and prioritize the welfare of the residents by rejecting the alcohol license application.

Thank you for your attention to this matter.

Yours sincerely,

scholars close  
Handsworth  
B21



**From:**

**Sent:** 25 May 2023 21:08

**To:** Licensing

**Subject:** Objection to License Application [165130] for Soho Road Convenience Store & Post Office

Dear Birmingham City Council,

I am writing to strongly object to the alcohol license application submitted by Soho Road Convenience Store & Post Office. As a concerned resident of the area, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council.

Firstly, the prevention of crime and disorder is a primary concern in our community. Soho Road already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behaviour, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighbourhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community. This shop is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city.

Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales at Soho Road Convenience Store & Post Office would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Considering the prevailing challenges in the area, it is imperative that the Birmingham City Council takes a firm stance in support of the community's well-being and safety. Granting an alcohol license to Soho Road Convenience Store & Post Office would directly contradict these principles and exacerbate the social issues already plaguing the neighbourhood.

I urge the council to carefully evaluate the potential consequences and prioritize the welfare of the residents by rejecting the alcohol license application.

Thank you for your attention to this matter.

Yours sincerely,

Scholars Close

B21



**From:**

**Sent:** 25 May 2023 21:14

**To:** Licensing

**Subject:** Alcohol license objection

Dear Birmingham City Council,

I am writing to strongly object to the alcohol license application submitted by Soho Road Convenience Store & Post Office. As a concerned resident of the area, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council.

Firstly, the prevention of crime and disorder is a primary concern in our community. Soho Road already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behaviour, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighbourhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community. This shop is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city.

Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales at Soho Road Convenience Store & Post Office would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Considering the prevailing challenges in the area, it is imperative that the Birmingham City Council takes a firm stance in support of the community's well-being and safety. Granting an alcohol license to Soho Road Convenience Store & Post Office would directly contradict these principles and exacerbate the social issues already plaguing the neighbourhood.

I urge the council to carefully evaluate the potential consequences and prioritize the welfare of the residents by rejecting the alcohol license application.

Thank you for your attention to this matter.

Kindest regards,



**From:**

**Sent:** 26 May 2023 13:51

**To:** Soho Road BID Manager; Licensing

**Cc:**

**Subject:** Objection to License Application [165130] for Soho Road Convenience Store & Post Office

Hello All

I would like to raise my objection to the above application for an alcohol license to be issued. We have a lot of ASB occurring on the whole of our bid area.

We are currently in the process to having a PSPO issued. I can't express how the consumption of alcohol is a big factor in these issues. We already have so many proprietors selling alcohol in the same area and another premises selling alcohol will be adding to our ever-growing problem of ASB.

I would be grateful if my request to not issuing another license would be very well appreciated.

Kind regards



**From:**

**Sent:** 26 May 2023 17:17

**To:** Licensing

**Subject:** Objection to alcohol license for Soho Road Post office

There are already too many outlets selling alcohol on Soho Road.

It encourages anti social behaviour and crime in the area. The soho Road is in need of investment and being cleaned up rather than more alcohol.

I object to the granting of this license.

Handsworth Wood Road Birmingham



**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

**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 BAPPA 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 detail**

Postal address of premises or, if none, Ordnance Survey map reference or description			
SOHO ROAD CONVENIENCE STORE & POST OFFICE 206 SOHO ROAD HANDSWORTH			
<b>Post town</b>	BIRMINGHAM	<b>Postcode</b>	B21 9LR
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£34750	

**Part 2 – Applicant details**

Please state whether you are applying for a premises licence as

**Please tick as appropriate**

- |  |                          |                             |
|--|--------------------------|-----------------------------|
| a) an individual or individuals *                    | <input type="checkbox"/> | 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)   | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or              | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation)       | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club                                 | <input type="checkbox"/> | please complete section (B) |
| d) a charity   | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment    | <input type="checkbox"/> | please complete section (B) |
| f) a health service body                             | <input type="checkbox"/> | please complete section (B) |



**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

- 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 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>					
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 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					



**SECOND INDIVIDUAL APPLICANT (if applicable)**

### (B) OTHER APPLICANTS

Name	BAPPA LIMITED
Address	1471 1339
Registered number (where applicable)	1471 1339
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	
E-mail address (optional)	

## 24



**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

When do you want the premises licence to start?

DD		MM		YYYY	
0	3	0	6	2	0

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)

THIS IS A POST OFFICE WITH A CONVENIENCE STORE. THE NEW OPERATORS WISH TO IMPROVE THE EXISTING CONVENIENCE STORE OPERATION AND AN OFF LICENCE IS AN IMPORTANT PART OF THE SERVICE CUSTOMERS OF TODAY EXPECT.

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

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

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

In all cases complete boxes K, L and M



**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play 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 performing plays</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

**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					



**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

**C**

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

**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

**D**

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



**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

**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 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 live music</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 live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

**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 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 playing of recorded music</u></b> (please read guidance note 5)		
Thur					
Fri			<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					
Sun					



**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

**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						

**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

**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						



**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

**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 type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)			
Thurs						
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat						
Sun						



**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

**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 checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	09.00	20.00			
Tue	09.00	20.00			
Wed	09.00	20.00			
Thurs	09.00	20.00			
Fri	09.00	20.00			
Sat	09.00	20.00			
Sun	09.00	20.00			

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

<b>Name</b> MAHINDER SINGH	
<b>Date of birth</b> 19/01/1980	
<b>Address</b> 14, ST. MARTIN'S LANE BIRMINGHAM B2 2HJ	
<b>Postcode</b>	B2 2HJ
<b>Personal licence number (if known)</b> APPLICANT TAKING PERSONAL LICENCE EXAM 4 <sup>TH</sup> APRIL 2023	
<b>Issuing licensing authority (if known)</b> BIRMINGHAM CITY COUNCIL	

**K**



**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

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

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	<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)
Mon	09.00	20.00	
Tue	09.00	20.00	
Wed	09.00	20.00	
Thur	09.00	20.00	
Fri	09.00	20.00	
Sat	09.00	20.00	
Sun	09.00	20.00	



**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

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)**

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for all licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the minimum of delay when requested.
3. Spirits will be available for sale from behind the counter and will not be self-service.
4. No beer, lager or cider above 6.5% ABV will be sold or stocked except by prior written agreement with the Police.
5. To apply for membership and operate a retail radio scheme should such a scheme be introduced by the Soho Road bid.
6. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open.
7. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram. Appropriate licensing notices will be displayed prominently inside the store advising customers re Challenge 25, Proxy sales and not selling alcohol to under 18's.
8. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
9. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of internal training prior to them being authorised to sell or supply alcohol. The premises licence guidance manual will be the basis of alcohol sales training. Records of the training programme shall be maintained and made available to authorised Officers upon reasonable request.
10. Notices will be displayed prominently that CCTV cameras are recording in store.
11. The paved area immediately outside the shop will be swept regularly.

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



**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for all licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the minimum of delay when requested.
3. Spirits will be available for sale from behind the counter and will not be self-service.
4. No beer, lager or cider above 6.5% ABV will be sold or stocked except by prior written agreement with the Police.
5. To apply for membership and operate a retail radio scheme should such a scheme be introduced by the Soho Road bid.

**c) Public safety**

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for all licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the minimum of delay when requested.

**d) The prevention of public nuisance**

1. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
2. The paved area immediately outside the shop will be swept regularly.

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



**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

1. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open.
2. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram. Appropriate licensing notices will be displayed prominently inside the store advising customers re Challenge 25, Proxy sales and not selling alcohol to under 18's.
3. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of internal training prior to them being authorised to sell or supply alcohol. The premises licence guidance manual will be the basis of alcohol sales training. Records of the training programme shall be maintained and made available to authorised Officers upon reasonable request.

**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. [Applicable to all individual applicants, including those in a partnership which is not a limited liability X
- 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). X

**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.**

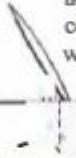
**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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.**



**General Licensing Regulation & Enforcement, Birmingham City Council, P.O.  
Box 17831, Birmingham, B2 2HJ.**

**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.**

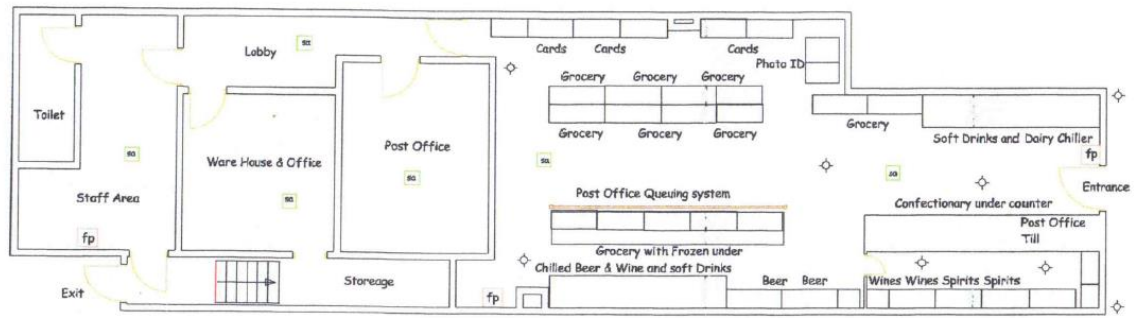
<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or 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	
Date	5 <sup>TH</sup> MAY 2023
Capacity	AGENT

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

Signature	
Date	
Capacity	

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





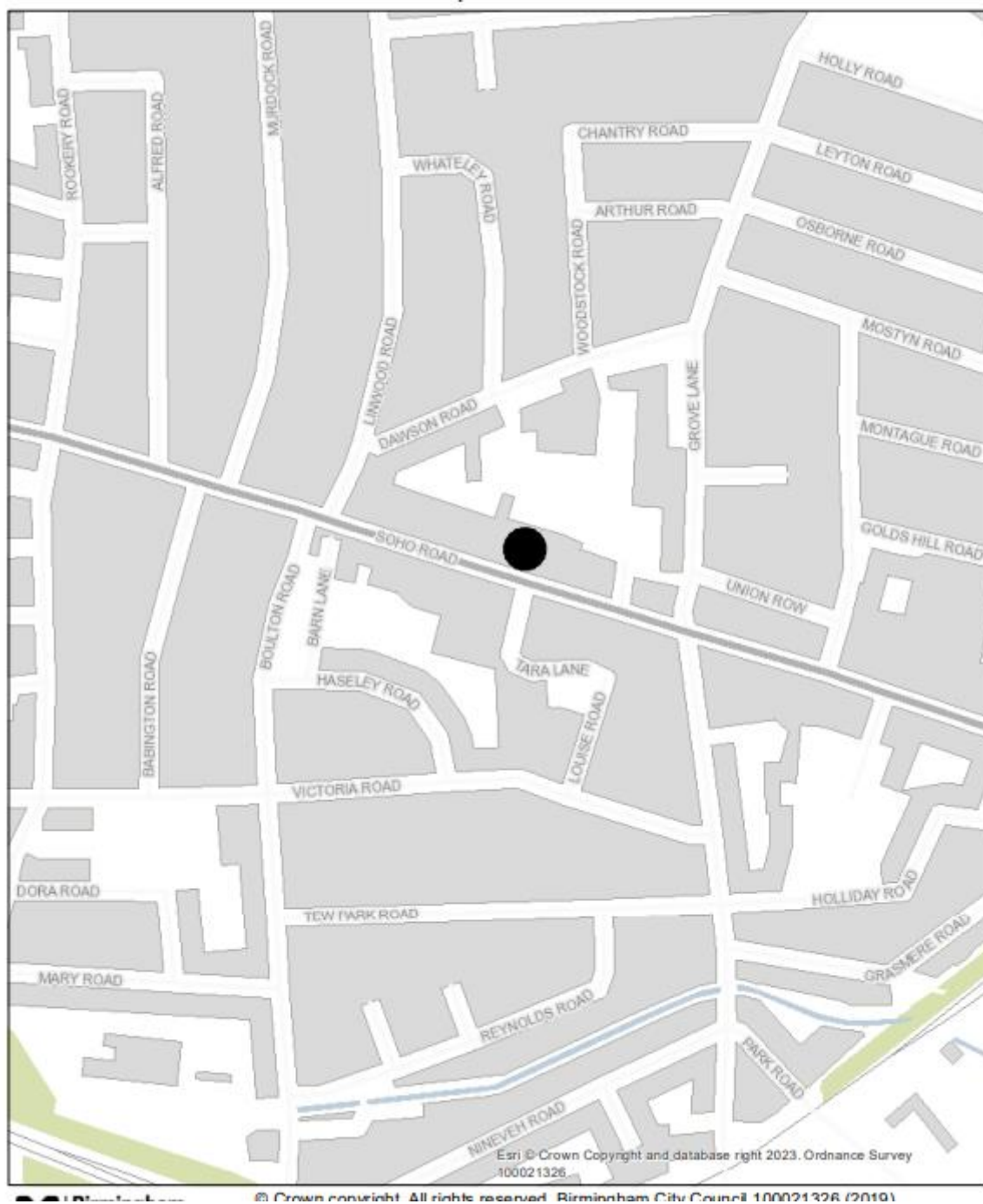
**Key**

- fp Fire Extinguisher - Powder
- sa Smoke alarm
- sc Security Camera

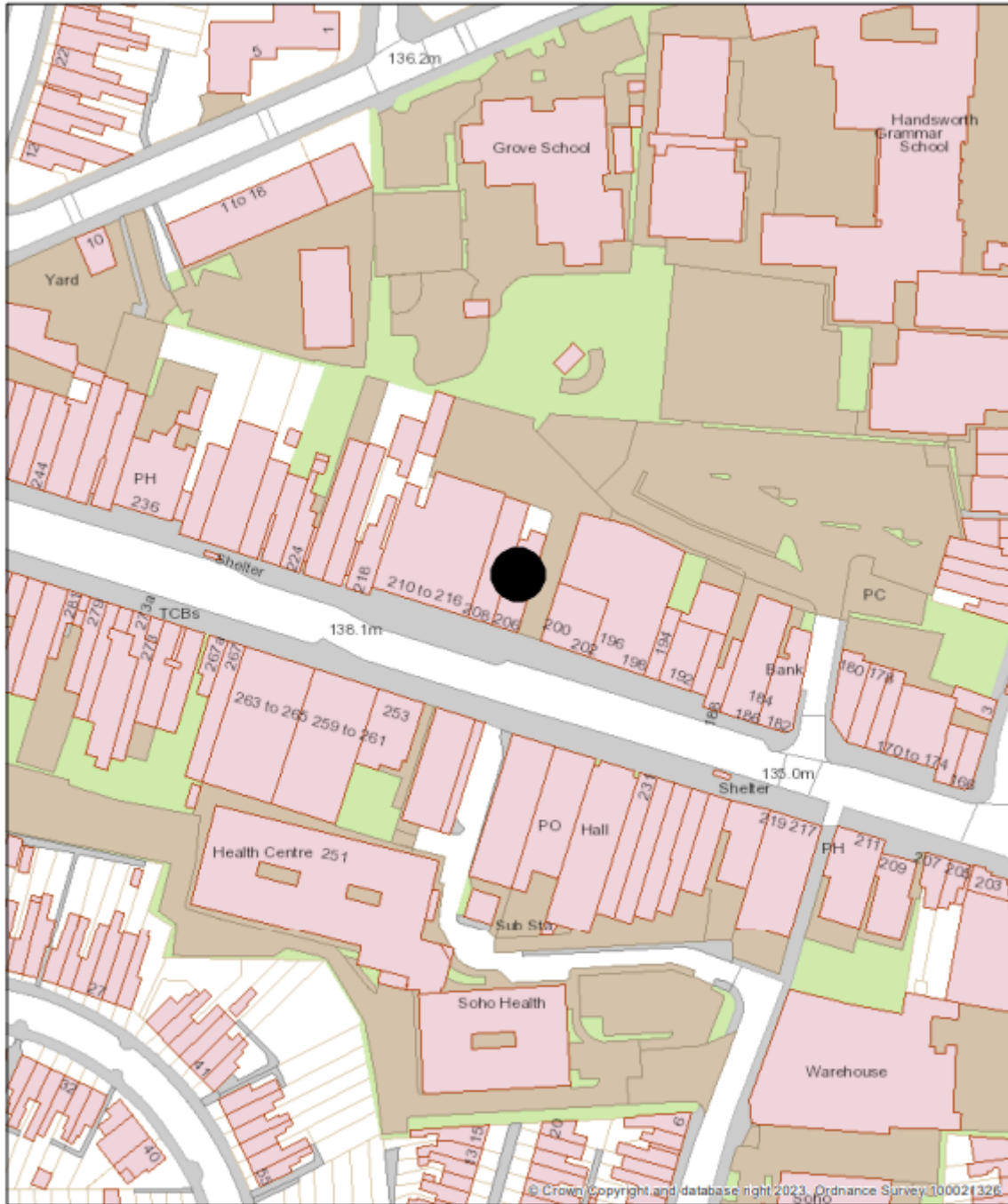
Post Office & Convenience Store  
 206 Soho Road  
 Handsworth  
 Birmingham  
 B21 9LR  
 Drawing Ref: RB1590  
 Drawn by RB Retail & Licensing Services Ltd  
 Date: 29<sup>th</sup> June 2020  
 Scale 1:100

All retail selling areas to be licensed for alcohol display. Copyright – RB Retail & Licensing Services Limited















# **RB Retail & Licensing Services Limited**

Mobile:

Email:

# **PREMISES LICENCE SITE OPERATIONS MANUAL**

Store Name: .....

Address: .....

.....

.....

Issued: .....



# FOREWORD

The Licensing Act 2003 came into force on the 24th November 2005, significantly changing the licensing regime for permissions to sell alcohol for consumption either on or off the premises and regulated entertainment. The Act also introduced a new late night refreshment regime. The penalties for failure to follow the rules have become far more stringent and the possibility of onerous conditions, suspension of the licence or indeed permanent revocation is a very likely possibility for those who operate a slack regime within their place of business. The cost of defending a licence in danger through poor management procedures is far greater than doing the job properly from the start.

Since enactment, many changes and amendments have altered and updated the Act to reflect both government initiatives and new case law as the Act is tested in the higher courts. This has required continued re-interpretation of specific areas of the Act as reflected in the written guidance produced by the government department responsible for alcohol licensing - until recently the Department for Culture Media and Sport (DCMS) but since 2010 the Home Office.

Changes occur as successive governments respond to political pressures and endeavour to keep the law current, relevant and fit for purpose - balancing the interests of the various sectors of the licensed trade, the authorities charged with the enforcement and day-to-day housekeeping required by statute against the communities which may be affected by the operation of licensed premises.

For retailers the provision of alcohol to their customers for consumption on or off their premises is a crucial part of their business; in many cases underpinning a viable business and without which the business may struggle to survive. Over the years government attitudes to the sale and availability of alcohol have differed. Until recently the culture has been favourable and permissive towards the retailer of alcohol but the last ten years has seen increased regulation with more attention paid to the views of local people and the police in both applications for, and in the running of, licensed premises.

Momentum continues to build towards a far more regulated and controlled market place. There is a growing view in government, and among those charged with running the licensing system, that the licensed retailer, via regulation, has a greater responsibility towards the local community. While a premise licence gives a retailer the right to sell alcohol to support a more profitable business they will be held accountable for the repercussions of irresponsible selling.

It is essential that businesses are properly run with effective due diligence procedures in place. This includes regular training and guidance for their staff, adequate written records of compliance with appropriate day-to-day in-store precautions. Responsible retailing is a basic but crucial requirement for all of those who are licensed to sell alcohol. This manual is designed to assist your business in ensuring that it is operating to the best standards.

The last five years have seen many statutes and regulations introduced. They cover the various processes of applying for a licence as well as the running of the licence once granted together with the consequences of breaches of the rules. Some of the most important are listed below.

This manual provides guidance for site operators to assist them in acquiring a firm footing with regard to alcohol sale compliance procedures. The manual should only be used by businesses who have acquired this Licensing Guidance Manual direct from RB Retail & Licensing Services Limited and have the received necessary instruction on how to use this manual.



## COPYRIGHT

The material contained within this manual is subject to copyright protection. This material may be produced free of charge in any format or medium - provided it is reproduced accurately and not in a misleading context.

Where the material is being published, or issued to others, the sources and copyright status should be acknowledged. Where any of the copyright items within this manual are being republished or copied to others, the source of the material is to be identified and the copyright status acknowledged. The permission to reproduce copyright material does not extend to any material within this manual which is identified as being from a third party. Authorisation to reproduce such material would need to be obtained from the copyright holders concerned.

Contains public sector information licensed under the Open Government Licence v1.0.

## DISCLAIMER

Every care has been taken in the compilation of the information contained within this manual to ensure that all information is up to date and accurate. RB Retail & Licensing Services Limited accepts no liability in connection with any loss, damage or inconveniences arising as a consequence of any use of, or the inability to use, any information within this manual.

Information and guidance contained within this manual does not constitute legal or other professional advice.

It should be noted that this manual only takes account of matters connected with the Licensing Act 2003 up to the issue of this revision of this manual.

This manual should be used as a guide only and cannot replace legal advice.

Error and omission excepted.



# Introduction

- This Premises Licence Operation Manual contains instructions and guidance covering policies and procedures for various premises licence applications and the subsequent use of the premises for licensable activities.
- To assist staff training awareness a pamphlet called 'Licensing Rules & Procedures' which mirrors section III is included.
- The Manual is for the use of staff who currently are or will be offering licensable activities. Uses include:
  - Making an application and/or variations for the premises licence.
  - Applying policies and procedures correctly and consistently.
  - Establishing and maintaining retail operations standards for the sale of alcohol and other licensable activities.
  - Referencing important information quickly and easily.
  - Providing guidance to staff as part of their on-going training and development.
  - Additionally, important and relevant licensing documents specific to your business, can be filed in this manual within section 8.



# Manual Contents

## Section I - Licensing Applications

- I.I Preparing a new licence application
- I.II Application form and notices
- I.III Licence applicants to give greater consideration to local area
- I.IV New powers following the passing into law of the Police Reform & Social Responsibility Act 2011
- I.V Premises licence conditions
- I.VI Licensing committee hearing etiquette
- I.VII The Premises licence
- I.VIII Premise scale plan
- I.IX Designated Premises Supervisor (DPS)
- I.X DPS Variation
- I.XI Premises Licence Variation Guidance
- I.XII Transfer of a Premises Licence
- I.XIII When a licence lapses
- I.XIV Personal Licenses

## Section II - Operational guidance

- II.I Alcohol strengths and effects
- II.II Legal matters / best practice
- II.III Theft
- II.IV Right of entry to premises
- II.V Staffing
- II.VI Prosecution
- II.VII New mandatory conditions
- II.VIII Growing Police concern regarding pre-loading
- II.IX Legal / best practice requirement, regarding display material / notices
- II.X Statutory / best practice notices

## Section 3 - Training

- III.0 The training regime
- III.I Understanding the licensing objectives
- III.II Business licensable hours
- III.III Consumption off the premises
- III.IV Consumption on the premises
- III.V Staff authorisation
- III.VI Under age sale
- III.VII Training guidelines regarding the sale of age restricted products
- III.VIII Checking Proof of Age
- III.IX How to recognise and deal with false I.D.
- III.X What to watch out for regarding the identification of a person possibly under the influence of alcohol
- III.XI Conflict Management - practical steps
- III.XII Duty to refuse service
- III.XIII Test purchases
- III.XIV Refusals Book
- III.XV Reviews
- III.XVI Street Drinking & Super Strength Beer/Lager/Cider
- III.XVII Alcohol Delivery Services
- III.XVIII Ban on selling of Below Cost Alcohol
- III.XIX Right to work in the UK
- III.XX Staff Training - Revision

## Section IV - Due diligence records

- IV.0 Initial 1 test and answer papers
- IV.1 Initial 2 test and answer papers
- IV.II Refresher 1, test and answer papers
- IV.III Refresher 2, test and answer papers
- IV.IV Refresher 3, test and answer papers
- IV.V Training Statement
- IV.VI Authorisation to sell alcohol
- IV.VII Annual DPS refresher training planner
- IV.VIII DPS monthly checklist
- IV.IX Alcohol staff training pamphlet & log sheet
- IV.X Premises licence nominated keeper
- IV.XI Blank refusal sheet & store header
- IV.XII Staff training pamphlet
- IV.XIII Blank designated premises supervisor consent form (D.P.S)

## Section V - Product knowledge

- V.I Wine production / classification
- V.II Alcohol strengths

## Section VI - Other licensable activity

- VI.I Late Night Refreshments (LNR)
- VI.II An outline of regulated entertainment

## Section VII - Staff training records

## Section VIII - Licence Documents



## **SECTION I (1): Licensing Applications**





## I.1 PREPARING A NEW LICENSING APPLICATION

To make an application for a premises licence or to subsequently vary it notices must be served on the Licensing Authority (generally the local authority) for the area in which the premises are located as well as on the responsible authorities.

At the same time the application must be advertised on the premises itself by way of blue A4 notices displayed on the boundary every 50 meters for the next 28 days from the day after service on the licensing authority.

The site notices must be on display 24/7 for the whole 28 day period and care should be taken to ensure that they are not obscured by shuttering at night or other obstructions at any time thereby offering a clear view to passers by.

An advertisement must also be placed in a local paper within the first ten working days of that 28-day period.

These notices are required under the Licensing Act 2003 in order that as many people as possible get to know about the application and those that object to it can make their views known by making representations, as they are known, to the licensing authority within the 28 day period.

Once the 28-day period is complete, if there are no representations, the licence must be granted as applied for.

Where representations have been made by any of the responsible authorities these can sometimes be dealt with by way of negotiation. For example, all parties may agree to a condition that can be applied to the new licence, removing the need for the hearing and allowing the grant of the licence.

There are three groups of people who can make representation:

- Responsible authorities e.g. police, trading standards etc.
- Other persons which includes people resident in the locality and local businesses /organisations.
- Any of the above can also request any of the following to speak on their behalf: Local Councillors, local representative, friend, Member of Parliament, Members of the Welsh Assembly local Ward or Parish Councillors.

Representations must be made on one or more of the four licensing objectives:

- |   |   |
|---|---|
| • <b>The prevention of crime &amp; disorder</b> | • <b>Public safety</b>                        |
| • <b>The prevention of public nuisance</b>      | • <b>The protection of children from harm</b> |

If representations have been received and agreement cannot be reached, a hearing must be held in the next 20 working days from the end of the period of notice.

The hearings are usually held in the Council Chamber or a committee room in the Council Offices.

At the hearing before the local authority Licensing Authority sub-committee there are usually three councillors supported by a legal advisor, often a solicitor or a barrister and another officer who is also responsible for the process and procedures of the committee. One of the councillors is nominated as chairperson for the meeting and there is a Licensing Officer from the Authority who will normally set out the application and is also responsible for checking that all the required documentation has been completed satisfactorily.



Representatives from the police, Fire & Rescue Service and the other responsible authorities will not normally attend unless they are making representations. It is often the case that the interested parties who have made representations do not attend leaving their representations to be dealt with in writing by the Licensing Sub-Committee.

Representations at a hearing can be made, in person, or by a representative or spokesperson, often a ward councillor, but the representations can only be made on the initial written notification and other matters should not be raised or added to at the hearing.

Applications before the licensing committee may be put by the applicant who may be represented by a solicitor or a barrister presenting the documentation and the facts to the committee.

Depending on the representations received it may not be necessary for the proposed premises licence holder or proposed designated premises supervisor to attend as RB Retail & Licensing Services Limited can attend on their behalf but we will obviously liaise with the applicant on this point. However, it is good practice to have one or more present should questions arise that require local or specific knowledge.

The hearing takes the form of a discussion led committee meeting with a panel usually made up of three councillors who assess the application, listen to the representations and then decide whether to grant the licence as applied for, apply conditions or refuse it entirely, or to grant a part of the application (if more than one licensable activity is applied for).

Any decision reached can be appealed to the local Magistrates' Court if either the applicant or those opposing the application are aggrieved at the decision reached by the committee. The appeal must be lodged within 21 days of the date of the letter notifying the applicant of the committee's decision.

It should be noted however that the Magistrates' Court has power to award costs against a party to the appeal, usually the loser; although it may not be easy to secure costs against an authority even if the appeal is successful.

## **I.II APPLICATION FORM AND NOTICES**

Since the introduction of the Police Reform & Social Responsibility Act 2011 which came into force on 25th April 2012 applicants must give greater consideration to the local area when setting out the steps they will take to promote the licensing objectives and to provide responsible authorities and the licensing authority with fuller information on which to make informed representations or determinations.

### **How will this change be made?**

The application form must first be completed and served on the licensing department of your local authority plus a copy sent to the responsible authorities in your area.

The date of service of the notice then puts into motion the application process.

There is a 28 day period in which representations may be made in respect of the application.

During this period the site notice must also be displayed on the premises in accordance with the Licensing Regulations.

If there are representations the application can be expected to go to a committee hearing, although it will be prudent to seek to negotiate with those making the representations to reach agreement and thereby avoid the cost and delay of a hearing, if there are no representations the licence must be granted as applied for.



The guidance for applicants and statutory guidance for licensing authorities has been amended to prompt licence applicants, when outlining the steps they will take to promote the licensing objectives, to provide contextual information to support the steps they intend to take and demonstrate an awareness of the local community in which the premises would be based. This may include contextual information on issues such as the local area's social-demographic characteristics, specific local crime and disorder issues and an awareness of the local environment.

### **I.III LICENCE APPLICANTS TO GIVE GREATER CONSIDERATION TO LOCAL AREA**

#### **What is the policy aim?**

As part of its commitment to re-balance the Licensing Act 2003 in favour of local communities, the Government is keen that licence applicants give greater consideration to the local area when making their application.

Currently, as part of the licence application process, applicants are required to set out in the operating schedule accompanying their application the steps they intend to take to promote the licensing objectives. Some licensing authorities have reported that this section of the application is often poorly completed, providing licensing authorities with very little information on which to make their determination.

#### **What are the benefits to the local area?**

The additional information will hopefully ensure that greater consideration is given to local issues when determining licence applications. The additional information will be of value to licensing authorities, responsible authorities and other parties who if dissatisfied are able to make representations with regard to licence applications to ensure the promotion of the licensing objectives in the local area.

#### **How will licence applicants be required to demonstrate that they are considering the interests of the local community when setting out the steps they will take to promote the licensing objectives?**

Applicants will be required to provide information as part of the licence application form on issues such as the local area's social-demographic characteristics, specific local crime and disorder issues and an awareness of the local environment which will be of benefit to the licensing authority when determining the application. Specific local issues, such as crime and disorder issues, are likely to influence the steps that applicants will need to take to promote the licensing objectives in their own premises and applicants will therefore be required to demonstrate an awareness of such issues when setting out why particular steps will be taken to promote the licensing objectives.

#### **What information are licence applicants currently required to provide regarding the steps they will take to promote the licensing objectives?**

When preparing an operating schedule applicants are required to set out the steps necessary, if any, for the promotion of the licensing objectives. In doing so, applicants are expected to have regard to the statement of licensing policy for their area and to be aware of the expectations of the licensing authority and responsible authorities in terms of the steps that are necessary to promote the licensing objectives.



## UNDERSTANDING THE LICENSING OBJECTIVES

All licence applications must comply with four objectives, namely:

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

The example below refers to both new and full variation premises licence applications.

### CRIME AND DISORDER

A local authority, may take into account and recognise that certain criminal activity or associated problems may be taking place or have taken place either within specific premises or in the vicinity, despite the best efforts of the staff at the premises. In such circumstances, the council is empowered to take any necessary steps to remedy the problems. Its role is to promote the licensing objectives in the interests of the wider community rather than determine guilt or innocence of individuals. Such issues are for the courts of law.

Problems could include - anti social behaviour in the vicinity or past problems with the premises and or people involved/working in the business.

### PUBLIC SAFETY

The council, as the licensing authority, should not take into account any issues that are dealt with in other legislation, such as public health, cleanliness or hygiene.

Problems covered include - overcrowding (leading to an increased risk of violence or to the safety of people in the premises); fire issues; anyone being hurt or having an accident in any premises.

The public safety objective is concerned with the physical safety of staff, visitors and customers using the relevant premises and not with public health.

As part of the application process, applicants must consider the impact of their premises in relation to the licensing objectives. They should consider implementing the measures listed below.

- The premises should comply with all statutory fire safety controls.
- The premises must comply with all food safety regulations.
- Provide disabled facilities and take reasonable steps to change their practices, policies or procedures or provide a reasonable alternative method of making their services available to disabled people.

*Health and safety issues such as:*

- falls from height
- slips and trips
- manual handling
- slips on wet or food contaminated floors
- being struck by something (such as sharp knives or falling objects)
- machinery.

### THE PREVENTION OF PUBLIC NUISANCE

The issues mainly relate to noise nuisance, light pollution, noxious smells and litter arising from licensable activities at the premises.

### THE PROTECTION OF CHILDREN FROM HARM

This objective relates to the protection of children from moral, psychological and physical harm. This includes protecting them from early exposure whilst visiting this premises to:

- strong language
- sexual expletives
- adult entertainment
- drinking alcohol
- smoking
- drug taking
- gambling
- violence





## **I.IV New powers following the passing into law of the Police Reform & Social Responsibility Act 2011**

### **Early Morning Alcohol Restriction Orders**

Early Morning Alcohol Restriction Orders (EMRO) due to come into force in October 2012 will enable licensing authorities to restrict sales of alcohol in the whole or a part of their areas for any specific period between 12 midnight and 6 am, if they consider this appropriate for the promotion of the licensing objectives.

### **Late Night Levy - What is the late night levy?**

The late night levy ('the levy') will enable licensing authorities to raise a contribution from late-opening alcohol suppliers towards policing the night-time economy. It will be a local power that licensing authorities can choose whether or not to exercise. It must cover the whole of the licensing authority's area. However, the licensing authority will also choose the period during which the levy applies every night, between midnight and 6 am and decide what exemptions and reductions should apply from a list set out in regulations. The levy if adopted is unlikely to come into force before June 2013.

- *Who will the late night levy affect?*  
If a licensing authority chooses to introduce the levy in their area, all licensed premises which are authorised to supply alcohol in the levy period will be affected. Premises that do not wish to operate in the levy period will be able to make a free minor variation to their licence before the levy is introduced.

### **Increase the weight licensing authorities will have to give to relevant representations and objection notices from the Police**

- *What is a relevant representation?*  
These are written representations, about the likely effect of the grant of an application for, or variation to, a premises licence or club premises certificate, on the promotion of the licensing objectives. Responsible authorities and interested parties, such as residents, make representations regarding licensing functions. To be considered relevant, representations must have regard to the potential impact of the licensing determination on the promotion of the licensing objectives.

### **THE FOUR LICENSING OBJECTIVES ARE:**

- *The prevention of crime and disorder*
- *Public Safety*
- *The prevention of public nuisance*
- *The protection of children from harm*

For a representation to be relevant it must be centred around the likely effect of the application on the promotion of one or more of the four licensing objectives.

- *What is the policy aim?*  
When determining an application for a premises licence, an application for a licence review or the granting of a personal licence, the licensing authority must have regard to relevant representations or objection notices (in the case of personal licence applications) from the police.

This act strengthens the weight that licensing authorities must give to police representations **(including those voiced by the police at a hearing)** and objection notices by amending the statutory guidance to require licensing authorities to accept all representations and notices and adopt all recommendations from the police, unless there is clear evidence that these are not relevant.





## Reducing the burden of proof on licensing authorities

- *What is burden of proof?*

When making decisions on new and existing licences, and fulfilling their licensing responsibilities, licensing authorities are currently required under the Licensing Act 2003 to demonstrate that these decisions are 'necessary' for the promotion of the licensing objectives (as above) in their local area.

The requirement to demonstrate that their actions are 'necessary' places a significant evidential burden on the licensing authority to prove that no lesser steps would suffice for the promotion of the licensing objectives in the local area. This is a consequence of statutory reference to actions having to be 'necessary' and which is therefore reflected in statutory guidance, and has become custom and practice. This guidance states that licensing authorities should ensure that any conditions that they impose are only those which are necessary for the promotion of the licensing objectives, which means that they must not go further than what is needed for that purpose.

- *What are the changes to be made in the new act?*

The wording has been amended throughout the Licensing Act 2003 to highlight the new evidential threshold which licensing authorities must meet when making licensing decisions by requiring that they make decisions which are 'appropriate' rather than necessary for the promotion of the licensing objectives. This will, for example, give licensing authorities greater power to tackle irresponsible premises.

## Enable licensing authorities to suspend licences due to non-payment of fees

- *Purpose*

The government is committed to reducing the burden and bureaucracy of licensing and will strike the right balance between the requirements on businesses against the cost to the taxpayer and helping the police and other enforcement agencies address alcohol related crime and disorder. This policy will ensure that licensing authorities do not face additional costs as a result of licence holders not paying their annual fees.

- *What changes are made in the new Act?*

Licensing authorities will be able to suspend licences due to non-payment of fees therefore providing a much stronger incentive for businesses to pay their fee in a timely manner and save licensing authorities the time and cost of pursuing non-payment. This measure will not impact on responsible businesses that pay their licence fees on time.

There will be a grace period of 21 days for licence holders to pay their fee. The licence will be reinstated as soon as the fee is paid and the licensing authority must notify the licence holder when their licence has been reinstated.



## I.V PREMISES LICENCE CONDITIONS

Conditions can be added to your premises licence either voluntarily by way of your operating schedule when submitting a new application or full variation, or by negotiation or applied at the licensing sub-committee hearing.

Once on the licence conditions can only be removed by seeking a variation to the licence so if they are applied at the time of the grant you should consider whether they are so onerous as to require an appeal to be made to remove them.

## I.VI LICENSING COMMITTEE HEARING ETIQUETTE

***If you are required to attend a committee hearing please accept the following guidance:***

- Wear smart business attire if possible.
- When entering or leaving the committee room, do so as quietly as possible.
- Mobile phones must be switched OFF AT ALL TIMES, not just left on silent.
- Never walk across a committee room or in front of the committee whilst it is conducting business.
- Be ready to stand when the councillors enter or leave the committee room but be guided by your advisor as to whether it is necessary or not.
- Do not talk or make comments whilst the committee is dealing with business.
- Pay attention and listen carefully to what is being said.
- Answer all questions honestly and succinctly.
- Be ready to stand when addressing the Committee but be guided by your advisor as to whether it is necessary or not.
- When addressing individual committee members use the title Councillor and if possible their surname which is usually on display.
- Always look at the committee when answering questions, even when the questions are being asked by someone else and speak clearly.
- No eating or drinking is allowed in the committee room except for water made available to you.
- At the close of your business, please say 'thank you' to the committee.



## I.VII THE PREMISES LICENCE

Your premises licence is in two parts :

### **The licence - part A**

### **The summary - part B**

It is a legal requirement that the summary part B or a certified copy - a copy made by a solicitor - is prominently displayed at the premises for customer inspection at all times when the premises are open.

It is also a legal requirement that the original licence certificate part A or a certified copy is kept at the premises, displayed clearly within the shop floor area and is available for inspection at any time upon request by a police constable or a local authority licensing officer.

Further, it has to be confirmed in writing by the licence holder who at the premises is responsible for the licence or the certified copy of it.

It is our recommendation that you obtain certified copies of your licence summary part B, and display these in the premises whilst keeping the master copies within section VIII of your licensing manual.

You will need to surrender your master licence and summary with your application to the licensing authority if you are making any variations, including changing the DPS.

Your premises licence does not have to be renewed but there is an annual licence fee that has to be paid to the issuing authority, on the anniversary of the date of issue. The premises licence lasts for the life of the business.

## I.VIII PREMISES SCALE PLAN

Your premises plan normally drawn at a scale of 1:100 should be kept in section 8 of the manual for reference.

This is the approved plan and the layout should be adhered to as closely as possible.

Any proposed refit may have to be preceded by an application for a variation to the plans as they form part of your licence.

Please feel free to notify RB Retail & Licensing Services Limited of any changes required enclosing copies of both the existing and the new plan in order that we can advise on the action you should take.

Please also keep any amended plans in this manual.



## **I.IX DESIGNATED PREMISES SUPERVISOR (DPS)**

**For the site to sell alcohol there must be a designated premises supervisor (DPS) who must hold a personal licence. If the DPS ceases to carry out that role at your site or their personal licence is suspended or forfeited you are legally required to**

### **STOP SELLING ALCOHOL IMMEDIATELY**

**until a replacement DPS is formally notified by way of variation to the Licensing Authority which issued your premises licence.**

You can either notify RB Retail & Licensing Services Limited straight away or apply yourself with the details of the person you wish to replace the existing DPS and provide a signed DPS consent form from that person in order that the DPS variation can be applied for. The applicant must be a personal licence holder in order to be able to commence trading immediately having made the variation application. If the applicant is not, you can still complete the variation in their name but you cannot commence trading until the the applicant holds a personal licence.

If the applicant does not hold a personal licence he/she must be in possession of an accredited qualification such as the **APLH Award for Personal Licence Holders** in order to apply for a personal licence. A personal licence will not be issued without such a qualification. Please contact RB Retail & Licensing Services Limited for the next available APLH course dates in your area. Enclosed is the DPS consent form that needs to be completed and signed by the applicant in order for RB Retail & Licensing Services Limited to make the necessary variation application - if the applicant has a personal licence we will complete all the other documentation as necessary.

## **I.x DPS VARIATION**

An application to vary the DPS is made to the licensing authority which issued your premises licence and is supported by payment of a fee plus the variation application form and the consent form signed by the proposed DPS, who must be a personal licence holder for the variation to take effect.

**If the new DPS is not a personal licence holder alcohol sales cannot be made at the premises until the personal licence has been issued.**

In order to vary the DPS the enclosed form (pages 3.47 & 3.48) **MUST** be signed by the applicant otherwise the application will be rejected - it cannot be signed by a third party on the applicant's behalf.

The variation cannot take place unless and until the applicant has been granted a personal licence.

The application can be deemed to have immediate effect upon receipt by the licensing authority, providing the forms have been filled in correctly and the full payment made. It is always advisable to obtain a proof of posting should a query arise.

Sales of alcohol must be suspended if there is not a current DPS or that person is not a personal licence holder. It is not enough to have a Personal Licence Holder if there is not a DPS in place.

You do not need a DPS if you do not sell alcohol.



## I.XI VARIATION GUIDANCE

### • FULL VARIATIONS

Other than the re-issue of the plan as part of the summary with minor detail changes, or the inclusion of pre-agreed conditions many other variations are dealt with almost as though they were a new application.

Plans have to be provided marked to show the relevant requirements at a scale of 1:100. Any other scale must be agreed with the local authority licensing department in advance of an application being submitted.

The variation application form and payment based on the rateable value as with the full application must be sent with the plans to the licensing department of your local authority together with a copy of the blue A4 notice that you display on your premises for 28 days from the first day after receipt of this application by the local authority. The application also must be advertised in a newspaper circulating locally within 10 working days of the date of submission and proof of publication has to be sent to the licensing department.

The whole of the variation application pack must be copied to all the responsible authorities in the area in which the premises is situated, the list being available from the licensing department of your local authority.

Once the 28 days are up, if there have been no representations, you have the grant.

If there are representations the application is dealt with in exactly the same way as though it were a new application, as covered elsewhere in this manual.

### • THE VARIATION

The meaning of the word 'variation' in this process covers changes made to your premises licence. This can be to change the hours you trade your licensable activity - alcohol sales or late night refreshment - or indeed changes to add a licensable activity or major change to the structure of your premises. Some can be made via a minor variation others will require a full variation application to be made.

### • OPENING HOURS

Once a premises licence has been issued you should only trade the opening hours specified on it or within those opening hours - you potentially commit an offence if you trade for longer hours than those shown on the schedule of your licence. Interpretation can differ from local authority to local authority, please call RB Retail & Licensing Services Limited for further guidance.

The hours may be varied or extended by making an application to your licensing authority to vary them - contact RB Retail & Licensing Services Limited for further details.

### • LICENSABLE HOURS

You must seek to vary your premises licence if you wish to extend your hours for any licensable activity. If you wish to trade fewer hours then you do not have to apply or advise the local authority.

### • LICENSABLE ACTIVITIES

*The premises licence specifies the licensable activities granted for the premises named which can include :*



**Sale of alcohol** for consumption either on, off or on and off the premises.

**Provision of regulated entertainment**, which includes performance of a play, exhibition of a film, indoor sporting event, boxing or wrestling, entertainment, performance of live music, playing of recorded music and performance of dance.

**Provision of late night refreshment** - only required if you trade hot food or drink between 23.00 hrs and 05.00 hrs.

The precise details, and in particular the hours of the licensable activities you are licensed to provide, are set out on your premises licence and summary. You commit a criminal offence if you allow licensable activities to occur on your premises either without a licence, outside of your permitted hours, or if you breach a licensing condition.

Should your circumstances alter and you wish to change these hours or licensable activities this is done by making an application to vary your licence - contact RB Retail & Licensing Services Limited for further details.

#### • **CHANGES TO THE PREMISES LAYOUT OR STRUCTURE**

If you wish to refit or change your premises, dependant on the amount of work you intend to carry out you may have to seek a variation before you start work or, under certain circumstances, even make an all new application.

If you supply RB Retail & Licensing Services Limited with a set of your proposed plans before you are committed to commencing any changes we will advise on the best route to take to secure the appropriate permissions for them.

These could vary from a simple submission of a plan for reissue as part of the licence summary to an all new application - it all depends on the size of the project and the impact on the licence.

#### • **MINOR VARIATIONS**

As of 29/07/09 it has been possible to make small changes to your premises licence or club premises certificate through the Minor Variation process. This process is cheaper, easier and quicker than the full variation process.

The test for whether a proposed variation is 'minor' is whether it could impact adversely on any of the four licensing objectives. (These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm).

The expectation is that the process will be used for changes such as:

- small changes to the structure or layout of a premises
- the addition of authorisation for late night refreshment or regulated entertainment (such as live music, performance of plays or film exhibitions)
- reduce licensing hours
- revisions, removals and additions of conditions (this could include the removal or amendment of out of date, irrelevant or unenforceable conditions, or the addition of volunteered conditions).



The Minor Variations process **cannot** be used to:

- add the retail or supply of alcohol to a licence
- extend licensing hours for the sale or supply of alcohol at any time between 11pm and 7am
- increase the amount of time on any day during which alcohol may be sold by retail or supplied
- extend the period for which the licence or certificate has effect
- transfer the licence or certificate from one premises to another, or vary substantially the premises to which it relates
- specify, in a premises licence, an individual as the premises supervisor
- add the sale by retail or supply of alcohol as an activity authorised by a licence or certificate; or
- dis-apply the mandatory conditions relating to a designated premises supervisor (there is a separate process by which community premises can apply for this).

A licensing authority upon receipt of an application for a minor variation needs to consider whether the application if granted will impact adversely on the four licensing objectives.

Generally if the authority thinks it may the application will not be accepted, the applicant will therefore have to submit a full variation / new application.

It is important to note that the notice period advertising this application is shorter than a full application at 10 working days and does not need to be advertised in a newspaper. There is no automatic right to a hearing should representations be received by the local authority as there is with full variations and new applications, however the licensing authority must take relevant representation into account before making their decision no more than 15 working days after receipt of the minor variation application.

Should you require assistance regarding variations please contact RB Retail & Licensing Services Limited.

## **I.XII TRANSFER OF PREMISES LICENCE**

The 2003 Act provides for any person who may apply for a premises licence, which includes a limited company, to apply for a premises licence to be transferred to them. Where the application is made in writing, the applicant must give notice of the application to the chief officer of police. The responsibility to notify the DPS is with the applicant.

Should the police raise no objection about the application, the licensing authority must transfer the licence in accordance with the application, amend the licence accordingly and return it to the new holder.

## **I.XIII WHEN A LICENCE LAPSES**

Where the premises licence lapses (because of death, incapacity or insolvency of the holder etc.) contact RB Retail & Licensing Services Limited who will then seek legal advice on your behalf.



## **I.XIV PERSONAL LICENCE**

A “personal licence” means a licence which - (a) is granted by a licensing authority to an individual, and (b) authorises that individual to supply alcohol, or authorise the supply of alcohol, in accordance with a premises licence.

The licence is granted after an application is made to the local authority area that in which the applicant normally resides.

Should the applicant have a relevant conviction for an offence committed in the UK or abroad then the police can object to the application. The local authority licence sub-committee would convene a hearing to decide upon the application.

The licence once granted lasts indefinitely - lapsing either upon surrender by the holder, death of holder or revocation by the issuing authority or the courts.

A personal licence can be revoked should a licence/or other relevant offence be committed.

In order to be a Designated Premises Supervisor (DPS) an individual must hold a Personal Licence.

Should a Premises Licence holder who is not a Personal Licence holder wish to trade alcohol they must have at least one Personal Licence Holder who is normally in day-to -day charge of the premises who is also the DPS.



## **SECTION II (2): Operational Guidance**





## II.I ALCOHOL STRENGTHS AND EFFECTS

- All members of staff should have a basic understanding of how alcoholic drinks such as wine are classified and labelled according to their strength, as well as the effect alcohol has on people

***a staff copy of the product guide should be made available at all times to aid staff in assisting customer selection and boosting their confidence in knowledge of the product - see section V***

- The strength of an alcoholic drink is measured by its percentage (%) alcohol by volume (abv)

***abv is shown on labels as alc. %vol or just %vol***

- An alcohol-free drink is one with an abv of no more than 0.05%

***drinks just under 0.5% abv are not covered by licence control and may be freely sold - anyone can buy an alcohol free drink and they are not subject to licensing law***

- An intoxicating drink is one that contains more than 0.5% abv

***low-alcohol drinks are still intoxicating drinks and the licensing laws apply to their sale***

- A low alcohol drink is one that contains no more than 1.2%abv

***packaged drinks with an abv of more than 1.2% must be labelled with their abv***

- One unit of alcohol is 10 millilitres of alcohol (or 8 grams in weight)

***it takes about 1 hour for 1 unit of alcohol to be lost from the body***

- The speed of take up of alcohol in the body is effected by different things

- ***how much you drink***
- ***your weight***
- ***your sex***
- ***what you have eaten***

## II.II LEGAL MATTERS / BEST PRACTICE

There are legal requirements covering licensable activities including the sale of alcohol that have serious penalties if not adhered to and this part of your business needs to be effectively controlled at all times.

It is imperative that should an alleged breach of the law occur you obtain legal advice ***immediately*** which RB Retail & Licensing Services Limited can arrange for you.





## Legal requirements

- The sale of alcohol can only be made from premises with the benefit of a premises licence, temporary event notice (TEN) or club certificate allowing that licensable activity

- Sales of alcohol can only be made by personal licence holders or those staff authorised to do so by a Personal Licences Holder/Designated Premises Supervisor

- It is an offence for somebody under 18 to sell alcohol unless authorised by a personal licence holder, however best practice dictates that no under 18 should sell alcohol

- The premises licence is granted in perpetuity unless the licence holder (if a person) dies or is made bankrupt or if a limited company which subsequently goes into liquidation, but it can be transferred to a new owner who can be a company, partnership or individual within a limited timeframe

- The premises licence can cover several licensable activities

- Are there any annual charges?

- You do not need a licence to sell liqueur chocolates as long as they meet legal requirements

- All staff should read the training pamphlet, a copy of which is in this manual, in order to better understand their basic responsibilities

- If your licence has the condition that you use door supervisors they must hold an SIA (Security Industry Authority) licence

***even then sales can only be made if there is a personal licence holder named as the Designated Premises Supervisor (DPS) for those premises***

***records should be kept of all staff authorised to sell alcohol and details of their initial and ongoing refresher training***

***should the previous premises licence holder die or become insolvent the new owner should take urgent immediate legal advice.***

***the sale of alcohol and the provision of regulated entertainment & late night refreshment.***

***there is an annual fee payable to the issuing authority on the anniversary of the initial grant which if not paid could lead to the suspension of your Premises Licence.***

***it is an offence to sell liqueur chocolates to anybody under 16***

***a staff copy should be available at all times to help avoid underage and illegal sales and to provide support for staff***

***the same requirement applies to any security staff used - contact RB Retail & Licensing Services Limited for further details and training courses***



- The concept of permitted hours no longer applies under the Licensing Act 2003.

***24 hour sales can be applied for within England and Wales for consumption on & off the premises***

- Each premises licence is issued individually based on the licensable activity applied for and the hours that that activity may be carried out.

***all staff should be aware of the terms and conditions on the licence summary including whether consumption is allowed on or off the premises***

- The detail of what activity is licensed, is to be found on the licence summary which must be displayed at the premises in such a manner that the public can inspect it at all times the premises are open.

***the A4 pages of the original summary should be displayed near the door or in the alcohol area in a prominent position allowing public scrutiny at all times***

- Premises Licences can be applied to permit consumption of alcohol on and/or off the premises

***ensure all staff are aware of the activities allowed including whether consumption is allowed on the premises or not, and if it is, any specific areas in which it is not***

- Where the condition only allows for consumption off the premises the licence does not permit the consumption of alcohol on the premises

***ensure all staff are aware of the activities that are allowed and not allowed***

- Anyone observed attempting to drink alcohol on premises where it is not allowed or in areas where it is not allowed must be stopped from doing so

***ensure staff are properly trained in how to deal with these situations, including removing customers from the premises and police involvement if necessary***

---

***With the introduction of the Violent Crime Reduction Act 2006 which came into force on the 6.04.2007 a new offence was created of 'persistently selling alcohol to children'***

***This offence would apply when the same premises sold alcohol to children three times or more in a three month period, this was later amended to two offences in a three month period from the same premises. The maximum penalty is a £20,000 fine and suspension of the premises licence, there is no defence of due diligence.***



- It is an offence to sell alcohol to anyone under the age of 18.

**variable punishment from fixed penalty notices up to a £5000 fine or a £20,000 fine if convicted of selling alcohol twice in a three month period**

- It is also an offence for any person under the age of 18 to buy, or attempt to buy alcohol.

**punishable by fixed penalty notices and £1000 fine**

- All businesses selling alcohol should be adopting and operating either **Challenge 21** or **Challenge 25**. The customer must be asked for proof that they are over 18. Please speak to RB Retail & Licensing Services Limited regarding which scheme to adopt.

**CHALLENGE 21 or CHALLENGE 25 - always ask for the appropriate proof of age.**

- If you have any doubts about how old a customer is, you must ask for proof of age.

- **passport**
- **photo driving licence**
- **PASS accredited ID card e.g.**
- **Citizen Card**

- It is an offence for an adult to buy or attempt to buy alcohol for somebody under 18 (proxy purchasing).

**be aware that an offence can be committed when an adult requests an identical product after a refusal of a sale to somebody under 18 as it may be a proxy purchase.**

- Notices advising the offence of selling to an under 18 and selling to an adult purchasing alcohol on behalf of an under 18 (proxy purchasing) should be displayed throughout the premises.

**ensure in-store signage is used effectively**

- If proof of age is not provided you must refuse to serve the customer and make a note of this in the Refusals Book.

**staff should check the refusals book at the commencement of each shift and ensure it is used for each refusal**

- Challenge 21 or Challenge 25 requires all staff to seek evidence that customers who look under 21 or 25 (If unsure check with RB Retail & Licensing Services Limited) are aged over 18 or refuse the sale.

- Challenge 21 or 25 Builds in either a three or eight year buffer in judging customers ages and must be applied at all times - no id no sale.

**disciplinary procedures should be instigated by the store management if Challenge 21 or 25 is not applied in all relevant cases**



- Other than age issues customers must also be refused service or even asked to leave the premises if they:

- All members of staff have a responsibility not to allow drunken or disorderly behaviour on the premises.

- If the customer refuses to leave then the police should be called

- The Refusals Book should be kept so that it is readily available to all members of staff at all times

## II.III THEFT

- Shoplifting is mostly an opportunist crime so vigilance by you & your staff can be the biggest deterrent

- Watch out for suspicious behaviour and use eye contact to let customers know you have seen them

- Ensure that your CCTV system is functioning correctly and is sited for optimum effectiveness

- We recommend that spirits are located behind the counter

- Ensure that alcohol and other high value items are in secure storage and that the keys are also safely secured

- Security arrangements to prevent shoplifting are essential because of the desirability of alcohol due to the legal restrictions governing its availability

- **appear to be intoxicated**
- **are violent**
- **are quarrelsome or disorderly**

**ensure staff are properly trained in the procedure of how to deal with this situation**

**do not get involved in any associated arguments or brawls**

**refusals books should be maintained in any areas where alcohol is provided keeping a log of payment made for proper control**

**ensure that staff are fully aware of the potential for shoplifting**

**involve other staff members if you are suspicious of somebody or a group of people**

**check the system regularly and complete any logs if required by conditions on the licence**

**for control and security**

**all back up stock to be locked away to help prevent opportunist thefts**

**ensure employees are aware that theft is a possibility once a person is denied service by staff via either a direct attempt or by proxy (an adult trying to buy on behalf of an under 18)**



## II.IV RIGHT OF ENTRY TO PREMISES

- Both the police and HM Revenue & Customs officers have the right of entry to any premises to carry out their enforcement duties

- HM Revenue & Customs officers may enter in order to check that the required tax on goods that you sell has been paid - excise duty for alcohol and tobacco products and VAT

***police and local authority licensing officers have the right to ask for sight of the premises licence on demand***

***normally HM Customs and Revenue will be accompanied by a police officer at all times of the day when visiting premises especially outside of normal opening hours***

## II.V STAFFING

- Under normal circumstances staffing levels are not dealt with by the Licensing Act

***a condition may be attached to the licence specifying staffing levels in order to satisfy the licensing objectives - these must be adhered to as they are conditions of the licence - contact RB Retail & Licensing Services Limited***

## II.VI PROSECUTION

- If you do sell alcohol to a person under the age of 18 years you are liable to:

- ***a fixed penalty notice or***
- ***a substantial fine and a possible premises licence revision as well as possible revocation of your personal licence***

- Be aware that enforcing authorities can and will conduct test purchases using underage children

***always use Challenge 21/25***

- In cases of underage sales the only evidence needed for a prosecution is that:

- ***an actual sale was made***
- ***the buyer was under 18***

- The person selling the alcohol has only limited potential defences:

***'... where he believed that the person was over 18; and that either he had taken all reasonable steps i.e asked for acceptable identification to establish the person's age or that nobody could reasonably have suspected from his appearance that the person was under 18'***



The person charged by reason of the act or default of another has a defence if he can prove he

**'... exercised all due diligence to avoid the commission of an offence...'**

All legal requirements and restrictions referred to must be fully complied with by you and your staff to avoid prosecution and the associated penalties

**properly train your staff, carry out regular refresher training and maintain comprehensive records of all of your training to sell alcohol**

### **Late Night Refreshment**

- You must have a premises licence specifying LNR as a licensable activity if you sell hot food or hot drink after 23.00 hours and before 05.00 hours

**it is a criminal offence to provide hot food or hot beverages between 23.00 & 05.00 hours without a licence - see section VI.I**

### **Regulated Entertainment**

- You must have a premises licence specifying the entertainment you are providing

**it is a criminal offence to provide regulated entertainment without the appropriate provision on your licence - see section VI.II**

## **II.VII NEW MANDATORY CONDITIONS**

In April 2010 a new mandatory code was issued by the Home Office for all alcohol retailers in England and Wales.

Schedule 4 of the Police and Crime Act 2009 amends the Licensing Act 2003 giving the Secretary of State the power to impose up to nine mandatory conditions in relation to the supply of alcohol.

The new mandatory licencing conditions apply to all existing and future premises licences which authorise the supply of alcohol and came into force in April 2010 two further conditions became law in September 2010.

These conditions override any conditions already included in a Premises Licence or Club Premises Certificate, so far as they are identical to the existing conditions or inconsistent with, and more onerous than, the existing conditions. The new conditions will apply to every Licence and Certificate authorising the sale and supply of alcohol from the date this provision came into force.

As the new conditions are mandatory licencing conditions, any breaches are dealt with in the same way as breaches of existing conditions. Failure to comply with any condition attached to a licence or certificate is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both.



**As from 6th April 2010 the new conditions were:**

- Ban irresponsible promotions
- Ban the dispensing of alcohol directly into the mouth.
- Ensure that customers have access to FREE tap water.

These conditions do not apply to Temporary Event Notice (TENS) or premises permitted to sell alcohol for consumption off the premises.

**As from 1st October 2010**

- Require an Age Verification Policy to be in place.
- Ensure that customers have the opportunity to choose small measures of beer, ciders, spirits and wine.  
[does not apply to TENS]

All the above conditions will apply to the on-trade whilst for shops and supermarkets (the off-trade) only the age verification conditions will apply to them.

## **II.VIII GROWING POLICE CONCERN REGARDING PRE-LOADING**

Pre-Loading is a term used to describe drinking at home before visiting town for a night out.

A recent Liverpool John Moore's University study on pre-loading surveyed 380 young people aged 18 to 35 on a night out in a large city centre in the north-west of England. Over a quarter (26.5%) of women and one in five (15.4%) men questioned had pre-loaded before going out. Those who drank before going out were over four times more likely to drink more than 20 units on a usual night out. To put that amount into context, the government advises that women should not regularly exceed 2-3 units which is equivalent to a 175ml glass of 13% wine <http://www.drinkaware.co.uk/facts/alcohol-facts-and-information/wine>) and that men should not regularly exceed 3-4 units (equivalent to a pint and a half of 4% ABV [alcohol by volume] beer).

- Beware if your premises are located near nightclubs or nite spots and groups of customers arrive to purchase alcohol.

***Particularly during the evening, be alert for the tell tale signs of intoxication see III.X on Page 3.26***



## II.IX Legal / best practice requirements regarding display material and notices

- The Licensing Act 2003 requires that you prominently display the original copy of your Part B Summary of your Premises Licence on the premises at all times the premises are open for business

***so that it can be readily inspected by members of the public at any time - see section I for full details***

- The Act requires that the original licence itself - Part A - is available for inspection by licensing officers of the authority or a police constable at any time on demand

***do your staff have access to the original license in your absence for compliance purposes?***

- The notices endorsed by the Home Office and provided by the Retail Alcohol Sales Group - RASG - should also be displayed throughout the premises

***examples are enclosed (at Section II.X) and we strongly recommend their use, they may also be included as a legally enforceable condition on your premises license.***

- Many licensing authorities require that other notices are displayed on the premises

***check with your licensing authority to ensure compliance***

- These may include

- ***their own age verification scheme notices***
- ***Pass accredited Proof of Age Scheme***
- ***hours for licensable activity***
- ***staff notices & reminders***

- You must display an A3 notice indicating it is illegal to sell tobacco products to anyone under 18

***must be displayed at the point of sale to ensure compliance***

- Other legislation may apply to your premises which requires notices to be displayed

***ensure compliance with all statutory requirements***



## **II.x            Statutory / best practice notices**

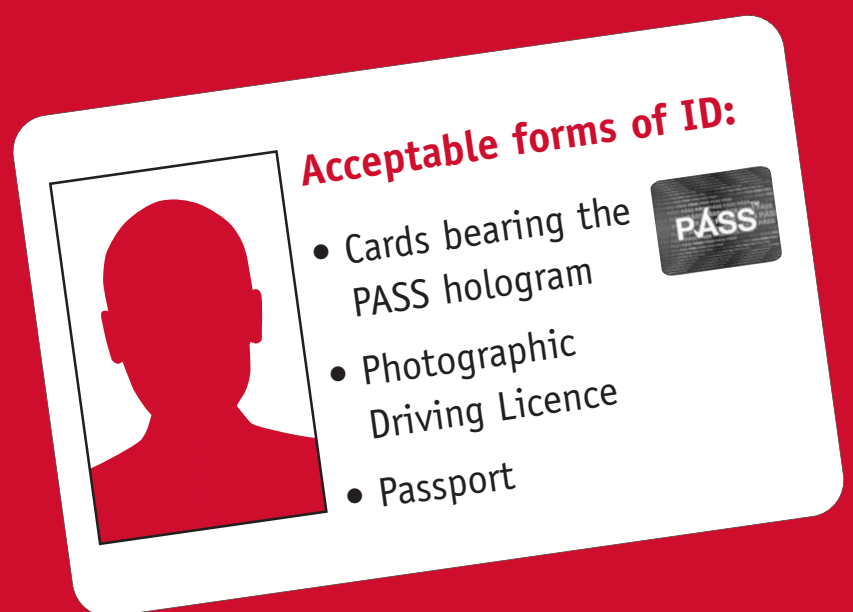




# Under

# 21?

If you look under 21 please do not be offended if we ask you for proof of age when you buy alcohol.

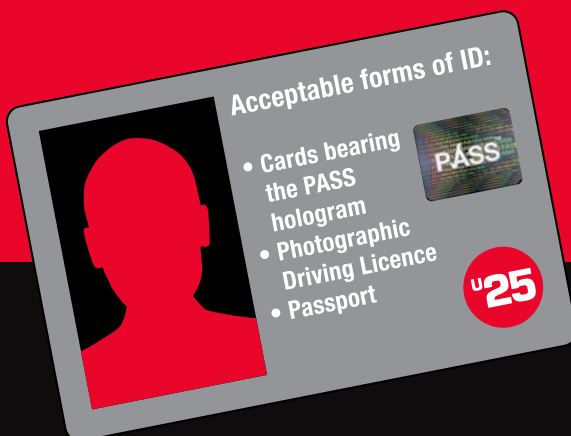


**DRINKAWARE.CO.UK**



# UNDER 25?

Please be  
prepared to show  
proof of age when  
buying alcohol



**drinkaware.co.uk**





**It is a criminal  
offence to buy  
alcohol on  
behalf of a child.**

**You could face a  
£5000 fine.**



**[drinkaware.co.uk](http://drinkaware.co.uk)**





**Under the provisions of the Licensing Act 2003, it is an offence for persons under 18 years to purchase or attempt to purchase alcohol. It is also an offence for anyone to purchase or attempt to purchase alcohol for someone under 18 years.**



# Acceptable Proof of Age

## RB Retail & Licensing Services Limited

# PROOF OF AGE CARDS

## AGE RESTRICTED SALES

If there is any doubt about a persons age you are required to ask them to prove their age or you must refuse the sale

The following forms of ID are acceptable

### 1. PASSPORT

[www.gov.uk/browse/abroad/passports](http://www.gov.uk/browse/abroad/passports)

### 2. A PHOTO DRIVING LICENCE

[www.gov.uk/view-driving-licence](http://www.gov.uk/view-driving-licence)  
or  
Local Post Office

### 3. A CITIZEN CARD

[www.citizencard.com](http://www.citizencard.com)





## **SECTION III (3) : Training**





### III.0 THE TRAINING REGIME

All on-site staff must read the training material provided and then satisfactorily pass the subsequent written test before being allowed to sell alcohol.

It is important that Section III is fully understood, should a staff member not satisfy the Designated Premises Supervisor (DPS) that they understand Section III then the DPS should not authorise that staff member.

#### **THEY AND YOU ARE AT RISK OF PROSECUTION FOR MAKING UNAUTHORISED SALES.**

Refresher training must be undertaken at least on an annual basis before staff are re-authorised to sell alcohol and a number of refresher quizzes have been included to help in testing your staff's knowledge.

#### **DUE DILIGENCE PROCEDURE**

- Read Section III.
- Staff to satisfactory undertake questionnaire - all questions to be answered correctly.
- Training Statement, to be signed by staff member and countersigned by Designated Premises Supervisor (DPS).
- Staff Authorisation sheet, to be signed by staff member and countersigned by Designated Premises Supervisor (DPS).

If felt appropriate, you may also wish to put your staff member forward to sit the APLH Award for Personal Licence Holders exam if there is a likelihood of them becoming a DPS in the future.

For further details please contact RB Retail & Licensing Services Limited.

All staff training must be recorded as well as individual staff authorisations to sell alcohol. You should complete both the enclosed alcohol training statement sheet and the authorisation record sheet (at IV.V & IV.VI). All staff should be issued with their own confirmation of having received their initial training, whether under this regime or any alternative proprietary system, keeping the originals for your own records.

All your current staff should be listed on the authority record and it should contain their signature as proof of their understanding of the training they have received and the responsibilities that they hold in the sale of alcohol. Subsequently as they are re-authorized to sell alcohol on a regular basis this should form part of the refresher training and they are indicating by signing the authority sheet again that they are still fully conversant with the rules relating to the sale of alcohol.

New staff should then be added as they join, subsequently signing again on a regular basis thereafter, after each refresher.

The alcohol training and authority sheets are designed for quick reference by any of the authorities which may visit your store, and for you to identify and maintain all training requirements. As such they should be filed in the appropriate section in this manual (at section VII).



### III.1 UNDERSTANDING THE LICENSING OBJECTIVES

All licence applications must comply with four objectives, namely:

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

The example below refers to both new and full variation premises license applications.

#### CRIME AND DISORDER

A local authority, may take into account and recognise that certain criminal activity or associated problems may be taking place or have taken place either within specialist premises or in the vicinity, despite the best efforts of the staff at the premises. In such circumstances, the council is empowered to take any necessary steps to remedy the problems. Its role is to promote the licensing objectives in the interests of the wider community rather than determine guilt or innocence of individuals. Such issues are for the courts of law.

Problems could include - anti social behaviour in the vicinity or past problems with the premises and or people involved/working in the business.

#### PUBLIC SAFETY

The council, as the licensing authority, should not take into account any issues that are dealt with in other legislation, such as public health, cleanliness or hygiene.

Problems covered include - overcrowding (leading to an increased risk of violence or to the safety of people in the premises); fire issues; anyone being hurt or having an accident in any premises.

The public safety objective is concerned with the physical safety of staff, visitors and customers using the relevant premises and not with public health.

As part of the application process, applicants must consider the impact of their premises in relation to the licensing objectives. They should consider implementing the measures listed below.

- The premises should comply with all statutory fire safety controls.
- The premises must comply with all food safety regulations.
- Provide disabled facilities and take reasonable steps to change their practices, policies or procedures or provide a reasonable alternative method of making their services available to disabled people.

*Health and safety issues such as:*

- falls from height
- slips and trips
- manual handling
- slips on wet or food contaminated floors
- being struck by something (such as sharp knives or falling objects)
- machinery.

#### THE PREVENTION OF PUBLIC NUISANCE

The issues mainly relate to noise nuisance, light pollution, noxious smells and litter arising from licensable activities at the premises.

#### THE PROTECTION OF CHILDREN FROM HARM

This objective relates to the protection of children from moral, psychological and physical harm. This includes protecting them from early exposure whilst visiting this premises to:

- strong language
- sexual expletives
- adult entertainment
- drinking alcohol
- smoking
- drug taking
- gambling
- violence



### III.II BUSINESS LICENSABLE HOURS

You can carry out the sale of alcohol during the following period:

*Write in book your hours / licensable activities*

Note: the penalty for selling outside permitted hours is substantial - max £20,000 fine and/or six months imprisonment plus a possible licence review.

### III.III CONSUMPTION OFF THE PREMISES

A condition of your premises licence is that sales are made for consumption off the premises only. This means that customers **MUST NOT** consume alcohol on the premises. Therefore you must ensure that customers **DO NOT DRINK ANY ALCOHOL:**

- **In the premises**
- **On any forecourt the business operates**
- **In their car whilst parked on any premises forecourt**
- **E.G. The licenced business is a petrol forecourt shop**

### III.IV CONSUMPTION ON THE PREMISES

Businesses that sell alcohol for consumption on the premises are known sometimes as "On Licenses" as opposed to "Off Licenses," which include convenience stores and supermarkets whose customers must not consume alcohol purchased within the confines of the shop.

On Licenses are more commonly known as Public Houses (Pubs), Night Clubs, Bars and Restaurants.

Special care must be taken as the risk of customers becoming intoxicated is a real possibility, so staff should be trained to be vigilant and to be prepared to refuse service as and when the point of apparent intoxication is reached.

Useful tools such as CCTV, refusal logs, incident books, notices regarding Challenge 25 are all good due diligence procedure measures but consideration also needs to be given to the employment of SIA (Security Industry Association) registered door supervisors/trained staff & drug searching and drug disposal policies/training. A risk assessment prior to commencement of business should be undertaken to identify the level of security awareness required.

It is also wise to consider the wider community who could be affected by rowdy customers leaving On Licence premises late at night - so the provision of taxi services (who do not slam doors or honk horns) are also important in the quick and effective dispersal of patrons at night.

Late night music and dancing is another factor these types of premises should consider specifically when dealing with the effective damping down of noise emanating from these venues that may affect the local residents, therefore the keeping of doors/windows closed during licensable activities is a responsible and sensible measure to take.



## DEFINITIONS OF VARIOUS TYPES OF ON LICENSES PREMISES

### ON LICENCE PREMISES INCLUDING FAST FOOD PREMISES

Many on licence premises have licensed external areas where particular care must be taken to ensure residential neighbours are not be affected by excessive noise emanating from patrons' use of there facilities - normally premises are conditioned with limited hours and other associated provisions for these licensed garden areas.

#### **A FAST FOOD PREMISES THAT MAY OR MAY NOT SELL ALCOHOL FOR CONSUMPTION ON OR OFF THE PREMISES**

Fast food premises which operate after 23.00 hours and before 00.50 hours the following morning need a late night refreshment licence (LNR) to provide late night refreshment either by way of take-away food or by eating the purchased food on the premises.

These types of premises are in general more likely than restaurants to lead to people remaining on the streets. Police generally comment that if no fast food premises were available people would be more inclined to disperse, and in retaining people until a later hour fast food premises could potentially undermine a timely dispersal of late night revellers. It is possible that these premises could be attractive to persons who have been drinking elsewhere. Licensing authorities consider that seeking to minimize the number of people on the street late at night, through rapid dispersal, especially those who have been drinking, is fundamental to promoting the licensing objectives of the prevention of crime and disorder, public nuisance, and public safety. Some councils come to this view despite the benefits which may be offered by well run fast food premises in terms of security, staff, CCTV, toilets, and the provision of a safe environment in which to wait until transport is available.

This type of business if not properly controlled can cause food waste and litter on pavements as well as noise nuisance.

#### **B. RESTAURANTS**

A restaurant is normally defined as premises (a) in which customers are shown to their table, (b) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (c) which in some cases do not provide any take away service of food or drink for immediate consumption, and (d) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise that to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of a substantial meal.



### C. PUBLIC HOUSES AND BARS

A variety of pubs and bars are part of a local areas appeal and contribute towards its character and they provide for residents as well as people working in and visiting the locality. They also provide venues for live music which, aside from its cultural benefits and enjoyment by customers, often has a positive effect on licensing objectives. However, premises that primarily serve alcohol, with or without the provision of any ancillary playing of music, can give rise to public nuisance for residents and other local businesses, particularly where there is a concentration of such premises. This is principally due to noise from the premises and from patrons when they leave. Pubs and bars present opportunities for crime and they can also give rise to disorder.

A pub is a premises where traditionally a customer usually went for the consumption of alcoholic beverages only, although nowadays customers are just as likely to want a hot meal with or without alcohol - it is also common for such establishments to be known for vertical drinking (consumption of alcohol standing up). Customers are served from the bar area and unless there is food served there is normally no waiting staff. Pubs are found in rural, suburban and town centre environments.

A bar however tends to be located in built up areas such as town centres and can be quite upmarket in terms of its targeted clientele and therefore prices reflect the branding. Typically the premises will offer a range of wines, speciality brews, mixed drinks, ice shots, fruit punches and cocktails. Bars tend to be themed and utilise the themed environment to attract younger customers.

### SUGGESTED CRIME PREVENTION AND EFFECTIVE MANAGEMENT CHECKLIST FOR AN OFF LICENCE PREMISES

#### Links to health and safety policy and legislation:

- Is there a written Health and Safety Policy for the premises?
- Is there a written Risk Assessment?
- When was it last carried out?

#### Incident logs - Crime & Disorder incidents to be recorded

- Is there an incident log in operation?
- Is the incident log available for inspection?
- Within your premises, where are your crime hotspots?



### **Staff training - training to resolve identified risks**

- Are all staff trained to recognise aggressive or suspicious behaviour?
- Are all staff requested to approach customers about unattended property?
- On busy nights, are staff employed to warn customers about leaving property unattended?
- Do door Supervisors (if any) attend staff training days?
- Is there a record of staff training?
- Do staff sign a training attendance record?
- Who is responsible for company policy on staff training?
- Do the tills have an age prompt to remind staff to ask for I.D. for persons who appear to be under either 21/25 years of age, dependent on the age verification scheme adopted.

### **Staffing levels**

- What are your minimum and maximum staffing levels?
- How are they decided?

### **Design of premises - Re Crime Prevention**

- How many points of entry are there?
- Are the entry points monitored?
- Is there a Police response alarm?
- Do staff carry panic buttons?
- Is there a panic button in cash office?
- How is capacity monitored?
- Are the tills positioned, so staff face customers?
- Is cash stored on the premises?
- Is there a cloakroom?
- Does the cloakroom offer free hand luggage storage?
- Is the cloakroom facility advertised?
- Can the toilets be monitored easily?
- Are cupboards & drawers within the toilet kept locked?
- Are the cisterns boxed in and secure?
- Are there any flat surfaces?
- Do toilet cubicle doors have a gap at top and bottom?

### **Managing the effects on the local environment**

- Ensure drinking glasses remain in the licensed area of the premises
- Are noise levels within legal limits? (To be set by EHO)
- Ensure that pedestrians & vehicles are not affected
- No rubbish on street
- Correct use of CCTV
- Are staffing levels adequate to monitor outside drinking?
- What links do you have with local residents?
- What steps are taken to minimise disruption when people are leaving?



### **Positive Customer care - appropriate complaint procedures**

- Is there a Positive Customer Care Policy?

### **CCTV**

- Has the venue got CCTV?
- Do high-resolution cameras cover all entry/exit doors?
- Does CCTV cover the cash office door?
- Is there a written operational requirement for the CCTV?
- Where is the CCTV video recorder stored and is it in a secure place?
- Which members of staff have access to it?
- Are the video recordings kept secured in a secure place?
- Is there a record of CCTV maintenance?
- Is there a record of the tape changes?
- How many discs do they use?
- How often are they renewed?
- Does the CCTV cover external areas?
- Has the CCTV system a dedicated operator?
- Is the system operated in accordance with General Data Protection Regulation (GDPR) and Registered with the Information Commissioner's Office (ICO).

### **Access Control**

- Who is responsible for supervising security staff?
- Is there a written access policy?
- Is the queue supervised outside the venue?
- Is the queue supervised at the cloakroom?
- Is a record kept of door staff working on each day?
- Are personal details of security staff kept?

### **Crime Prevention**

- Is crime prevention literature displayed?
- Is there a company policy regarding the display of crime prevention material?
- Who is in charge of the policy?
- What crime prevention initiatives are in place?

### **Outside eating & drinking**

- Does the venue allow outside drinking?
- Has the venue got a street 'tables and chairs' licence?
- How are customers supervised outside?
- Is crime prevention literature displayed outside?
- Have any crime prevention measures been implemented outside?
- How are risks assessed regarding passing pedestrians and traffic?
- Are staff trained to supervise those outside?



- How are numbers of persons outside controlled? (Capacity)
- Are tables and chairs taken in when not in use to prevent them offering opportunities for being used in crimes and disorder?

### **Drugs and Weapons**

- Does the premises have a search policy?
- Are notices prominently displayed explaining the policy?
- Do security staff patrol inside the premises?
- Are staff trained in identifying problems within the venue?
- Are efforts made for close supervision of toilets and poorly lit areas?
- Are police informed of seizures?
- Are seizures correctly documented?
- Has the premises been supplied with self-sealed property bags and plastic weapon containers?
- Are door staff trained in how to deal with weapons/firearms?
- Do management/staff keep written notebooks for 'original notes'?
- Has the venue provided a search arch and/or provided search wands?
- Are door staff registered?
- Does the venue provide local police with a risk assessment one month in advance regarding external events?
- Does the premises enter into contractual agreements with outside promoters?
- Are police contracted before such agreements are signed?

### **Admission of children**

- Ensure door supervisors are trained and empowered to deal with underage drinking.
- Put in place robust systems to monitor and control the access of young people
- Have a policy statement to deal with underage access which should include reference to the use of approved 'Proof of Age' schemes which include photo identity cards as in the PASS scheme
- Display of Policy on checking of age



### III.V STAFF AUTHORISATION

Under the terms of the grant of the premises licence:

**It is an offence for a person to serve alcohol to anybody unless you have been authorised to do so by a personal licence holder**  
**It is an offence to sell alcohol to anybody from premises without a premises licence and/or without a named Designated Premises Supervisor who is in possession of a personal licence.**

### III.VI UNDER-AGE SALES

It is an offence to sell alcohol to anyone under the age of 18, or to anyone purchasing alcohol on behalf of someone under the age of 18.

It is an offence for any person under the age of 18 to buy or attempt to buy alcohol.

It is an offence for anybody under 18 to sell alcohol unless

authorised to do so by a responsible person. Responsible person are defined as:

- The holder of the premises licence
- The Designated Premises Supervisor (DPS) if any, for the Premises Licence
- An individual aged over 18 authorised (ideally in writing) to sell alcohol for consumption off the premises by either the Premises Licence Holder or the Designated Premises Supervisor.

It is an offence to allow alcohol to be served to someone under 18 if the staff member could have prevented it. If a Challenge 21 or Challenge 25 scheme is adopted as a condition of the licence then each customer wishing to purchase alcohol who is unknown to the cashier serving as a person who is over 18 years of age must be asked for satisfactory identification to prove their age. If they cannot or are not asked then the cashier may be committing an offence should the condition wording be specific in this regard.

If a customer looks under 21 (or under 25) they **MUST** be challenged to prove that they are over 18 by producing photographic proof of age which must include a photograph and state the full date of birth of the customer. The only forms of proof of age that we will accept are:

- A passport
- A photographic new style driving licence
- A PASS accredited Proof of Age ID card such as:  
the Citizen Card



**DO NOT ACCEPT ANY OTHER FORMS OF ID UNDER ANY CIRCUMSTANCES**

**Note: the penalty for the member of staff selling alcohol to an under aged person ranges from a fixed penalty notice to a criminal conviction and a substantial fine.**

**You must ensure that you are completely satisfied as to the customer's age BEFORE you make the sale.**

**Do not ask staff members or 'take someone's word' that, they are over 18 and always use CHALLENGE 21 / CHALLENGE 25.**

There are only limited defences if an under-age sale is made and the impact on the DPS or personal licence holder is dependant on who made and who authorised the sale; remember, the only evidence required to prove an under-age sale was made is the actual age of the child and proof that the sale was made.

If a member of staff makes an under-age sale they may be offered a fixed penalty notice of £90 by which they admit their guilt. That is the end of the matter as far as the authorities are concerned with that individual; although disciplinary action could well follow from management as well as the premises licence being reviewed by the licensing authorities and/or the premise licence holder prosecuted if there are any underage sales.

Should the staff member deny this offence then contact RB Retail & Licensing Services Limited for further assistance.

### **III.VII TRAINING GUIDELINES REGARDING THE SALE OF AGE RESTRICTED PRODUCTS**

If you work somewhere that sells age restricted products such as cigarettes and alcohol, please read these notes.

Responsible authorities such as Trading Standards understand it can be very difficult for you to judge the age of a young person, but if you sell age restricted products to someone underage you may commit a criminal offence.

The Licensing Act requires anyone selling alcohol to take steps to check a customer's age.

The following guidance is about the importance of making sure you always get proof of age when supplying or selling goods to young people who may not be old enough to legally buy the goods they want.

You must take all reasonable steps to comply with this law. This is called due diligence.



## DUE DILIGENCE PROCEDURE

- Read Section III.
- Staff to satisfactory undertake questionnaire - all questions to be answered correctly.
- Training Statement, to be signed by staff member and countersigned by Designated Premises Supervisor (DPS).
- Staff Authorisation sheet, to be signed by staff member and countersigned by Designated Premises Supervisor (DPS).

Age restricted products and proof of age are inseparable!

### SECTIONS

- a **Introduction**
- b **Test purchasing**
- c **Age restricted products**
- d **How to check proof of age**
- e **Follow the guidelines**
- f **What the law says**

#### **a. Introduction**

To protect children from harm and comply with the law, the vast majority of retailers take under age sales very seriously. Unfortunately, the few who don't often receive bad publicity, which affects the whole trade. There can be serious consequences for businesses, licensees AND individual members of staff. Penalties for breaking the law include substantial fines, loss of licences, even imprisonment. Individual members of staff can be taken to court and prosecuted. They could also lose their job.

Trading Standards & Police are amongst the responsible authorities who are consulted on licence applications under the Licensing Act 2003. If a licensee and the staff are not following the guidelines outlined in this booklet then these matters may be raised during the licensing process. Any evidence of under age sales can also trigger a review which could lead to loss of the Licence.

#### **b. Test purchasing**

Trading standards and the Police (sometimes together) check that the law is followed and can carry out test purchases of all age restricted products as part of their enforcement duties.

The test purchases are made with volunteer young people who are to look their age.



These test purchases follow procedures supported by the government. They are allowed as evidence of under age sales. Following these guidelines and asking for proof of age and receiving appropriate proof (asking by itself is not a defence), should make sure that you don't make an illegal sale.

Samples of 'proof of age' are shown on the photocards poster in the support material (at II.X).

**c. Age restricted products**

These are some of the more common age restricted products and the age your customer must be to buy or get access to them:

AGE RESTRICTED PRODUCT	AGE RESTRICTION
Alcohol products . . . . .	18
Cigarettes and tobacco products including from vending machines . . . . .	18
Since 1st October 2015 it is illegal for retailers to sell electronic cigarettes or tobacco vapour products to underage persons . . . . .	18
Fireworks . . . . .	18
Knives, blades and axes (not including folding knives with blades under 3 inches long) . . . . .	18
Glue, solvents and lighter fuels, Butane & refills	18
Liqueur Chocolates . . . . .	16
Lottery tickets and scratch cards . . . . .	16
Petrol/Diesel . . . . .	16
Adult Magazines . . . . .	18
Spray paints . . . . .	16
Video/DVD/Games . . . . .	As shown on certificate e.g. 12, 15, 18
Analgesics & medicines . . . . .	Up to the discretion of the retailer

By following the rules regarding age related products it will help you show you are taking 'all reasonable precautions and exercising all due diligence'. This is legal-speak to say that you must have behaved in a way that can provide a defence in law if an illegal sale takes place. You must be able to show that you are doing all that you possibly can to make checks. This is what the courts would look at should an illegal sale take place.

**d. How to check proof of age ?**

If a customer who looks under 21 (or under 25 dependent on which scheme you use) asks to buy an age restricted product, ask for one of the prescribed forms of proof of age and check it. If appropriate proof of age cannot be produced you must refuse the sale and make an entry in the refusals register.

You must only accept proof of age with date of birth and a photo. Remember to check that the photo matches the customer and that you can see their face clearly, including asking them to remove hoods and caps.

Proof of age cards need to carry a PASS hologram to show that they are part of an approved scheme and have been correctly issued. When you see a genuine PASS logo you can be more confident that it is valid proof of age, however there are good forgeries in circulation. Please see over page for checks.



• ***Always follow these checks***

1. Check that the PASS hologram is genuine and flush with the body of the card.
2. Check that the photo matches the person using it and that it is printed on the card, not just stuck on top of it. Ask them to remove helmets, hoods and sun glasses if you are not sure.
3. Check that the date of birth is properly printed on the card and that you have calculated the date of birth correctly.
4. Check that the card has not been tampered with in any way.
5. Check the person. If you are unsure about any of the above you must, and have the right to, refuse the sale.

• ***Acceptable proof of age includes***

- 10 year passport
- Photo driving licence
- Citizencard
- "PASS " accredited proof of age card scheme

There are fake proof of age cards about so if you are unhappy with a card for any reason, refuse the sale. Items such as birth certificates and national insurance cards are not good enough. They carry no photo so can be passed between friends.

Legally you have the right to refuse to sell to anyone, whether over or under age, if you are unhappy with the sale in any way.

***REMEMBER - IF IN DOUBT REFUSE THE SALE***

e. **FOLLOW THESE GUIDELINES**

- Don't try to judge ages. Only accept approved proof of age cards with photos and date of birth.
- Follow either the 'Challenge 21 or Challenge 25 Rule' and ask for proof of age from anyone who does not look over 21 or over 25. Remember, if you guess wrong you could end up in court!
- Make sure notices (e.g. 'It is an offence to sell cigarettes to persons under 18') are on display.
- Know when dates of birth will be correct. Are they 18 yet? Just having today's date with the relevant year of birth will do!
- Fill in a 'refusals book' entry (at IV.XI) each time a refusal takes place. The DPS should check entries regularly to make sure all staff are using the register.
- Be careful should young people wearing school uniforms request to purchase age related products.



- Do not sell to an adult you suspect of buying for under age young people. It is an offence for an adult to buy alcohol on behalf of someone under 18. This is called proxy selling.
- Support colleagues when they refuse sales. It can be difficult to say 'no.'

**PLEASE SEE SECTION III.IX, Page 3.17 FOR INFORMATION ON  
HOW TO RECOGNISE AND DEAL WITH FALSE I.D.**

**f. What the law says**

**Alcohol**

The age at which product alcohol can be legally served and bought is 18.

Do not sell to over 18s who you think may be purchasing for under 18s.

Both the owner of the business and the seller may commit a criminal offence if alcohol is sold to an under 18.

If you are found guilty of selling alcohol to a person under 18 the premises licence to sell alcohol is at risk.

Under 18s cannot legally purchase alcohol.

Always ask for proof of age before you serve and check the details.

You can face prosecution and a criminal record or alternatively the police can issue on the spot fine of £90 if under age sales are made.

**Cigarettes and tobacco products**

The age at which cigarettes can be legally bought is 18.

Under 18s who say they are buying for an adult must be refused.

It is illegal to split packets of cigarettes or to sell singly.

Do not sell to adults who you think may be purchasing on behalf of under 18s (proxy selling).

A notice must be displayed about sales to under 18s.

Always ask for proof of age before you sell.

**Fireworks**

The age which most fireworks can be legally bought is 18.

Do not sell to adults who think may be purchasing for under 18s (proxy selling).

If you hold a year round licence for the sale of fireworks, this could be at risk if sales are made to under 18s from your premises.

Notices must be displayed about sales to under 18s.

Always ask for proof of age before you sell.



### **Knives, blades etc.**

The age at which these can be legally bought is 18.

It applies to knives, blades, unsealed razor blades, axes and other articles that are sharp and can cause injury.\*

Do not sell to adults who you think may be purchasing on behalf of under 18s (proxy selling).

Always ask for proof of age before you sell.

*\*Not including folding knives with blades under 3 inches long*

### **National lottery tickets and scratch cards**

The age at which these can be legally bought is 16.

Your lottery terminal may be removed if you sell to under 16s.

Do not sell to adults you think may be buying on behalf of under 16s (proxy selling).

Under 16s cannot legally claim any prizes.

Always ask for proof of age before you sell.

### **Petrol**

The age at which petrol can be legally bought is 16.

Petroleum licence conditions may state that people under 16 must not access petrol.

Do not sell to adults you think may be buying on behalf of under 16s (proxy selling).

If in doubt ask for proof of age before you authorise the pump.

### **Glue, Solvents and lighter fuels**

The age which these can be legally bought is 18.

It is an offence to sell substances to people who you think may be likely to inhale them for the purpose of intoxication. Be wary of customers who make multiple purchases.

Do not sell to adults who may be buying on behalf of under 18s (proxy selling) if you suspect misuse.

Always ask for proof of age before you sell.

### **SOLVENT ABUSE CAN KILL INSTANTLY**

### **Spray paints**

The age at which spray paints can be legally bought is 16.

Do not sell to adults who you think may be purchasing on behalf of under 16s (proxy selling) if you suspect misuse.

Always ask for proof of age before you sell.





### Videos/DVDs/Games

The age at which these can be legally supplied depends on their classification always check this.

It is illegal to supply an 'R18' video/DVD except in a licensed sex shop.

Refuse the sale if you suspect an adult is attempting to obtain a product on behalf of a young person (proxy selling).

Challenge customers and ask for proof of age.

### III.VIII CHECKING PROOF OF AGE

When you ask somebody to produce proof of age in order to complete a purchase you must ensure that only an approved form of identification is accepted and that you check it correctly: Only accept -

- a valid passport
- a european style photo driving licence
- a PASS accredited cards such as a Citizen card

#### **Always ask for the identification to be handed to you for authentication purposes**

Check that

#### **a. Passport**

- not altered in any way
- the passport date - it is valid
- the photograph - it belongs to the customer
- date of birth - the customer is old enough to complete the purchase

#### **b. European style driving licence**

- not altered in any way
- the licence date - it is valid
- the photograph - it belongs to the customer
- date of birth - the customer is old enough to complete the purchase

#### **c. PASS cards**

- not altered in any way
- the card is completely flat with no raised edges around the photo or PASS logo - **reject the card if it is not flat**
- the PASS logo hologram 3D effect is working
- the card date - it is valid
- the photograph - it belongs to the customer
- date of birth - the customer is old enough to complete the purchase

#### **d. The customer**

- matches the photograph on the card
- is not acting suspiciously
- has not altered the card offered in any way

If you are in any doubt about the validity of the identification offered or the age of the customer even with the identification

**you MUST refuse the sale and record the details in the refusals book (see example at Page 3.46)**



### III.IX HOW TO RECOGNISE AND DEAL WITH FALSE ID

Young people are understandably keen to experiment and test their limits of consumption. This coupled with the disinhibitory effects of alcohol, can lead to risky and anti-social behaviour. For all of these reasons, the protection of children from harm is the licensing objective that many licensing authorities view most seriously.

Since 2010 a mandatory licence condition has required all premises to have in place an age verification policy. The policy must require that customers who appear to the staff member serving to be under 25 years of age, are required to be asked to prove that they are 18 years of age or over (or appear under 21 years of age if adopting Challenge 21 age policy) by producing appropriate ID when requested to prove their age. This, coupled with increased sanctions for premises persistently selling to under-18s, has led to many premises taking age verification much more seriously.

It has also led to a growing market for false ID. False ID is a problem in a number of areas around the country and staff who serve alcohol are sometimes uncertain about how to deal with this issue.

The fake ID cards which can be ordered on the internet often do not replicate existing documents. Examples include the UK national identification card and a provisional motorcycle licence. It is an offence under section 1 of the Forgery and Counterfeiting Act 1981 to make a false instrument or ID with the intention to use it to induce a person to accept it as genuine, and by reason of accepting this ID as genuine, the customer then commits an offence as does the seller albeit unknowingly, by their failure to properly check its validity.

#### TYPES OF FALSE ID

There are five types of false document:

- Genuine document which is being used by someone else,
- Genuine document which has been altered,
- Genuine document which has been fraudulently obtained,
- Fake document which is a copy of a genuine document, and
- Fake documents which is a form of ID that does not exist.

#### IDENTITY DOCUMENTS ACT 2010

This legislation contains a number of offences relating to the possession and use of false identity documents. For the purposes of legislation, the definition of 'identity document' includes (but is not limited to) a passport (whether a UK passport or a passport issued by the authorities of another country) and a driving licence. A full list of what items fall within the definition of 'identity documents' is found in the extracts of the Identity Documents Act 2010 in Annex A.

Two offences under the Identity Documents Act 2010 are relevant.

A person commits an offence if he or she has in their possession an identity document which is false, and which they know or believe to be false, with the intention of using



it to establish personal information about him or her to induce another to ascertain personal information about him or her, e.g. providing a date of birth that is false. A person guilty of this offence is liable on conviction on indictment to imprisonment for a term not exceeding 10 years or a fine (or both).

A person commits an offence to have, without reasonable excuse, in his or her possession a false identity document which relates to another person. A person guilty of an offence under this section on conviction on indictment to imprisonment for a term not exceeding two years or a fine (or both).

**a. Proof of Age Standards Scheme (PASS) Approved Cards**

The Proof of Age Standards Scheme (PASS) is the UK's national guarantee for proof of age card and has the backing of the Home Office, the Association of Chief Police Officers (ACPO), the Security Industry Authority (SIA) and the Trading Standards Institute (TSI). The scheme delivers a common standard through its easily recognised logo, which is backed by a robust audit and accreditation process to help protect retailers of age restricted goods, and their employees, against being taken in by the many forms of false ID in use.

Accepting a card with the PASS hologram which carries the bearer's image and acceptable date of birth is a means of demonstrating due diligence. Examples of all PASS accredited schemes can be found on the PASS website:  
[www.pass-scheme.org.uk](http://www.pass-scheme.org.uk)

**Read how to check I.D. at Section III.VI (d) Page 3.12**





**b. Passports introduced in 2006**



New UK passport designs are introduced through a phased roll-out. Older style passports were issued after the introduction of this design. These will continue to be valid until their stated expiry date.

**Key Information**

**Validity**

- Adults, normally 10 years up to a maximum of 10 years 9 months
- Children, normally 5 years up to a maximum of 5 years 9 months

**Size**

- Approximately 125 x 88 mm

**Number of pages**

- Standard issue book is 32 pages
- Business book is 48 pages

**Location of the data page**

Page 31

**Laminate**

- Page 31 and 32, sewn in, clear laminate with UV visible printing and holograms on page 31

**Photograph**

- Digitally printed

**Numbering**

- 9 digits, printed on page 1. These are entered on the biodata page in the same style as the personal details. The serial number is perforated through pages 1-30 (1-46 in business book)

**Observations**

- An electronic chip and antenna is visible on page 32 (48)

**Extra Checks**

- The holograms are on three patches attached to the underside of the laminate on page 31

- The stitching thread is red, white and blue and fluoresces yellow and red in UV light

- The front and rear endpapers are printed in green, burgundy and blue intaglio (raised printing)



## PASSPORTS INTRODUCED IN 2010



New UK passport designs are introduced through a phased roll-out. Older style passports were issued after the introduction of this design, and these passports will continue to be valid until their stated expiry date.

### Key Information

#### Validity

- Adults, normally 10 years up to a maximum of 10 years 9 months
- Children, normally 5 years up to a maximum of 5 years 9 months

#### Size

- Approximately 125 x 88 mm

#### Number of pages

- Standard issue book is 32 pages
- Business book is 48 pages

#### Location of the biodata page

Page 2

#### Laminate

- Page 2 contains a thin film patch that is clear in colour but has UV visible printing and holograms contained within it. Page 3 is not laminated

#### Photograph

- Digitally printed on pages 2 and 3

#### Numbering

- 9 digits, printed on page 1. These are entered on the biodata page (page 2) in the same style as the personal details
- The serial number is perforated from page 1 through to the rear of the cover of the passport
- The thin film patch contains a unique serial number which consists of 3 alpha characters and 4 numeric followed by a check symbol. This number is located beneath the holder's image should not be confused with the 9 digit passport number

#### Observations

- Passport visa pages feature a cross-page printed design
- A secondary image of the passport holder is located on page '3' of the passport
- Additional information about the passport holder is written on page '3' of the passport
- A check symbol is included within the laser perforated passport number. This symbol is not replicated within the printed serial number of the book on pages 1 and 2 and differs to the check symbol that is present for each thin film patch
- Observation data is bounded above and below by lines consisting of a unique character
- The passport stitching method utilises a process that is different to any previous UK passport
- The gold foil on the front cover is more lustrous than that of the previous UK passport
- Where the passport holder does not require any additional data to be inserted into the passport, the passport observations page (page 3) will read "There are no official observations."



### Laminate

- Page 2 contains a thin film patch that is clear in colour but has UV visible printing and holograms contained within it. Page 3 is not laminated.

### Note

- The biodata (personal details) page is at the front of the passport and located on page 2
- The passport chip is located in the cover of the passport
- The invisible printing of the laminate fluoresces strongly
- The laser perforated number consists of variable hole shapes (circle, square and triangle)

### PASSPORTS FROM FOREIGN STATES

Space limitations do not allow images of the passports of foreign states to be reproduced in this guidance. Machine readable passports (MRP) were first introduced in the 1980s and most passports worldwide are now MRPs. To assist anyone presented with a foreign passport, set out below are features that can be detected by the naked eye or by using an ultraviolet light, that are required in all MRPs by International Civil Aviation Organisation standards:

- paper that does not reflect ultraviolet light or whose fluorescence is easily distinguishable from the blue used in commonly available fluorescent materials;
  - watermarking on the biographical data and visa pages;
  - an intricate, repetitive pattern as the background design on each page;
  - a background design on the biographical data page that is different to the design(s) on other pages in the passport;
  - ultra-violet fluorescent ink on the biographical data page;
  - MRPs issued since 2010 should have a unique number on all pages except the inside covers; and
  - many passports include optically variable features on the biographical data page.
- An optically variable feature (most commonly a hologram) changes appearance in colour or design as the page is tilted. However, the standards allow devices offering equivalent protection to be used instead.

### c. DRIVING LICENCE



#### Your personal details (1, 2 and 3)

Fields 1, 2 and 3 of your photocard licence record your surname, first names, date and place of birth.

#### Date of licence issue, photo expiry, issuing authority (4)

The date shown in 4a is the date the photocard was issued. 4b shows either the date the photo expires (driving entitlement is valid until 70th Birthday) or the date entitlement expires (medically restricted and over 70 licences). The authority that issued the licence is shown in 4c i.e. DVLA.



### Driver number (5)

A	B	C	D	E
MORGA	657054	SM	91J	**

A - First five characters of surname. If the surname is less than five characters the remaining spaces will be made up using the figure 9 (e.g. MAN99).

B - The first and last numbers are the year of birth. The second and third numbers are the month of birth. If you are a women, '5' is added to the second number and the total used as the second digit e.g. if you were born in October the second and third numbers would be 60. The fourth and fifth digits show the day of your birth.

C - The first two initials of your forenames. If you have only one initial then the second will be a '9'.

D - Computer check digits.

E - Licence issue number.

### Holder's Photograph (6)

The new photocard licence has a black and white photo. This is because the laser technology used to burn the image onto the card producing a black and white photo is more secure. A colour photo will still need to be provided with your application to be stored on your driver record.

### Holder's signature (7)

this is digitally reproduced and burned into the photocard from the signature you produced on the application form.

### Holder's address (8)

This shows the driver's permanent address in Great Britain.

### Entitlement categories (9)

The letters in capitals show the categories of entitlement covered by the European Community Directive. National categories are shown in smaller letters.

### Holographic feature (10)

This feature is similar to a hologram but is clearer because it has definite lines and brilliant colours. It contains a steering wheel that appears to turn as you tilt the card in different directions.

### Changing images (11a and 11b)

a. This security feature is an image that changes both shape and colour depending on how you tilt the licence. On full (pink) licences it's a blue road sign changing to a black triangle, on a provisional (green) it's a red road sign changing to a black triangle.

b. This security feature is personalised according to the data on the card. It contains the last five characters of the driver number changing to the month and year of the photo expiry which appear and disappear depending on how you tilt the licence.

### Unique identifier (12)

Cards are to pre numbered by the card manufacturer. This number is laser engraved onto the card prior to delivery to DVLA and is unique on every card.

### Not used (13 and 14)

### Pictograms (15)

These illustrations are representations of types of vehicles in those categories shown.



### Category validity periods (16)

These are the dates when entitlement to drive each category begins and ends.

### Information codes (17)

The code numbers printed in this area indicate what (if any) restrictions to which the entitlement is subject.

### Steering wheel security feature (18)

This is a security feature in the shape of a steering wheel. The colour of the wheel changes from green to gold depending on how you tilt the licence.

### Security features



#### 1 & 2. Changing Images

1. This is an image that changes both shape and colour depending on how you tilt the licence. On full (pink) licences it is a blue road sign changing to a black triangle, on a provisional (green) it is a red road sign changing to a black triangle.
2. This security feature is personalised according to the data on the card. It contains the last five characters of the driver number changing to the month and year of the photo expiry which appear and disappear depending on how you tilt the licence.

#### 3. Holographic Feature

This feature is similar to a hologram but is preferred as it can be seen much more clearly due to its definite lines and brilliant colours. It contains a steering wheel which appears to turn as you tilt the card in different directions.

#### 4. Tactile Engraving

This process involves burning the data into the card for a longer period than normal, and results in the text raising up above the surface of the card. The driving licence has 'Field 1 (Surname)' and 'Field 9 (Categories)' printed in raised characters as part of the laser engraving process.

#### 5. Complex Background Pattern

A design made up of an interlocking pattern of small irregular shapes, printed in two colours and requiring very close register printing in order to preserve the integrity of the image.

#### 6. Tactile Feature

Raised tactile steering wheel placed in the centre of the card. It can be felt when a finger is run across the card and can be seen when viewed at an angle. It also contains the words "Driving Licence" in microlettering

#### 7. Laser Engraved Photograph

Laser engraving technology is highly secure as the image is burnt into different layers of the card and it can not be changed without serious damage to the card. This results



in a highly secure black and white photograph. Note: DVLA will still require a full colour photograph be provided by customers to keep on our records.

### 8. Security Background Design Overlapping With Photograph

This security feature has the rainbow print lines and the complex background pattern converging over the area where the photograph is engraved. This further protects the photo image by the integration of security elements.

### 9. Optically Variable Ink (OVI)

Optically Changing Colours is a printing feature that changes in colour depending on the angle of inspection. When the card is tilted, the element printed with Colour Change Printing will show deviations in colour tone clearly visible to the naked eye i.e. gold to green.

### 10. Unique Number

Cards are to be pre numbered by the card manufacturer. This number is to be laser engraved onto the card prior to delivery to DVLA and is unique on every card.

## PROVISIONAL DRIVING LICENCE



The security features of the provisional licence are identical to the full driving licence.

## QUESTIONS THAT CAN BE ASKED TO CHECK THE IDENTITY

Staff should ask customers questions once ID is given to verify ownership and on this basis compiled the following list of questions that may be used:

- Ask the person for their date of birth - this can lead to them mixing their own with the one on the ID or not being able to recite the date on the ID on the spot.
- Ask the person for their star sign - a young person may have memorised the date of birth on the ID which they are using but are unlikely to know the corresponding star sign.
- Ask for another form of ID, such as a bank or student card. If someone steals or borrows another person's ID, they are unlikely to take other forms and their purse/wallet will have their own ID in it.
- Ask for the postcode on the ID; a person using borrowed ID may know the first line of the address but may have difficulty remembering the postcode under pressure.
- Ask for their age - someone with borrowed ID may accidentally give their own age or 18 as this is the legal drinking age.

## How false ID should be stored and recorded

It is advisable that premises have an incident book to record those occasions on which there has been the use or attempted use of false ID at or on entry to the premises. If false ID is handed in, this should be recorded in the book along with the names of staff involved, the name on the ID and the name of the manager in overall charge of the premises. A description of the person using the ID and the time of the incident may also be useful to the police.



Once the false ID has been recorded, it should be stored, along with the police half of the bailment form (where in use), in the same way that a premises handles confiscated drugs. It should be locked away in a secure place until the police are ready to collect it or the manager takes it to the police station.

### **How and when to contact the police**

The police should consider setting up a single point of contact in the licensing team whom licenced premises may contact to deal about false ID issues. Local arrangements should be made between the police and licensed premises to outline how and when the police should be informed of incidents involving false ID.

It is good practice that false ID should be held at premises for a period not greater than 72 hours after it was handed over. This means that ID handed over on Friday evening can be held until Monday morning before being given to the police.

### **What to do if a person complains after handing over their ID**

If someone complains that their ID has been retained, the premises manager (if available) should take the person to one side and explain why this has happened. If this person is still unhappy call the police and ask for guidance.

### **Signs that can be placed at entrances**

Signs placed at the entrances to premises can deter young people who intend to use false ID from entering the premises, and are a means of diffusing anger towards door staff. Such signs could set out the ID policy and inform individuals that anyone using false ID will be asked to hand it over and, if they fail to do so, the police may be called. An example of wording for these signs is below, or a common example is:



“These premises operate a Challenge 25 policy. You may be asked to show ID if you appear to be under 25. If the ID that you present is suspected to be false or belonging to someone else, you may be refused entry to these premises and you may be asked to hand over the ID so that it can be given to the police. If you fail to do so, the police may be called. Gaining entry to these premises using fake ID or ID that doesn’t belong to you may be a criminal offence.”



### III.X WHAT TO WATCH OUT FOR REGARDING THE IDENTIFICATION OF A PERSON POSSIBLY UNDER THE INFLUENCE OF ALCOHOL

#### 50 SIGNS OF VISIBLE INTOXICATION:

Serving alcohol to a visibly intoxicated person (VIP) is against the law. If you can tell on sight that a person has been drinking or using other drugs, the person is visibly intoxicated. Staff are not expected to know a customer's blood alcohol content as determined by a blood, breath, or urine test, but they are required to recognize visible intoxication.

Here are some of the common signs of visible intoxication. These are not all of the possible signs. If a person shows just one or two of these signs that does not necessarily mean the person is intoxicated. But if a person shows a combination of several signs, or has a sudden change of behavior, that could be a strong indication that the person is intoxicated. Remember that intoxication can result from the use of drugs other than alcohol. **IF IN DOUBT, DO NOT SERVE.**

#### APPEARANCE

1. Blooshot, glassy, or watery eyes
2. Flushed face
3. Droopy eyelids
4. Blank stare or dazed look
5. Twitching or body tremors
6. Disheveled clothing

#### SPEECH

7. Thick, slurred speech
8. Loud, noisy speech
9. Speaking loudly, then quietly
10. Rambling train of thought
11. Unusually fast or slow talking
12. Slow response to questions or comments
13. Repetitive statements
14. Bravado, boasting
15. Making irrational statements

#### ATTITUDE

16. Annoying other customers and employees
17. Argumentative
18. Aggressive or belligerent
19. Obnoxious or unpleasant
20. Inappropriate sexual advances
21. Overly friendly to other customers or employees
22. Boisterous

#### BEHAVIOR

23. Swaying, staggering, or stumbling
24. Unable to sit straight

#### BEHAVIOR (cont.)

25. Careless with money
26. Difficulty counting change
27. Restless
28. Depressed or sullen
29. Crying or moody
30. Extreme or sudden change in behavior
31. Overtly animated or entertaining
32. Crude, inappropriate speech or gestures
33. Drowsiness or falling asleep
34. Lack of focus and eye contact
35. Difficulty standing up
36. Unusual walk
- 37.\* Can't find mouth with glass
- 38.\* Falling down or falling off a chair
- 39.\*\* Difficulty lighting cigarettes
- 40.\*\* Lighting more than one cigarette
41. Clumsy
42. Difficulty remembering
- 43.\* Spilling drinks
44. Disoriented
45. Agitated, anxious
46. Grinding teeth
47. Vomiting

#### OTHER

48. Odor of alcohol, drugs or chemicals
49. Excessive perspiration
50. Repeated trips to toilet or outside area.

\* On Licence Premises

\*\*Observed in smoking areas only



a. **Other ways of determining if someone is intoxicated**

Interaction with the person and their friends will help to determine whether someone is intoxicated and their level of intoxication, i.e. a friend laughs and says that 'Bill is well \*\*\*\*\* (insert slang phrase for intoxication).

Talk with the person and ask them questions such as:

How much alcohol have they consumed?

When did they last eat and how much?

Whether they consider themselves intoxicated?

What type of alcohol has been consumed?

How much has the person been witnessed drinking? If it is difficult getting a reasonable response from the person, talk to the people the customer is with.

***Be sensitive to a person's right of privacy.***

***THESE SIGNS ARE  
NOT EXHAUSTIVE AND  
NOT ALWAYS  
NECESSARILY  
CONCLUSIVE PROOF OF  
INTOXICATION***



### III.XI CONFLICT MANAGEMENT - some practical steps staff can take

#### Experienced Staff

An experienced and well trained member of staff will contribute to good standards of a premises and help create the right atmosphere, so customers are aware that bad behaviour will not be tolerated.

Cashiers should at all times enforce their legal responsibilities and consider the consequences of allowing alcohol into the hands of under age or intoxicated people.

In refusal of service or conflict situations, you will need a lot of patience. Try to learn from your more experienced colleagues and observe what they do and say in different situations. Practice also helps you to get it right. Reading this information is a good first step, but putting it into practice and learning from your successes and mistakes is what this section is really about!

#### Initial / Action Points

1. Write down 3 key phrases you can use when refusing service to someone who is underage.
2. Write down 3 key phrases you can use when refusing service to someone who is drunk.
3. Speak to friends and colleagues about their experience of situations that they gotten out of hand and how they dealt with them. Would you deal with them differently now that you have read this guide?
4. Set up an incident book for your workplace or make sure you know where the current one is kept.

**Keep calm.** Don't get into an argument.

**Explain briefly why you cannot sell.** Try saying, for example:

- 'I'm sorry, if I serve you I might be breaking the law.'
- 'We have a policy of 'no proof of age, no sale.'
- 'Our company policy is not to sell these products to young people.'

**Show customers notices, posters and stickers** that indicate you will not serve alcohol to under 18s or sell other age restricted products.

**Offer an application form for an approved proof of age scheme. E.G. CITIZEN CARD**

**Be positive in your refusal.** Have a firm tone of voice, be confident and use direct eye contact. The law is on your side and you are doing the right thing.

**Call your supervisor or manager for support if necessary/available.**

**Remember the object is to get the customer who is being refused goods / services out of the shop** if all else fails call the Police to help remove the customer and if appropriate ban the customer from using the premises in future.





## Reacting to Trouble

Most conflict can be prevented or controlled in the early stages. However, if a situation has deteriorated to a heated stage before you arrive, it can be much more difficult.

Remember your own and others' safety:

- Keep calm and try to slow things down
- Try to find out what the problem is, making sure you listen

A good way to keep in mind all the essential stages is to use the word REACT.

## REACT

**R** Request - ask the conflicting parties to calm down or leave

**E** Explain - that their behaviour is unacceptable and list any rule or law that has been broken

**A** Appeal - say "please," turn it around and say things like, "You don't want me to get into trouble" or "if you keep this up, I won't be able to serve you" or I don't want to call the police but I will have to if you don't back down"

**C** Confirm - if the customer still refuses to abandon the confrontation, repeat any potential consequences and ask them if there is still anything you can do to get them to stop misbehaving

**T** Take Action - here you will have to ask them to leave again. If they refuse to do so, you will have to call the police. Physical force is the last resort and should never be used if you are on your own. Unless you are alone in the shop you may wish to lead the misbehaving customer towards the door, but be careful about using any level of physical force or coercion and be aware of your own safety. If all else fails call the police.

Once trouble is over, it is important to apologise to other customers for any disruption and reassure them that everything is back to normal. Recognise that you have been through a difficult situation and take a break, if possible, to regain your composure.

It is also good practice to record the incident accurately, while information is still fresh in your mind.

## Recording Incidents

You should record all incidents for a variety of reasons:

- It can be used as a learning tool and can assist in communication between staff and management
- It provides an accurate record for police, company or insurance purposes
- It can help to prevent similar incidents from happening again

The record should include the following:

- Date
- Time
- What happened
- Who was involved
- How it was dealt with
- Whether police were called
- You may also wish to record the names of any witness and their contact information.

## Body Language

Understanding body language can be very helpful in seeing trouble and dealing with it effectively. The table below shows the signs to look out for if someone is getting aggressive. You also need to think about your own body language. When dealing with the situation, you need to be assertive if you want people to do as you say.



BODY LANGUAGE			
	<b>AGGRESSIVE</b> (angry)	<b>ASSERTIVE</b> (in control)	<b>PASSIVE</b> (weak)
Body Position	Leaning forward	Upright / straight	Shrinking
Head	Chin jutting out	Firm, not rigid	Head down
Eyes	Strongly focused, staring, often piercing or glaring eye contact	Good, regular eye contact	Glancing away or downwards, little eye contact
Face	Set or firm	Expression fits the words	Smiling even when upset
Voice	Loud and emphatic	Well modulated to fit content	Hesitant or soft, trailing off at ends of words or sentences
Arms/Hands	Hands on hips, fist, sharp gestures, pointing, jabbing	Relaxed / moving easily, open palms	Aimless / still
Movement /Walking	Slow and pounding or fast, deliberate	Measured pace suited to the situation	Slow and hesitant or fast and jerky

### How to get it right

It's not easy to get it right. You must try to be **assertive**, not aggressive or passive.

Don't give up. If you think carefully about your voice, your movements and being calm, everything else tends to follow.

### Distance

You'll probably be aware that each person has a certain amount of "personal space". If a stranger stands too close, it is uncomfortable. In conflict situations, standing too close may be seen as a threat, so keep a comfortable distance from the person you're speaking to. Remember also that a person from a different country or culture may prefer a different amount of personal space (e.g. they may like to stand closer or further away than you do).

A barrier of some kind, such as a table, can help to keep this distance. The counter itself is a barrier. You may have found that you feel more comfortable speaking with people when you are behind the counter than when you are out on your own. This is because the physical barrier acts as a psychological barrier as well.



### III.XII DUTY TO REFUSE SERVICE

It is your duty to refuse to serve under 18s and also you must refuse to serve a person if they are or appear to be drunk.

#### ***How to refuse a sale***

Sometimes refusing a sale will make the customer angry. Here are some tips to help you handle difficult refusals.

**Ask for proof of age.** This helps the situation as it is not a direct refusal. It says that you will make the sale if they can produce valid proof of age. Only accept proof of age with a photo, and only if you are happy it is correct.

**Refuse politely.** If necessary repeat your refusal clearly.

**Keep calm.** Don't get into an argument.

**Explain briefly why you cannot sell.** Try saying

- 'I'm sorry, if I serve you I might be breaking the law.'
- 'We have a policy of 'no proof of age, no sale.'
- 'Our company policy is not to sell these products to young people.'

**Show customers notices, posters and stickers** that indicate you will not serve alcohol to under 18s or sell other age restricted products.

**Offer an application form for an approved proof of age scheme.**

**Be positive in your refusal.** Have a firm tone of voice, be confident and use direct eye contact. The law is on your side and you are doing the right thing.

**Call your supervisor or manager for support if necessary.**

**Record details** in your premises' refusal register.

Report incidents where you have felt threatened and/or intimidated.

Remember, ***you commit an offence*** if:

- You sell alcohol to a person who is under 18
- You allow alcohol to be sold to someone who is under 18 when you could have prevented that sale
- You sell alcohol to a person who is drunk
- You sell alcohol to a companion of a person who is drunk for the drunken person's consumption
- You allow alcohol to be sold to someone who is drunk when you could have prevented that sale

On the spot fixed penalty notices can be issued for serving alcohol to someone who is drunk or under age with prosecution also being a possibility.

If someone is drunk or disorderly they can be ejected from the premises and the police must assist if requested to do so - if you think a customer should be ejected please ensure that you seek assistance from a colleague and follow your company procedures in order to deal with the incident properly and safely.



## Last Word

- However hard you work at preventing violence there is a possibility that you will be confronted by a violent customer at some stage on your premises ***avoid situations if at all possible. A conflict management course for you and your staff would help avoid confrontation because you would identify earlier the key signs and take steps to defuse this problem***
- Ensure that you and your staff know the company procedure for dealing with violent customers and follow it if faced with such a situation ***do not hesitate to involve the police if you are concerned for your own or your staff or customers' safety***

## III.XIII TEST PURCHASES

Police and Weights & Measures officers may send under 18s in to your premises to attempt to buy alcohol to check compliance with the law. Under some circumstance the test purchaser may not tell the truth when asked if they are over 18 or if they have ID you **MUST** ask for approved proof of age and check it.

When an attempt is made to purchase alcohol you must either Challenge 21 or Challenge 25 (depending on the scheme used) and ask for acceptable proof of age identification from any customer who appears to be under 21 or 25 years old and is unknown to you as a person over 18 years old, if in doubt - ask for identification if you fail in this duty you may commit a criminal offence.

If you have any doubt about someone's age even, if they have produced proof of age, do not serve them with alcohol and note the refusal in the site refusal book.

## III.XIV REFUSALS BOOK

If you have to refuse a sale of alcohol (or any other age restricted products such as cigarettes, tobacco, lottery tickets etc.) you **MUST** enter the details of the refusal in the **REFUSALS BOOK**. This will help you maintain evidence that under-age sales are being refused and also act as a training tool for your staff.

**You have the right to refuse to sell any alcohol product, provided that the reasons for refusal are not based on discrimination on the grounds of sex, race or disability and you have a duty not to sell age restricted products to anybody under age.**

Always keep letters of third party test purchases such as tobacco checks by trading standards and lottery ticket sales by Camelot.



### III.XV REVIEWS

The review provisions in the Act, added to ensure an element of balance under the new regime, allow residents and businesses in the area and the regulatory authorities to voice concerns subsequent to the grant of a licence if they feel that there are relevant problems being generated at or by the premises.

Reviews are important because premises licences are not renewed (they are granted for the life of the business, subject to the annual fee paid to the local authority) so an objection can no longer be made as with the old system at renewal of the Justices' licence.

### III.XVI STREET DRINKING & SUPER STRENGTH BEER/LAGER /CIDER

#### Introduction

Street drinking and the availability of super strength beer, lager and cider (i.e. above 6.5% ABV - Alcohol by volume) are potential concerns that may be raised by the police and other responsible authorities when considering new licence applications and variations to existing licences. Indeed in some cases where this problem has become excessive the local authorities in partnership with the police sometimes request voluntary agreement from retailers to not stock super strength beer/lager and cider as this is the preferred drink of many street drinkers because it is generally inexpensive and gives the "buzz" street drinkers crave.

#### The Law

Recent legislation has given the police greater powers to address the alcohol related offence problems that they believe have fuelled a large proportion of crime and disorderly anti-social behaviour. These are specifically:

- S17 Crime and Disorder Act 1998
- S13 Criminal Justice and Police Act 2001
- S4 Licensing Act 2003
- S27 Violent Crime Reduction Act 2006
- Part 7 Police & Crime Act 2017

These acts impose duties on either or both the Police & Local Authorities or provide powers to reduce anti-social incidents that result in crime and disorder from the misuse of alcohol as well as other substances.

Various strategies are being considered and will continue to be reviewed on a local authority by local authority basis such as Early Morning Restriction Orders and Late Night Levies (to fund extra policing at night etc.) Additional legislation has also been introduced by central government to ensure a minimum level of price per unit of alcohol is enforced by the licensing section and monitored by local government to try to eradicate cheap alcohol being offered for sale in shops and pubs.

#### Super Strength Beer, Lager & Cider

Nothing has yet been formally announced regarding super strength beer, lager and cider products being banned or reduced in strength or the packaging in which they are offered for sale being cut in size but there is a growing consensus amongst health professionals and the police that government must do more.

#### Street Drinkers

Strong beers, lagers and cider have over the last decade or so have become the preferred alcohol product of choice by street drinkers who can generally be described as persons who have limited financial resources, are unemployed, have underlying health and mental issues and possibly homeless.





A street drinker has been defined by a community safety partnership as: "Someone who regularly drink alcohol, or is drunk in public places, and their behaviour significantly raises the risk of the following:

- Offending behaviour - if littering or urinating in public, or begging.
- Harm to themselves
- Harm to others
- Anti-Social behaviour - causing harassment, alarm or distress.
- Drawing other vulnerable people into the same type of lifestyle.
- Homelessness.

Street drinkers themselves describe health issues when asked, that mirror health problems experienced by dependent drinkers such as:

- Damage to heart, liver and stomach.
- High blood pressure.
- Double incontinence.
- Fits.
- Mental health problems.
- Depression.
- Black Outs
- Memory loss.

The ramifications of the above include:

- Anger
- Loss of self-esteem.
- Sickness in morning if no alcohol is available.
- Bleeding veins
- Stomach ulcers
- Aching bones
- Loss of balance
- Sleep deprivation

Fortunately the vast majority of adults who drink, do so responsibly whilst street drinking affects a very small minority of people. However the cost to the public is disproportionate as it is very expensive for the police, NHS, local authorities and others to initially respond to the issues caused and then fund the cost of helping the street drinkers themselves - and who in some cases do not want to accept help.

Other groups of street drinkers can be described as ethnic drinkers where drinking outside for example may be considered the social norm and therefore they drink outside as a matter of choice.

Some local authorities have adopted a legal instrument called a DPPO (Designated Public Places Order) although some may know this as a DACZ (Designated Alcohol Control Zone) both mean that should an individual drink in public and is observed causing a criminal nuisance offence by a police officer then the alcohol can be confiscated.

DPPO/DACZ are so effective that in some cases the street drinking problems are moved into areas where there is no DPPO/DACZ in force and therefore move the problem from one area to another.





Voluntary agreements to not stock cheap high strength alcohol will in some cases resolve the issue as long as it is adopted consistently by other similar retailers within the designated geographical area. Otherwise the street drinkers will just congregate near to businesses that stock their favourite product rather than loiter in the areas that do not.

### **III.XVII ALCOHOL DELIVERY SERVICES**

There are an increasing number of licensing applications by small independent operators for the provision of off-sales of alcohol ordered by customers direct to their home via the telephone or online.

Premises that wish to deliver alcohol direct to customers should seek professional assistance on how to run such an operation be it during normal shop hours or for up to 24 hours a day.

The applicant must comply, for example, with the following:

- the premises to be licensed should be where the product is stored prior to its dispatch and not a separate call centre where the money is taken.
- the applicant cannot license the delivery vehicle.
- there needs to be a robust procedure in place to ensure the alcohol is delivered to the person ordering the product including checking proof of age. The delivery person should also, as far as possible, check that the customer is not buying alcohol for the consumption by under 18s e.g. a party at the same premises where young people are in attendance.
- the application should ensure that the four licensing objectives are not compromised.
- the advertisement of the alcohol delivery services show potential customers a full list of the terms and conditions.
- payment should not be taken at the point of delivery.

It is recommended that the applicant seeks proper guidance before submitting such an application. R.B. Licensing Services would be pleased to assist.

### **III.XVIII BAN ON THE SELLING OF ALCOHOL BELOW THE COST OF DUTY + VAT**

The Government launched its Alcohol Strategy which was published on 17th July 2013 following the analysis of all the consultation responses received and concluded that a policy was needed to reshape the approach to alcohol and specifically reduce the number of people drinking to excess. The Alcohol Strategy is targeted at harmful and hazardous consumers and aimed to limit the impact on responsible consumers. The document set out its intention to ban below cost selling to tackle the worst examples of sales of cheap alcohol. This ban came into force on the 28th May, 2014.

The ban prevents businesses from selling alcohol at heavily discounted prices and aims to reduce excessive alcohol consumption and its associated impact on alcohol related crime and health.





The ban is a new licensing condition of the Mandatory Code of Practice. The Mandatory Code of Practice applies to all licensed premises, including those with club premises certificates, in England and Wales.

Responsibility for ensuring compliance within the mandatory condition part of your premises licence will always be the responsibility of the premises licence holder and/or designated premises supervisor irrespective whether the pricing was undertaken by a member of staff or not.

The level of duty plus VAT is calculated by taking the relevant excise duty figure for a particular product and the applying the current rate of VAT to this amount. Duty rates differ in accordance with the type of alcohol and often the strength of the product. There are three categories for calculating the permitted price of duty plus VAT.

The three categories are:

1. Beer
2. Spirits, spirit-based ready-to-drinks, wine and made-wine (exceeding 22% ABV)
3. Wine, made-wine and cider (not exceeding 22% ABV)

The following calculations are used to determine the permitted price for each product:

**Beer permitted price = Duty + VAT**

Where Duty (pence) = volume (litres) x strength (% ABV) x duty rate

**Spirits, spirit-based ready-to-drinks, wine and made-wine (exceeding 22%) permitted price = Duty + VAT**

Where Duty (pence) = volume (litres) x strength (% ABV) x duty rate

**Wine, made-wine and cider (not exceeding 22% ABV) permitted price = Duty + VAT**

Where Duty (pence) = volume (litres) x duty rate

(Note: duty rates for beer, wine, made-wine and cider are given in pounds per hectolitre. For clarity of calculation, and because of the small quantities involved, this has been translated into pence per litre, which is an identical figure. Duty rates for spirits and other products over 22% ABV are given in pounds per litre of pure alcohol. For clarity of calculation, and because of the small quantities involved, this has been translated into pence per centilitre (i.e. 10ml) of pure alcohol, which is also an identical figure.)

It should be noted that there are different duty rates within each of the categories of beer and wine and cider, and that the appropriate rate should be used.

Duty rates may change each year, typically following the Chancellor's Budget. Therefore, those who supply alcohol will need to ensure the new duty rates are applied to the three formulae in the preceding section when duty rates change.

Businesses and others who supply alcohol will need to ensure that their pricing systems are accurate enough to prevent any sale of alcohol below the cost of duty plus VAT. This includes ensuring that prices are accurate on shelves, barcodes, menus and price lists, where appropriate.



Care should be taken when undertaking any of the following activities:

- Multibuy promotions
- Multibuy promotions that include alcohol and non-alcohol products
- Multipack products that consist of bulk packs of alcohol
- A package that includes inclusive alcoholic drinks
- Complimentary alcoholic drinks
- Discount coupons which include alcoholic drinks
- Reward cards which can include alcoholic drinks
- Staff discount Companies can offer staff discount, as long as the price after all discounts are applied is above the permitted price of the alcohol
- Online internet sales. The ban will apply to all sales of alcohol that take place (i.e. the alcohol is despatched to the customer) within England and Wales.

If unsure regarding any of the above please contact either your wholesale supplier or contact RB Retail & Licensing Services Limited.





### **III.XIX RIGHT TO WORK IN THE UK**

#### **New powers to tackle illegal working in licensed premises**

Under the measures, brought in as part of the Immigration Act 2016, immigration checks will be part of the process for applying for a licence. As from 6th April 2017, a premises or personal licence will not be issued to anyone who does not have permission to be or work in the UK. Being granted a licence and continuing to hold it will also be reliant on complying with the UK's immigration laws.

Additionally, the Home Office will be consulted in the same way as the police before a license is granted. If a business has any immigration offences and civil penalties, these will be considered as part of the licence application, and as a ground for making a formal request to a licensing authority for a license to be reviewed.

Immigration officers will also receive the same powers as licensing enforcement officers and the police to enter a premises being used to sell alcohol or late night refreshment, in order to investigate immigration offences. This will enable joint enforcement operations with licensing enforcement officers, and allow immigration officers to enter licensed premises without a warrant where there is intelligence of illegal working taking place.

If persons are found working in premises performing paid or unpaid work and do not have a right to work in the UK, then the premises (if licensed) can be reviewed by the local authority with a high probability that the premises licence will be revoked.

- All staff current and new must produce documentation from the list of documents reproduced on pages 3.39/3.40.
- Copies (preferably colour) of the original documents must be kept by the business as evidence of compliance and kept safely onsite. Should local licensing officers, police or representatives of any other responsible authority visit the shop and ask for proof of the right to work in the UK, you will be able to provide appropriate documentation. Failure to do so may result in a review of your premises licence and the instigation of criminal proceedings against you.

**PLEASE SEE THE RIGHT TO WORK  
CHECKLIST ON THE FOLLOWING  
TWO PAGES**





Home Office

## Right to Work Checklist

Name of person:	
Date of check:	
Type of check:	Initial check before employment <input type="checkbox"/> Follow-up check on an employee <input type="checkbox"/>

### Step 1 Obtain

- You must **obtain original** documents from either **List A** or **List B** of acceptable documents.

#### List A

- ☐ A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
- ☐ A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- ☐ A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office, to a national of a European Economic Area country or Switzerland.
- ☐ A Permanent Residence Card issued by the Home Office, to the family member of a national of a European Economic Area country or Switzerland.
- ☐ A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- ☐ A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- ☐ A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- ☐ A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- ☐ A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- ☐ A certificate of registration or naturalisation as a British citizen, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

#### List B Group 1

- ☐ A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
- ☐ A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.
- ☐ A **current** Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.
- ☐ A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

#### List B Group 2

- ☐ A Certificate of Application issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is **less than 6 months old together with a Positive Verification Notice** from the Home Office Employer Checking Service.
- ☐ An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, **together with a Positive Verification Notice** from the Home Office Employer Checking Service.
- ☐ A **Positive Verification Notice** issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.



### Step 2 Check

• You must <b>check</b> that the documents are genuine, that the person presenting them is the prospective employee or employee, the rightful holder and allowed to do the type of work you are offering.			
1. Are photographs consistent across documents and with the person's appearance?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
2. Are dates of birth consistent across documents and with the person's appearance?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
3. Are expiry dates for time-limited permission to be in the UK in the future i.e. they have not passed (if applicable)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
4. Have you checked work restrictions to determine if the person is able to work for you and do the type of work you are offering? (for <b>students</b> who have limited permission to work during term-times, you <b>must</b> also obtain, copy and retain details of their academic term and vacation times covering the duration of their period of study in the UK for which they will be employed)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
5. Are you satisfied the document is genuine, has not been tampered with and belongs to the holder?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
6. Have you checked the reasons for any different names across documents (e.g. marriage certificate, divorce decree, deed poll)? (Supporting documents should also be photocopied and a copy retained.)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

### Step 3 Copy

You must make a clear **copy** of each document in a format which cannot later be altered, and retain the copy securely: electronically or in hardcopy. You must copy and retain:

- ☐ **Passports:** any page with the document expiry date, nationality, date of birth, signature, leave expiry date, biometric details and photograph, and any page containing information indicating the holder has an entitlement to enter or remain in the UK and undertake the work in question.
  - ☐ **All other documents:** the document in full, both sides of a Biometric Residence Permit.
- You must also record and retain the date on which the check was made.

### Know the type of excuse you have

If you have correctly carried out the above 3 steps you will have an excuse against liability for a civil penalty if the above named person is found working for you illegally. However, you need to be aware of the type of excuse you have as this determines how long it lasts for, and if, and when you are required to do a follow-up check.

The documents that you have checked and copied are from:

- List A** ☐ You have a **continuous statutory excuse** for the **full duration** of the person's employment with you. You are **not** required to carry out any repeat right to work checks on this person.
- List B: Group 1** ☐ You have a **time-limited statutory excuse** which expires when the person's permission to be in the UK expires. You should carry out a **follow-up check when the document evidencing their permission to work expires**.
- List B: Group 2** ☐ You have a **time-limited statutory excuse** which expires 6 months from the date specified in your Positive Verification Notice. **This means that you should carry out a follow-up check when this notice expires.**

Date follow-up check required:



### III.XX STAFF TRAINING - Revision

The Licensing Act 2003 introduced a single integrated system throughout England and Wales to regulate the sale and supply of alcohol, the provision of entertainment to the public and the provision of late-night refreshment - the sale of hot food and hot drinks between the hours of 11pm and 5am.

Under the Act there is a statutory requirement that retail sales of alcohol can only be made from premises that have been granted a premises licence.

In addition all premises licensed for the sale of alcohol must have a designated premises supervisor (DPS) appointed for those premises who must be a personal licence holder.

Sales of alcohol can only be made or authorised by a personal licence holder.

### UNDERSTANDING THE LICENSING LANGUAGE

**The licensing objectives** - these are the governing principles of licensing law in England and Wales. Everyone involved with any of the licensable activities including the sale of alcohol must be aware of and actively promote these objectives at work.

The four licensing objectives, all of which are of equal importance, are as follows:

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

### LICENSABLE ACTIVITIES

For a business to carry out any of the following activities, a premises licence is required. The licensable activities are defined as:

sale of alcohol by retail

supply of alcohol in club premises

provision of regulated entertainment

provision of late night refreshment 11pm - 5am



The penalties for carrying out a licensable activity without a licence or failure to comply with the conditions on a premises licence are severe:

**A MAXIMUM FINE OF £20,000  
AND/OR 6 MONTHS IMPRISONMENT**

Make yourself aware of the hours and any conditions on the premises licence

### **Premises licence**

The licence required by a business to allow it to carry on any of the licensable activities listed above.

The premises licence will usually be held in the name of the owner of the business or the operator and can be a company or an individual person or persons.

### **Personal licence**

The licence needed to be held by a person to allow that person to sell alcohol from premises that hold a premises licence (that allows the sale of alcohol) and to authorise others who do not hold personal licences to do so. There must be at least one personal licence holder at your site but there can be more than one.

### **Designated premises supervisor**

Usually the person in day-to-day control of the premises named to the Licensing Authority as the person responsible for the sale of alcohol at the premises by the premises licence holder. A person must have a current personal licence to hold this position and there can only be one named DPS for each site.

### **Understanding your duties with regard to the sale of alcohol**

The sale of alcohol is a licensable activity controlled by law and carrying penalties that reflect the important social responsibilities that apply to people who sell it.

These penalties only relate to those people who break the law, committing what is a criminal offence punishable by measures varying from a fixed penalty notice of £90 to a £20,000 fine and/or six months imprisonment and forfeiture of the premises licence.

When selling alcohol it is your responsibility to ensure that you carry out this action lawfully. Remember you can only sell alcohol when you have been authorised to do so and then only to customers who it is lawful for you to sell it to.

### **Authorised sales**

Regardless of your age or training you are only legally allowed to sell alcohol when you have been authorised to do so by your DPS or another personal licence holder at the site. You will only receive this authorisation when you have demonstrated to the DPS that you understand your responsibilities and the law controlling these sales. You will have to be re-authorised on a regular basis and this would normally follow refresher training in the sale of alcohol.

**Do not sell alcohol unless you are sure that you have been authorised to do so.**

**Do not accept authorisation if you are unclear on the law and/or your responsibilities involved in these sales.**



## **SALE OF ALCOHOL**

**It is a criminal offence for any person to sell or supply alcohol to a person under the age of 18.**

## **THERE ARE NO EXCEPTIONS TO THIS**

It is an offence to sell alcohol to someone under 18.

It is an offence to deliver alcohol to someone under 18.

It is an offence for anyone under 18 to purchase or attempt to purchase alcohol.

It is an offence to obtain alcohol for someone under 18.

It is an offence to sell alcohol if you are under 18 unless you are authorised to do so and the individual sale is supervised by somebody over 18 who is also authorised by a Designated Premises Supervisor.

You must not sell alcohol to someone you believe to be buying for a person under 18 (proxy purchasing).

It is an offence to allow another person to sell alcohol to somebody under 18 where you could have prevented that sale.

Those who commit such offences could be fined up to £5000.

A fixed penalty notice of £90 may be applied to the person selling the alcohol.

The holder of the relevant premises licence may also have their licence reviewed which could result in the alcohol sales at the premises being suspended for up to three months or in serious cases removed permanently.

### **Our rules for the sale of alcohol**

In order to avoid under age sales and committing an offence we have twelve basic rules which must be obeyed at all times. These basic rules for the sale of alcohol are simple and straight forward and once a member of staff has been properly trained there can be no excuse for not obeying them at all times, please refer to Page 3.45 for Rules.



## SUMMARY OF AGE RELATED PRODUCTS TYPICALLY SOLD IN RETAIL STORES

You must not sell liqueur confectionery (chocolates with alcohol inside) to a person under the age of 16.

Your site may have other age-restricted products that you must know about, including:

AGE RESTRICTED PRODUCT	AGE RESTRICTION
Alcohol products . . . . .	18
Cigarettes and tobacco products including from vending machines . . . . .	18
Since 1st October 2015 it is illegal for retailers to sell electronic cigarettes or tobacco vapour products to underage persons . . . . .	18
Fireworks . . . . .	18
Knives, blades and axes (not including folding knives with blades under 3 inches long) . . . . .	18
Glue, solvents and lighter fuels, Butane & refills	18
Liqueur Chocolates . . . . .	16
Lottery tickets and scratch cards . . . . .	16
Petrol/Diesel . . . . .	16
Adult Magazines . . . . .	18
Spray paints . . . . .	16
Video/DVD/Games . . . . .	As shown on certificate e.g. 12, 15, 18
Analgesics & medicines . . . . .	Up to the discretion of the retailer

Please speak to your supervisor about the products you have on sale at your site and the age restrictions that relate to them.

Weights & measures inspectors may also send under 18 test purchasers to attempt to purchase cigarettes, tobacco or tobacco products from any premises to check compliance with the law.

**Remember, you commit an offence  
if you sell age-related products  
to somebody who is under age.**



## MY 12 BASIC RULES FOR SELLING ALCOHOL

1. I can only be authorised to sell alcohol for the hours stated on our licence summary and once authorised will not do so outside of those hours.
2. Alcohol sales are only for consumption off the premises and I must be aware of customers actions at all times & not allow consumption on the premises.
3. I will not sell alcohol to anybody under the age of 18.
4. I will challenge anybody attempting to purchase alcohol who appears to be under the age of 21/25 (delete one) to prove that they are over 18 by producing acceptable proof of age.
5. I will only accept a Passport, a Photo Driving Licence or a PASS accredited card as proof of age such as the Citizen Card.
6. I will not sell alcohol to anybody who I believe is purchasing to supply somebody under the age of 18 (proxy selling).
7. I will not sell alcohol to anybody who I believe is, or appears to be drunk.
8. I will not sell alcohol to anybody who I believe is purchasing for somebody who is, or appears to be drunk.
9. If I am in any doubt at all on numbers 3, 6, 7 and 8 as written above I will refuse the sale.
10. I will record all incidents of refusals in the refusals book noting the date and time, plus a description of (and name of) the person (if known) together with a note of the product refused.
11. I will advise my supervisor of the refusal as soon as possible and certainly no later than the end of my shift.
12. I acknowledge that I am not authorised to sell alcohol unless I comply with all of the above at all times.



**Example of refusal log**

RB Retail & Licensing  
Services Limited

# REFUSAL LOG

DATE: 12th July 2017	TIME: 17.02	PRODUCT: can of Boddingtons
Reason for refusal: looked under 18, no ID with him and got aggressive		
Description of person: white male, 6'3", goatee beard, short blond hair, earring in both ears, blue jeans, black hoody.		
Till Operator Aaron Brown	Manager Geoffery James	
Premise Supervisor Geoffery James	Area manager n/a	

DATE: 18th July 2017	TIME: 6.55 pm	PRODUCT: Bulmers Cider
Reason for refusal: Girl looked under 21, not happy with ID shown as she would not give it to me		
Description of person: white, 5'7", long black gothic style hair, black vest top and black trousers, lots of tattoos and jewellery		
Till Operator Miranda Hastings	Manager Geoffery James	
Premise Supervisor Geoffery James	Area manager n/a	

DATE:	TIME:	PRODUCT:
Reason for refusal:		
Description of person:		
Till Operator	Manager	
Premise Supervisor	Area manager	



## **SECTION IV (4): Due diligence records**





# IV.0 A: Alcohol procedure and law quiz

Name:	Date:
Site Address:	Site Name:
DPS Name:	Date test marked and number of questions answered incorrectly  Date: .....  Answered incorrectly: .....

Please ring around the answer that you think MOST  
correct - there is only ONE correct answer

## INITIAL TRAINING 1

Staff signature: .....



# IV.0 B: Alcohol procedure and law quiz

Site:

Site Address:

## Master Answers

### INITIAL TRAINING 1

Staff signature: .....



## IV.1 A: Alcohol procedure and law quiz

Name:	Date:
Site Address:	Site Name:
DPS Name:	Date test marked and number of questions answered incorrectly  Date: .....  Answered incorrectly: .....

Please ring around the answer that you think MOST  
correct - there is only ONE correct answer

### INITIAL TRAINING 2

Staff signature: .....



## IV.1 B: **Alcohol procedure and law quiz**

Site:

Site Address:

## **Master Answers**

### INITIAL TRAINING 2

Staff signature: .....



# IV.11 A: Alcohol procedure and law quiz

Name:	Date:
Site Address:	Site Name:
DPS Name:	Date test marked and number of questions answered incorrectly  Date: .....  Answered incorrectly: .....

Please ring around the answer that you think MOST  
correct - there is only ONE correct answer

## REFRESHER TRAINING 1

Staff signature: .....



## IV.11 B: **Alcohol procedure and law quiz**

Site:	Site Address:
-------	---------------

# **Master Answers**

## **REFRESHER TRAINING 1**

Staff signature: .....



# IV.III A: Alcohol procedure and law quiz

Name:	Date:
Site Address:	Site Name:
DPS Name:	Date test marked and number of questions answered incorrectly Date: ..... Answered incorrectly: .....

Please ring around the answer that you think MOST correct - there is only ONE correct answer

## REFRESHER TRAINING 2

Staff signature: .....



## **IV.III B: Alcohol procedure and law quiz**

Site Name:

Site Address:

## **Master Answers**

### **REFRESHER TRAINING 2**

Staff signature: .....



# IV.IV A: Alcohol procedure and law quiz

Name:	Date:
Site Address:	Site Name:
DPS Name:	Date test marked and number of questions answered incorrectly Date: ..... Answered incorrectly: .....

Please ring around the answer that you think MOST correct - there is only ONE correct answer

## REFRESHER TRAINING 3

Staff signature: .....



# IV.IV B: Alcohol procedure and law quiz

Site Address:	Site Name:

## Master Answers

### REFRESHER TRAINING 3

Staff signature: .....



## IV.v TRAINING STATEMENT

Premises name:

Premises address:

### **TRAINING STATEMENT**

I am over 18 years of age and confirm that I have been trained in the sale of alcohol and alcohol products. I am fully conversant with my obligations in the sale of these products and the penalties that will apply if I serve a customer illegally. These range from a fixed penalty notice of £90 to a criminal conviction with a fine of up to £20,000 and/or 6 months imprisonment.

#### **I warrant that:**

1. Once authorised I can only sell alcohol during the hours specified on our Licence Summary as displayed on the premises.
2. Alcohol sales are only allowed for consumption off the premises and I will not allow consumption on the premises.
3. I will not sell alcohol to anybody under the age of 18.
4. I will challenge anybody attempting to purchase alcohol who appears to be under the age of 21/25 (delete one) to prove that they are over 18 by producing acceptable proof of age.
5. I will only accept a Passport, a Photo Driving Licence or a PASS accredited card as proof of age such as the Citizen card.
6. I will not sell alcohol to an adult who I believe is purchasing to supply somebody under the age of 18 (proxy selling).
7. I will not sell alcohol to an adult who is, or appears to be drunk.
8. I will not sell alcohol to anybody who I believe is purchasing for somebody who is, or appears to be drunk.
9. If I am in any doubt at all regarding numbers 3, 6, 7 and 8 as written above I will refuse to make the sale.
10. I will record all incidents of refusals in the refusals book noting the date and time, plus a description of and name of the person if known together with a note of the product refused.
11. I will advise my supervisor of the refusal as soon as possible and certainly no later than at the end of my shift.
12. I acknowledge that I am not authorised to sell alcohol unless I comply with all of the above at all times.

Staff Name (print):

Signature:

DPS Name (print):

Signature:

Date:

**Two copies to be signed - one for the staff member and one to be filed in the premises manual in each staff members training file in Section 7**



## ***Licensing Act 2003***

**Licensing Act 2003**

**Site Name & Number:**

### ***Authorisation for Staff to sell Alcohol***

(Initial training level is indicated by the initials IT and refresher training by the initial R).

I therefore authorise by delegated authority the following staff to sell alcohol from these premises known as: .....

[illegible]Page 143 of 258  
© RB Retail & Licencing Service Limited



#### IV.vii DPS CHECKLIST SUMMARY

<b>ANNUAL DPS REFRESHER TRAINING PLANNER</b>		
Year: .....	Staff member planned to receive refresher training	DPS Initials
JANUARY		
FEBRUARY		
MARCH		
APRIL		
MAY		
JUNE		
JULY		
AUGUST		
SEPTEMBER		
OCTOBER		
NOVEMBER		
DECEMBER		



IV.VIII

Licensing Act 2003  
DPS Premises Licence Monthly Checklist

Site Name:.....

Site No:.....Total No of Staff:.....

Licensable Activities authorised by the premises licence:

Sale of Alcohol by Retail ☐

Late Night Refreshment ☐

Regulated Entertainment ☐

Are there any specific conditions listed on the premises licence \* yes/no

Are all staff aware of these conditions and are they being adhered to yes/no

Do the site's **opening** hours match the hours listed on the licence yes/no

Do the site's **alcohol** trading hours match those listed on the licence yes/no

Does the DPS named on the licence still work at the site yes/no

Does the site sell hot food/hot drinks between 11pm & 5am \* yes/no

Is Late Night Refreshment approved on the licence for these hours yes/no

Does the site have any Regulated Entertainment \* yes/no  
(background music and live radio do not count as regulated entertainment)

Is Part B summary of the premises licence prominently on display yes/no  
(ie. behind the counter)

Is the letter showing the nominated keeper of the licence on display yes/no  
(ie. behind the counter)

Is Part A the main part of the premises licence available for inspection yes/no

Where is it kept?.....

continued on second sheet



continued from page one

Is all Challenge 21 material clearly on display yes/no

Please list all Personal Licence Holders working at the site including yourself  
and note the licence numbers and expiry date

.....

.....

.....

Have all cashiers been issued with "your guide to selling alcohol" yes/no

Have all cashiers taken the "alcohol sales questionnaire" yes/no

Have all cashiers signed a "training statement" yes/no

Have all cashiers signed the "authorisation for staff to sell alcohol" yes/no

Have you signed the "authorisation for staff to sell alcohol" yes/no

Does each cashier have complete records maintained for the above yes/no

When was refresher training last carried out .....

How many staff have had refresher training .....

When was the refusals book last used and by whom .....

Is it being countersigned by you AND the area manager yes/no

continued on third page



continued from page two

Are you named on the premises licence as the DPS yes/no

Are your name/address details current & correctly listed on this licence yes/no

Do all staff use Challenge 21 / Challenge 25 at all times (delete one) yes/no

Do you have your personal licence with you during working hours yes/no

Do all other personal licence holders have their licences with them too yes/no

Are their name/address details current & correctly listed on their licence yes/no

Signed:.....Date:.....

Print Name:.....

IF YOU HAVE ANSWERED NO TO ANY QUESTION APART FROM  
ONES MARKED BY \* THEN YOU MUST CONTACT  
**IF YOU HAVE ANSWERED NO TO ANY**  
**YOUR AREA RETAIL MANAGER IMMEDIATELY**  
**QUESTION APART FROM ONES**  
**MARKED BY \* THEN YOU MUST**  
**CONTACT YOUR LINE MANAGER**  
**IMMEDIATELY**



## ***Licensing Act 2003***

**the following staff have been issued with their own copy of the Alcohol Training Pamphlet**

[illegible]

**Site Name:** .....

Page 148 of 258



#### IV.X Nominated keeper of the premises licence

Date

**Premises Address:**

Site X  
Any Road  
Any Town  
AB1 2CD

#### Re: Nominated Keeper of the Premises Licence

With reference to the premises licence for this site, I/We, Any Company Ltd, nominate the Designated Premises Supervisor/Manager for these premises to be the keeper of the licence.

Signed:

Print Name:

Position:

Company Name:



# REFUSALS BOOK

- *for* -

.....

.....

.....

.....

.....

.....

.....

.....

.....





## **IV.XII: Staff training pamphlet**





## **IV.XIII: Designated premises supervisor consent form (DPS)**





## Consent of individual to being specified as premises supervisor

I .....  
*[full name of prospective premises supervisor]*

of

.....  
*[home address of prospective premises supervisor]*

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

.....  
*[type of application]*

by

.....  
*[name of applicant]*

relating to a premises licence .....  
*[number of existing licence, if any]*

for

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



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

-----  
*[name of applicant]*

concerning the supply of alcohol at

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

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

Personal licence number

-----  
*[insert personal licence number, if any]*

Personal licence issuing authority

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

Signed

-----  
Name (please print)

-----  
Date



## **SECTION V (5) : Product Knowledge**





## V.I PRODUCT KNOWLEDGE

Please copy this section leaving a copy at the point of sale to support your staff when needed.

### • *How wine is made*

#### **HARVEST**

Winemaking begins with the grape harvest, the time for picking is determined by scientific testing of the juice's sugar and acid content, but the decision to pick is still subject to chance.

#### **CRUSHING**

After picking, the grapes are transported to the winery and they are crushed and de-stemmed to produce 'must,' which is treated with sulphur dioxide to kill any harmful microbes.

#### **PRESSING**

The separation of the juice from the skins, stems and pips is known as the pressing. For red wine, the juice is separated at a later stage, with rose wine the juice is run off after a short time, but white wines are pressed immediately after crushing before the juice picks up the tannins and pigments from the skins and stems.

#### **FERMENTATION**

The juice or 'must' is transferred to a fermentation tank, where pure wine yeasts are added. During the process of fermentation the yeast acts upon the sugars in the grape juice, converting them into alcohol and carbon dioxide. Under normal conditions, the yeast will go on working until all the sugar is converted to alcohol, therefore, the wine would be dry. However, it is possible to stop fermentation by adding sulphur to kill the yeasts or by filtering the yeasts out.

#### **RACKING**

After fermentation the wine is transferred to a new tank and the process of racking or clarification begins. The wine is allowed to stand quietly so all the suspended material falls to the bottom: the residue is known as the 'lees.' The clear wine is then pumped off and undergoes a final clarification prior to blending and/or bottling. Most wines will go into wooden casks for ageing during which time they are racked periodically.

#### **BOTTLING**

This final process is carried out under scrupulously clean conditions. The right moment must be chosen to bottle the wine; white wines and light reds are usually bottled a few months after they are made, but the finer wines spend up to five years in cask. Some types of wine need bottle aging as well, to reach their full potential.

### • *Wine labels*

#### **HOW TO READ A WINE LABEL**

**1. CONTENTS:** All alcoholic drinks must show the contents either in litres or centilitre. In 1989 EEC regulations decreed that the standard wine bottle size would be 75cl. An 'e' stated after the contents indicates that all necessary quality checks have been completed by the bottler.

**2. COUNTRY OF ORIGIN:** This must appear on the label regardless of where the wine comes from. Only wines from the EEC may be blends of more than one country. Such a blend must have on the label, in english, 'a blend of wines from different countries of the EEC.'



3. **NAME & ADDRESS OF BOTTLER:** By law, in case of complaint, the name and address at which the bottler can be contacted must appear on the label. If the wine is bottled outside the EEC, the name of the importer should be shown.

4. **ALCOHOL CONTENT:** Alcohol content is measured in per cent by volume. The possible range is from 6.5% to 20% or more.

5. **TABLE WINE:** Refers to light wine produced in EEC. It must be labelled as such, but if produced outside the EEC, it need only be labelled 'wine.' If the wine meets certain yield and quality factors, it can be described as Vin de Pays, etc.

6. **QUALITY WINES:** Stringent labelling requirements, and must show the region of production as well as country. No blending is allowed. The words 'Quality Wine' or equivalent must be shown:

FRENCH:	VDQS.AC.AOC
ITALIAN:	DOC.DOCG
GERMAN:	Qba.QmP
SPANISH:	Ditto

### • Food and wine

**FISH AND SEAFOOD:** Can be served with a whole range of whites, from dry Burgundies to light Loire wines. Fresh water fish like trout go well with Chablis or German Mosells. Salmon goes well with dry whites or reds such as Chinon or Beaujolais.

**GAME:** Hearty robust Burgundy wines, or those from the Rhone or Italy. If the game is served cold, Bordeaux is best.

**ROASTS & CASSEROLES:** Roast beef is perfect with red Burgundies and Bordeaux. Other roasts go well with Rhones, Californian reds, Italian reds and the classic Spanish red, Rioja.

**SMOKED FOOD:** Smoked fish is best with dry white Bordeaux and fino sherries or Alsace grape varieties. German wines are also popular.

**CHEESE:** Strong acidic English cheese are complimented by good ports and red wines such as Chateaufneuf or Barolo. Choose sweet or strong regional wines to accompany continental cheeses.

**DESERT WINES:** Dessert wines are very sweet, and are traditionally served chilled with the dessert course or fruit. One never needs to drink much of these wines, and one bottle will serve up to eight people.

Sweet dessert wines reach their peak among small districts of Sauternes and Barsac in France. These golden wines produced from Semillon and Sauvignon grapes are large and fragrant and age well in the bottle.



• **Wine sweetness guide**

**WHITE WINE:**

The following gives an indication of the sweetness of some popular wines, those marked 1 being the driest and 9 the sweetest, with the numbers spanning the remaining dry to sweet spectrum.

- |    |  |    |  |
|----|--|----|--|
| 1. | Muscadet<br>Chablis<br>White Bordeaux<br>Pouilly Fume<br>Bergerac Blanc                          | 5. | Vouvray Demi Sec<br>Liebfraumilch<br>Medium British Sherry           |
| 2. | White Burgundy<br>Chenin Blanc<br>Chardonnay<br>Pinot Gris<br>Soave<br>Rioja<br>Fino Sherry      | 6. | Demi Sec Sparkling Wine<br>Demi Sec Champagne<br>Medium Spanish Wine |
| 3. | Anjou Rose<br>Dry Amontillado Sherry<br>Dry White Vermouth                                       | 7. | Asti Spumante<br>Rosso/Bianco/Rose Vermouth<br>Pale Cream Sherry     |
| 4. | Moselle Kabinett<br>Rhine Kabinett<br>EEC Wines<br>Yugoslav Laski<br>Portuguese Rose/Vinho Verde | 8. | Sauternes<br>Barsac<br>Rich Cream Sherry                             |
|    |  | 9. | Marsala  |

**RED WINE:**

The Guide starts with wines which are comparable to Beaujolais - light and easy to drink, at the other end of the scale at 'E', the wines are more concentrated with more depth and fullness.

- |    |  |    |  |
|----|--|----|--|
| a. | Bardolino<br>Lambrusco Rosso<br>Beaujolais   | c. | Bordeaux Rouge/Claret<br>Cotes du Rhone<br>Chinon<br>Rioja<br>Bergerac Red |
| b. | Cotes de Rousillon<br>Pinot Noir<br>Red Burgundy<br>Valpolicella<br>Spanish Red Wine | d. | Chateaufort du Pape<br>Chianti   |
|    |  | e. | Cyprus Red<br>Barolo<br>South African Shiraz                               |



## White Grape Varieties

### **CHARDONNAY:**

The principle white grape of Burgundy and also Champagne, California and Australia. Wines range from pale green to a golden straw in colour.

### **CHENIN BLANC:**

Produces pale greenish tinged wines.

### **GEWURZTRAMINER:**

The spicy speciality of Alsace. Dark, gold and pungent. Also grown in Germany, Australia & California.

### **MUSCAT/MOSCATO:**

Aromatic smell, used in Italian sparkling wines and sweet fortified wines.

### **RIESLING:**

Produces nearly all German fine wines. Pale green/gold, sharp and aromatic.

### **SAUVIGNON:**

Produces soft dry and fruity wines, sometimes smoky.

### **TREBBIANO/UGNI BLANC:**

A versatile grape used in French and Italian blends to give bite and acidity. Also used for distillation in Cognac.

### **PALAMINO:**

Classic Spanish variety, used for making Sherry. Also grown in California, Australia, Cyprus and South Africa.

## Red Grape Varieties

### **CABERNET SAUVIGNON:**

From Bordeaux region of France, produces dark, dry wines which require considerable ageing.

### **GAMAY:**

Only makes first class wines, grown in Beaujolais. Light, fruity and acidic, the wines are designed to drink young.

### **NEBBIOLO:**

Also known as 'Spanna,' it is grown in North West Italy. Produces deep brownish-red wines, high in alcohol and tannin.

### **PINOT NOIR:**

From the Cote d'Or in Burgundy, produces delicate silky wines. In champagne it is pressed before fermentation to make white wines.

### **SYRAH**

The best red grape of the Rhone. The wines tend to be intense and high in alcohol, deep in colour and smoky and spicy when aged. The Australian (Hermitage) makes some excellent wines.



## V.II ALCOHOL STRENGTHS

### HOW MUCH?

Because of the different strengths and varying sizes of serving measures, the actual amount of alcohol you drink is measured in units.

1 unit = 8 grams or 1cl of pure alcohol

This is equivalent to:

1 pub measure of spirits (40% alcohol)

Small glass of fortified wine, Sherry etc. (17-20% alcohol)

A glass of table wine (10-12% alcohol)

A half pint of beer (4% alcohol)

The following table shows normal or main range of alcoholic strengths for a variety of types of drink. The strengths must by law be shown on the label by the term '% volume' which states the percentage of the total liquid made up of pure alcohol.

<b>PRODUCT</b>	<b>% Volume</b>
Alcohol free wine	Less than 0.05%
De-alcoholised wine	Less than 0.5%
Reduced alcohol products	1.2 - 5.5%
Light wine	8.5 - 13%
Sherry, Port	15 - 22%
Spirits	37 - 40%
Liqueurs	18 - 40%



## **SECTION VI (6): Other licensable activities**





## VI.1 LATE-NIGHT REFRESHMENTS

Since 24th November 2005 you are committing a criminal offence if you sell hot food or hot drink (i.e. above ambient temperature) in your premises after 23.00 hours until 05.00 on any day without the grant of this provision on a current premises licence.

The only authority to sell hot food and hot beverages during the hours of 23.00 hours to 05.00 hours comes from your premises licence and it is only valid if you have applied for this provision under the Act.

If you are in any doubt at all about this activity contact Richard Baker Licencing Consultant for advice.

If the hot food or hot beverages are supplied to the customer via a customer payment vending machine, and providing the customer inserts the payment and removes the product themselves and is not served by premises staff, a licence is not needed.

The only other exception to this are residents in hotels and guest houses, under all other retailing circumstances this provision is required on a premises licence, even if you do not sell alcohol. This includes heating products in a microwave, either by staff or customers and coffee dispensers and jug coffee sales or pot noodle machines!

If you have late-night refreshment as a licensable activity the operating details can be found on your premises licence and summary in section 1.

The area of display or supply and point of production and sale will also be shown on your premises plan.

If you wish to engage in this activity and do not have the provision as a licensable activity on your licence contact RB Retail & Licensing Services Limited for details of how we can assist you to secure this on your behalf.



## VI.II AN OUTLINE OF REGULATED ENTERTAINMENT

Since 24th November 2005 you are committing a criminal offence if you provide regulated entertainment on your premises at any time of the day or night without the grant of this provision on a current premises licence.

This applies whether you sell alcohol or not and whether or not you provide food and beverages in any form at any time.

### **Regulated entertainment is defined in the Act by paragraph 2(0) of schedule 1:**

performance of a play

exhibition of a film

indoor sporting event

boxing or wrestling entertainment

\*performance of live music

playing of recorded music

performance of dance

entertainment of a similar description to the performance of live music, the playing of recorded music or the performance of dance where the entertainment takes place in the presence of an audience and includes all forms of live music, dance, theatre and shows as well as presentations and showing of films, pre-recorded TV, DVDs, videos etc.

All theatres, cinemas, concert halls and night clubs are now required to have this provision on their current premises licence and restaurants, member clubs and pubs are also required to have it where such a licensable activity occurs.

\*As of 26th March 2015 - Premises do not need a premises licence to stage a performance of live music or the playing of recorded music if:

- It takes place between 8am - 11pm and;
- It takes place at an alcohol on-licensed premises and;
- And the audience is no more than 500 people
- In some circumstances a licence may be required - **Check with RB Retail & Licensing Services Limited.**



There are qualifying exemptions which include:

- film exhibitions
- education/information/advertisements
- museums and art galleries

incidental or background music

- shops
- garages
- pubs
- lifts
- restaurants
- shopping malls
- etc.

tv and radio broadcasts

- must be live not recorded e.g.
  - live football
  - live sport commentary

religious services or places of religious worship

garden fetes - unless for private gain

Morris dancing

Amusement machines are not classed as regulated entertainment and are not classed as regulated entertainment and are not therefore licensed under the premises licence but they must be licensed under other legislation.

The details of the grant of the provision of entertainment for your premises is to be found on your premises licence in section 1 of this manual, with further details on your plan.

Should you have any queries on this licensable activity, or if you are unclear as to whether it applies to you or not, or if you wish engage in this activity and do not have the provision as a licensable activity on your licence contact RB Retail & Licensing Services Limited for details of how we can assist you to secure this on your behalf.



## **SECTION VII (7): Staff training records**





# Staff Training Records

Site Address: .....

.....

.....





# Training Records

Staff Name: .....

Date:            Training Given:

- 1. ....
- 2. ....
- 3. ....
- 4. ....
- 5. ....
- 6. ....



## **SECTION VIII (8): Licence Documents**





## IN THE MATTER OF SOHO ROAD CONVENIENCE STORE AND POSTOFFICE

---

### HEARING NOTE

---

This Note has been drafted to assist the hearing and considers the police evidence received on 21 June 2023.

#### **Background**

1. The premises are a well-established post office with convenience store. The Applicant took over the store in January 2023. The post office provides a valuable service to the local community. As with many post offices a convenience goods offering makes the store viable. Additionally, there are pensioner customers who come to get their pensions and have requested the store gets an off-licence.
2. The store has been reshelfed and refrigeration units installed to improve the existing convenience store operation. An off-licence is an important part of the service that convenience store customers expect and generates an additional 10-15 % from sales of other products in the store.
3. Mahinder Singh, director of the applicant company, has knowledge of the area, having run a business since 2011 across the road from the application premises. He operates a money transfer business for which he is vetted by HMRC and, similarly, his wife for appointment as postmistress. He understands compliance and running regulated business operations.
4. He has been in the retail trade for some 11 years but not licensed premises. He will be employing a manager (Satnam Singh) with some 11 years' licensing experience as a DPS who will, if the application is successful, become the DPS.
5. Having run a business across the road from the premises Mahinder Singh recognises the issues facing the area and the problem of street drinkers. The application has been drafted with this in mind and on receipt of the police evidence rethought and conditions modified as set out below.

#### **Representations**

6. Representations have been made by West Midlands Police. No representations have been made by other responsible authorities.
7. Representations have been made from a number of 'other persons'. The Soho Road BID manager has made a representation the wording of which is reproduced in 12 of the other representations from other persons - effectively a petition. The addresses of those making the representations come from a wide area with just a few near to the store (see Appendix 1). It is significant in such a populous area there are so few representations, with none it



seems from other local businesses or the Library and Birmingham College mentioned in the police representations.

8. **Soho Road Bid** representation - public safety is not engaged as this relates to safety on the premises (see BCC policy para.19). The protection of children from harm is here concerned with underage sales and the store has adopted the principles of responsible retailing with 'Challenge 25' etc (BCC policy para.2021.15).
9. We are therefore concerned with the crime and disorder and public nuisance objectives. There is no public nuisance or crime associated with the premises themselves. As Mr Lampitt confirms: *On police WMP police systems there is no current intelligence or related crime into alcohol misuse and ASB directly with 206 Soho Road, Handsworth.*<sup>1</sup>
10. It seems that the Soho Road BID representation is a general objection to any licence applications in the area and this is supported in the Bid manager's representation where he states in bold type that he wishes to *discuss the possibility of setting a default objection on all new applications for alcohol, premises licences within the postcodes of Soho Road Business Improvement Districts area ...*
11. This approach is not, of course, one which the licensing committee would follow. It effectively amounts to a Cumulative Impact Policy by the back door without any of the required procedures being followed.
12. Nevertheless, the concerns expressed in the representations have been considered by the applicant and the application drafted to address them.

#### **Police representations -**

13. Plainly, 'street drinkers' are the central concern with a range of issues including prostitution, drugs, gas canisters, antisocial behaviour and crime also causing problems in the area. There is no suggestion that prostitutes or drug dealers frequent the store and it does not sell gas canisters.
14. The issue therefore is, as the police licensing officer puts it at page 1 of his representation, *the ability [ of the premises] to promote the licensing objectives and whether the granting of the licence could have a detrimental impact to those objectives.* The objectives engaged are crime and disorder and public nuisance. The police view is that another outlet will inevitably undermine these licensing objectives by providing street drinkers with an additional source of alcohol. The police evidence is strong and well put and clearly demonstrates the challenges facing Soho Road. However, the nature and operation of this outlet, together with the responsible and experienced management will allay those fears.

#### **Operation of the store**

15. It is not a store which will attract street drinkers and will not stock high strength/low price alcohol. Eleven conditions are offered directed at responsible retailing and one specifically

---

<sup>1</sup> Page 2, para.3.



aimed at street drinkers - no beer, lager and cider above 6.6% ABV. Further, the application for an 8pm terminal hour has, having considered the police concerns regarding early evening problems, been taken back to 6pm.

16. Further, all alcohol will now be behind the counter with no self-service and the range of alcohol reduced (see revised plan Appendix 2).

#### **Summary**

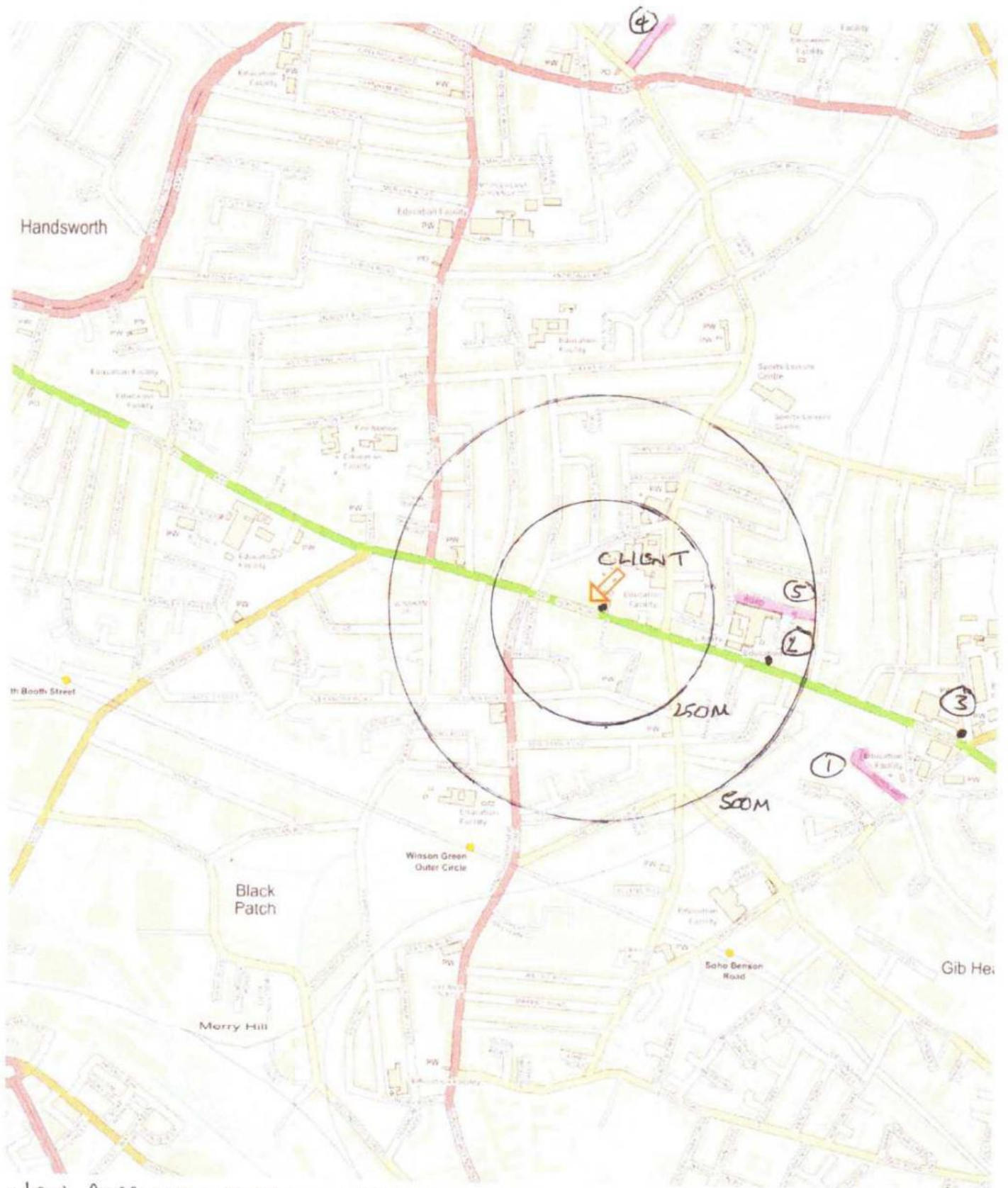
17. The store provides a valuable service to the local community. It has invested in developing the businesses to provide an enhanced service to local people.
18. The Applicant store has exercised the strict responsibilities accompanying the operation of a Post Office and there is wide retail knowledge with an experienced DPS.
19. The Applicant has excellent knowledge of the area and has utilised this together with the services of RB Retail & Licensing Services to address the local issues; and has further refined the application upon receipt of the police evidence, resulting in a compelling list of conditions which will promote the licensing objectives (conditions Appendix 3).
20. The store improves the commercial well-being of the area and provides a service to residents. The conditions together with the modest hours and modest offering of alcohol set this application aside from the general run of off-licences.
21. On the balance of probabilities, if granted, this licence will not negatively impact on the licensing objectives.

Roy Light,  
St John's Chambers,  
Bristol

22 June 2023



# APPENDIX 1



## NON RESPONSIBLE AUTHORITY OBJECTORS

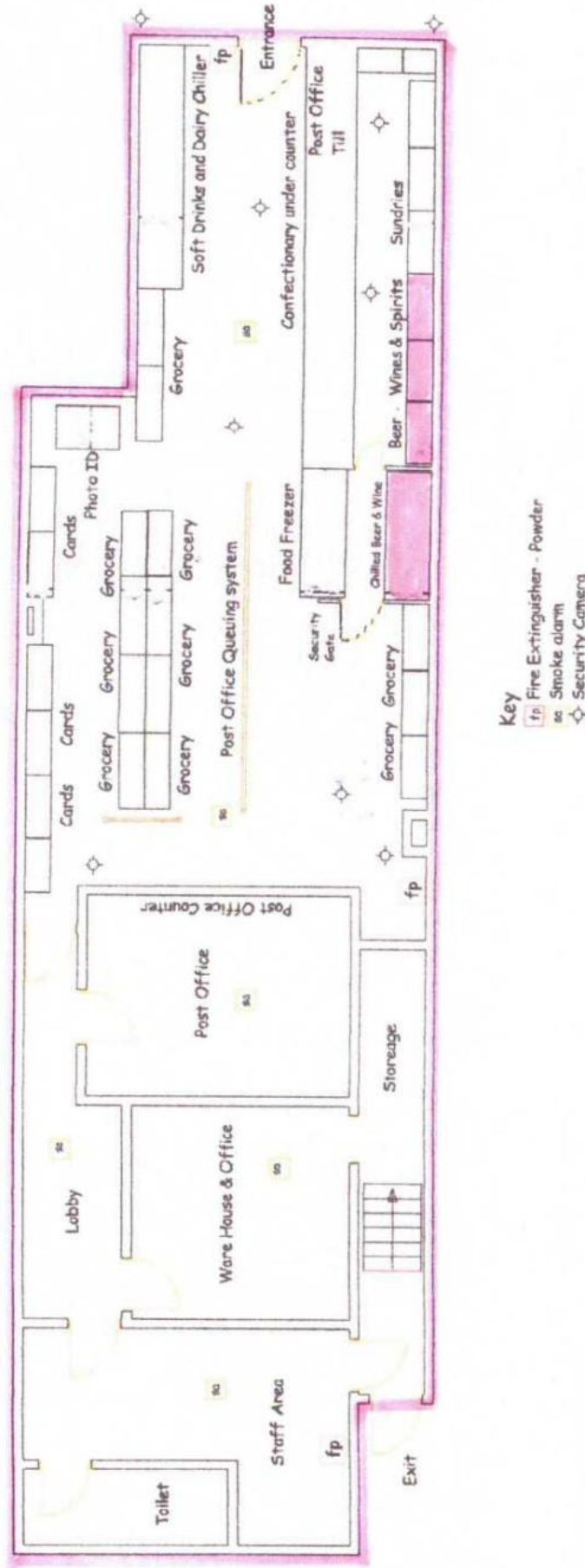
1. SCHOLARS CLOSE - 6
2. BID OFFERS - 2
3. NISHKAM CUSTRE - 1
4. WEST AGENIE - 1
5. GOLDSHIRE ROAD - 1

- SCHOLARS ROAD - NOT ON PAGE - 1
- HANDSWORTH WOOD ROAD - NOT ON PAGE - 1
- NO ADDRESS PROVIDED - 4

17 OBJECTORS IN TOTAL



Appendix 2



**Key**  
 fp Fire Extinguisher - Powder  
 sa Smoke alarm  
 sc Security Camera

Post Office & Convenience Store

206 Soho Road

Handsworth

Birmingham

B21 9LR

Drawing Ref: RB1590 revision 1

Drawn by RB Retail & Licensing Services Ltd

Date: 22nd June 2023

Scale 1:100

All retail selling areas to be licensed for alcohol display. Copyright - RB Retail & Licensing Services Limited, 23 Magister Drive, Lee on the Solent, Portsmouth PO123 8GE, Site dimensions to be used at all times



### **Appendix 3.**

#### **Soho Road Convenience Store & Post Office, 206 Soho Road, Birmingham, B21 9LR – Updated schedule of offered Licensing conditions.**

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for all licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the minimum of delay when requested.
3. Spirits will be available for sale from behind the counter and will not be self-service.
4. No beer, lager or cider above 6.5% ABV will be sold or stocked except by prior written agreement with the Police.
5. To apply for membership and operate a retail radio scheme should such a scheme be introduced by the Soho Road bid.
6. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open.
7. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram. Appropriate licensing notices will be displayed prominently inside the store advising customers re Challenge 25, Proxy sales and not selling alcohol to under 18's.
8. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
9. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of internal training prior to them being authorised to sell or supply alcohol. The premises licence guidance manual will be the basis of alcohol sales training. Records of the training programme shall be maintained and made available to authorised Officers upon reasonable request.
10. Notices will be displayed prominently that CCTV cameras are recording instore.
11. The paved area immediately outside the shop will be swept regularly.
12. The revised licensing hours applied for will be 09.00 until 18.00 every day.
13. All alcohol product displays will be located behind the counter and will not be self-service.





**West Midlands Police Evidence Bundle:  
Application for a new Premises Licence at Soho Road  
Convenience Store & Post Office, 206 Soho road,  
Handsworth, Birmingham, B21 9LR**

<b>PAGE(S)</b>	<b>DOCUMENT(S)</b>
<b>1-3</b>	<b>Statement of Licensing Officer Huram Taj</b>
<b>4-5</b>	<b>REF HT/1: Statement of Neighbourhood Sgt Lampitt 2104</b>
<b>6-9</b>	<b>REF HT/2: ASB SUPPORTING EVIDENCE/IMAGES</b>
<b>11-19</b>	<b>REF HT/3: Public Space Protection Notice (PSPO)</b>
<b>20</b>	<b>REF:HT/4 - PSPO MAP</b>
<b>21-23</b>	<b>REF HT/5: LOZELLS IMPACT SURVEY</b>
<b>24-28</b>	<b>REF HT/6: CRIME MAP</b>
<b>29-41</b>	<b>REF HT/7: STATEMENT PACK 1 – NHT SGTS SGT MCGRATH 20697/ SGT PINCHES 20928/ SGT LAMPITT 2104</b>
<b>42-52</b>	<b>REF HT/8: STATEMENT PACK 2 – NHT OFFICERS PC STANFORD 20872/PCSO AFTAB 31686/PCSO JONES</b>
<b>53-82</b>	<b>REF HT/9: STATEMENT PACK 3 – RESIDENTS/SOHO BID &amp; COUNCILLORS  RESIDENT INFO REDACTED/CLLR ZAFFAR/BID MANAGER RAKESH SONI</b>
<b>83</b>	<b>REF HT/10: DISPERSAL POLICY COMMS AND MAP</b>



**WITNESS STATEMENT**

Crime Number:.....

**Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**URN 

--	--	--	--

Statement of: Hiram Taj 60679

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Licensing Officer

This statement (consisting of      page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: .....

Date: 015/06/2023

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am employed by West Midlands Police as a Licensing Officer based at Police HQ, Lloyd House Colmore Circus Birmingham B4 6NQ working with the Central Licensing Team. This team has responsibility for all licensed premises within the Birmingham City Council Area.

I am making this statement in relation to an application for a Premises Licence at Soho Road, Convenience Store & Post Office, 206 Soho Road, Handsworth, Birmingham, B21 9LR. The application describes the premises as a convenience store. The application is seeking the licensable provision for the supply of alcohol off the premises from 09:00-20:00, 7 days a week. The premises are located on Soho High street, which is approximately 0.8 miles long. Along this short stretch of road, there is a dense variety of shops and businesses. Amongst these are 4 licensed gambling premises and 41 Premises licenses active on the high street. Those licensed premises consist of 30 that have the provision to sell alcohol of which 22 of those premises are for the off sales of alcohol. The location is regarded as an impact area due to the high levels of crime and disorder that occurs.

When assessing this applications ability to promote the licensing objectives and whether the granting of this licence could have a detrimental impact to those objectives, I have consulted with the Local Neighbourhood team. This is standard practice, to ascertain local expert knowledge from where the license will be granted. I contacted PS Lampitt 2104, The Neighbourhood Sergeant on May 12<sup>th</sup> 2023. PS Lampitt supplied a statement on May 25<sup>th</sup> 2023 declaring their wish to object the granting of this premises license application with their rationale provided.

**(Exhibit REF: HT/1)**

The Anti-social behaviour, exacerbated by the street drinking culture that resides on the Soho road is currently having a detrimental impact on all members of the community, from residents, customer and local business owners. There have been a number of operations organised by the Police, Soho Bid and Birmingham City council to tackle the ongoing issues. There's currently operation ERASMUS where multi agency patrols are conducted



② to tackle the ongoing issues. There's currently operation ERASMUS where multi agency patrols are conducted along the Soho Road to tackle issues such as drunken behaviour, crime and begging. During these operations there has also been the retrieval of knives and machetes, found in public places. On May 24<sup>th</sup> 2023 and June 16<sup>th</sup> officers went out on OP Erasmus and have provided some screenshots of their interaction with street drinking groups a short distance away from the post office (**Exhibit REF:HT/2**). The images highlight interactions with the street drinking community being obstructive, consuming alcohol, using class A and B drugs and passed out due to intoxication. Open containers can be seen in the images. Due to the current available resources being outmatched by the demand, not all interactions are recorded. There's more that needs to be done to reduce the ASB and where possible, not create opportunities that could further increase such asb.

The issues have become so sever, West Midlands Police, have applied for a Public Space Protection Order (PSPO)(**Exhibit REF:HT/3**). This impending application currently sits with the local authority. The map for the area this has been applied for is included. (**Exhibit REF:HT/4**). There's evidence as per the Birmingham community safety partnership public space protection order report 2020 *'[in] PSPO areas the reports of ASB have reduced by over 50% in areas when a PSPO is first introduced. We have seen a further reduction on average of about 30% as a result of the notice to issues a PSPO (or warning letter) being sent out'*. The introduction of this allows the police, local authority and those with relevant accreditation to target the ASB issues and enforce the PSPO which means greater resources can tackle the ongoing ASB within the area. This application was also supported with an impact survey being conducted with the community who further expressed their concerns within the area stating a number of persistent issues with drunken related behaviour being a prominent point raised (**Exhibit REF:HT/5**). There's also crime data provided to support the application which shows this premises are located in a high crime and disorder impact area (**Exhibit REF:HT/6**). This has been heavily backed with 74 witness statements, 3 Sgts (**Exhibit REF:HT/7**), 3 PC's/PCSO (**Exhibit REF:HT/8**), 1 Cllr and Big Manager with the remaining comprised of residents and local business owners (**Exhibit REF:HT/9**). The PSPO application is a public document and refers to a greater region of Soho Road as shown in the PSPO Map and encompasses a wide variety of Anti-Social Behaviour. I have omitted statements that have not mentioned Soho Road or relate to alcohol related crime and disorder for the purpose of this licensing hearing

The granting of another premises license for off sales, in a location saturated with the same provision, and plagued by Alcohol related ASB will add further detriment to the community with no benefit other than profit to the applicant. This will further expand the availability of alcohol in the area and potentially cause more calls for service to the police, to deal with alcohol related crime at the premises whether inside or directly outside the vicinity. Whilst there have been considerations for the licensing objectives, with practical conditions supplied – Challenge 25, No beer or cider above 6.5% ABV%, refusal register, CCTV etc and shorter hours. The problems occur at all times of the day so the reduced hours do not lower the risk associated with the applicant as it would for a premise outside an



③ This will further expand the availability of alcohol in the area and potentially cause more calls for service to the police, to deal with alcohol related crime at the premises whether inside or directly outside the vicinity. Whilst there have been considerations for the licensing objectives, with practical conditions supplied – Challenge 25, No beer or cider above 6.5% ABV%, refusal register, CCTV etc and shorter hours. These problems occur at all times of the day so the reduced hours do not lower the risk associated with the applicant as it would for a premise outside an impact area. Those purchasing the alcohol may not be drunk/intoxicated when purchasing and appropriately served by the applicant with no offences committed at that time. Unknown to them at the time of purchase, that customer would be consuming alcohol in public which would cause public nuisance and crime or disorder. There are other abusive substances being taken with the alcohol and it may be that they don't intend to purchase the high strength alcohol at low cost, normally attributed to the street drinking community. Despite these conditions on premises within the area, the alcohol fuelled problems have accelerated to an unmanageable point in recent years. This requires the additional support of multi-agency operations, dispersal policy activations and the need to apply for a PSPO. If West Midlands Police were to agree to another premises license, being granted for the supply of alcohol for off sales, which is believed to be fuelling the high levels of public nuisance and crime and disorder would not only contradict our position, but add insult to injury to the community working in partnership to tackle these issues.

It is the stance of West Midlands Police that no conditions would mitigate their concerns around the granting of another premises licence. Rejecting this application, does not mean the problem goes away. However, granting the application could further exacerbate the problems highlight, thus impacting on the licensing objectives which state the promotion of Public Nuisance and Crime & Disorder.

**Attached evidence.**

**HT/1 – Statement from Neighbourhood Officer Sgt Lampitt 2104**

**HT/2 – ASB SUPPORTING EVIDENCE/IMAGES**

**HT/3 – Public space protection notice (PSPO)**

**HT/4 – PSPO MAP**

**HT/5 – Lozells Impact Survey**

**HT/6 – Crime Map**

**HT/7: STATEMENT PACK 1 – NHT SGTSSGT MCGRATH 20697/ SGT PINCHES 20928/ SGT LAMPITT 2104**

**HT/8: STATEMENT PACK 2 – NHT OFFICERS PC STANFORD 20872/PCSO AFTAB 31686/PCSO JONES**

**HT/9: STATEMENT PACK 3 – RESIDENTS/SOHO BID & COUNCILLORS**

**HT/10: DISPERSAL ORDER COMMS AND MAP**



4

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Investigation No.

Case Number

Statement of: Mr Greg Lampitt

Age if under 18: over 18 (if over 18 insert "over 18")

Occupation: Impact Area Supervisor

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: Greg Lampitt 2104

Date: Thursday, 25 May 2023

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am the above officer and Police Sergeant for the Lozells and East Handsworth Neighbourhood Team. My ward covers half of the Soho Road which this location falls. I have worked in this area of Handsworth for in excess of 10 years and I am fully aware of the ASB / crime trends in this locality and I have been involved in many civil interventions to reduce crime and Anti-Social Behaviour which alcohol is and has been a key factor.

This statement relates to a licence application for 206 Soho Road in Handsworth. A post office and convenience store requesting a licence to sell alcohol.

The purpose of this statement is to object to The Application on the basis that it will negatively impact an area already affected by a significant degree of anti-social behaviour (Public Nuisance), Crime and Disorder including acts of public place violence (Public Safety).

The Soho Road and linked roads, with its numerous shopping establishments, betting shops and established licensed premises, is a draw for individuals with complex, unsupported, needs who lead chaotic lives.

The Soho Road has a wide variety of shops and cafes catering to a multi-cultural society ranging from Afro-Caribbean, African, South East Asian and Eastern European establishments. In order to look after the community's interests the businesses have formed the Soho Road Business Improvement District (BID).

Due to the many issues that present on the Soho Road the BID along with other partners such as the Nishkam Gurdwara and a Street Watch coordinated by West Midlands Police conduct patrols of the road utilising concerned citizens as well as SIA registered security officers equipped with body worn video (BWV) and a number of CCTV cameras.

As one of the Neighbourhood Teams that cover the Soho Road we work closely with the BID and other partners, conducting joint patrols and sharing information. As part of our work on the Soho Road, Handsworth it has become apparent, due in part to its proximity to social housing, that the location draws individuals who engage in a range of activities that contribute to Public Nuisance and Crime & Disorder.

The main issues highlighted are:

- Anti-social behaviour including drug taking, public drunkenness and disorderly behaviour, prostitution and associated public indecency and persistent begging.
- Crime ranging from shop lifting to public place violence including the use of weapons and resulting in serious injuries up to attempted murder and grievous bodily harm.
- 

Signature: Greg Lampitt 2104



5

Investigation No.

Case Number

Statement of: Mr Greg Lampitt

This then forms the principle part of our objection to The Application, that the opening of another licensed premises will be another location that will encourage groups engaged in Public Nuisance and Crime & Disorder to centre around and even base themselves from. The establishment is likely to be itself a target of Crime & Disorder; the already established licensed premises regularly request Police assistance due to thefts and aggressive customers.

The location may also cause a strain on Police resources, already in a period of unprecedented demand and still significantly smaller and inexperienced compared to years passed. The neighbourhood team has a large, complex area to cover in addition to the Soho Road and linked roads. The will be of detriment to the wider area who will be unable to access policing resources as readily.

We (the police) have conducted numerous operations involving both uniform and plainclothes officers as well as specialist resources such as drones and Police dogs; and partners including the BID and Birmingham City Council. We have conducted community events with partners and a strong Police presence. This has been managed and branded under Operation ERASMUS which is a multi agency approach to tackle the ongoing issues of ASB, drunken behaviour, crime and begging. Despite this, criminality is persistent and ongoing even whilst police are conducting said operations with individuals seemingly having little fear of the Criminal Justice System. This has led to a lack of confidence in the Police and the CJS, by shop keepers and the wider public who use the Soho Road business district, to address those issues. I am certain that what is reported to us is but a small part of the issues that the area faces with many crimes and incidents going unreported due to that lack of faith.

The Soho Road has been the subject of a number of dispersal orders authorised by a Senior Police Officer under s34 of the Anti-Social Behaviour, Crime and Policing Act 2014 and there is an ongoing application for a Public Space Protection Order aimed exclusively at the road to attempt to tackle the persistent issues highlighted above.

On police WMP police systems there is no current intelligence or related crime into alcohol misuse and ASB directly with 206 Soho Road, Handsworth. The only reports are shoplifting and theft from August 2022. 206 Soho Road is set within a group of shops where the footpath is at its widest on the whole road. There are benches. The main shops are a Gregg's bakery and an Iceland which employee's SIA security guards. Neither of these premises sell alcohol however the space in front of the premises is used to consume alcohol in public. The benches are used to congregate, on occasions in numbers but begging is persistent. It is common for our street beggars to be alcohol and drug dependent.

As you look at the premises (206) there is an alleyway giving access to the rear of shops. This is known to be used late at night / hours of darkness and early hours of the morning by sex workers. It is common for our sex worker to also be alcohol and drug dependant. I fear it will increase the issues we are already trying to tackle.

We have seen an increase in street drinking and aggression a short walk away at Handsworth Library and the Birmingham College which is some 50-60 meters along the same side of the road. The police have been dispersing groups from the seating areas here due to the concerns and complaints raised by management at these premises. These individuals whilst intoxicated naturally migrate to areas with seating. This leave the footpath by number 206 Soho Road vulnerable.

In conclusion I make this statement to assist and inform the licensing authorities of the challenges faced in the area and the demands placed upon the Police and community partners.

Signature: Greg Lampitt 2104



6

REF HT/2

ASB supporting evidence for Soho Road – Post Office

<https://youtu.be/wNjz2JbokaM>

Erasmus link

Image recorded by officers of a street drinker 24<sup>th</sup> May 2023. Refused to provide details and was intoxicated and obstructive. He was arrested under the Police Reform Act till details obtained. Image shows can of open alcohol. This is on Soho Road, Handsworth on the street in front of the library. (PC 23648BWV)

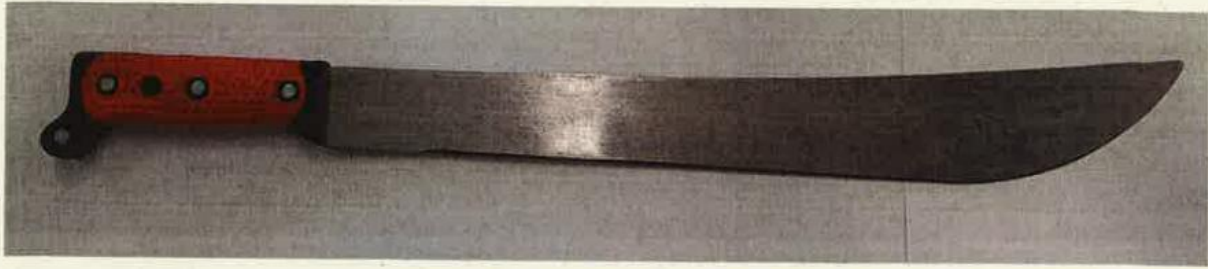


(PC23648BWV) The male above was part of a group – drinking alcohol.



7

REF HT/2



Machete found Soho Road 28/9/22 – recorded ERASMUS PMP/1511/22.



Report Title	Soho Road Library - Anti Social Behaviour		
Intelligence Description	Drugs ASB Anti Social Behaviour		
Date submitted	11/06/2023	Time Submitted	11:01
Date From	09/06/2023	Time From	00:01
Date To	11/06/2023	Time To	11:01
Force	West Midlands Police	NPU	Birmingham (West)
Ward	Lozells and East Handsworth	District	Perry Barr

Officers have had many street encounters with those consuming alcohol in public. These interactions are discussed amongst team and not always recorded as it is not possible to manage due to current demands.



8

REF HT/2



Handsworth Library 18.31 hours 15/6/23. The female lying down is a well known street drinker and asleep. Open alcohol containers seen.



The two males drinking alcohol and were intoxicated. Both parties refused details and moved on with threat of arrest. In this image there are gatherers in the top right and on the steps ahead. 18.35 hours 15/06/23



9

REF HT/2



The group migrated to the street. They eventually dispersed with officers being present.



(10)

**Public Space Protection Notice – Request cover sheet.**

<b>Location</b>	<b>Handsworth, Soho and Lozells</b>	
<b>Presenting Officer</b>	<b>Name</b>	PS 20697 Gavin McGrath  PS 2194 Greg Lampitt  PC 23376 Nelly Ali  PC 20872 Dave Stanford
	<b>Contact Info</b>	101-862 6053  101- 862 3057
<b>Summary of Case</b>	<p><b><u>Introduction</u></b></p> <p>The proposed Public Space Protection Order (PSPO) area covers Handsworth, Soho and the Lozells area. The area covers key hotspot areas where anti-social behaviour occurs.</p> <p>The 'Impact Area' also falls the proposed restricted area, these are geographical locations where there is a disproportionate amount of crime, demand, deprivation and harm. The Impact Area is defined as an area that required long-term action which is suitable for police and partnership work.</p> <p>The crimes in the area include robberies, criminal damage, anti-social behaviour such as street drinking and drug dealing, sexual offences, violent crimes and assaults. The PSPO has been identified as key in supporting the existing police work and strategies in the local area.</p> <p>HOLYHEAD RD/SOHO RD is also a main arterial route for the city centre and is a busy retail area which has a history of issues.</p> <p>This then leads onto LODGE RD which has on going issues with street drinkers causing ASB. This is also an area where large scale block parties are held, causing a significant detrimental impact on the local</p>	





**Public Space Protection Notice – Request cover sheet.**

	<p>community.</p> <p>Other key hotspot areas include VILLA ROAD and LOZELLS ROAD where there are a high proportion of ASB problems that take place.</p> <p>The attached briefing pack contains:</p> <ol style="list-style-type: none"><li>1) A map of the proposed area to be covered by the PSPO. <i>(Appendix 1)</i></li><li>2) An intelligence breakdown highlighting crime and ASB incidents within the location. <i>(Appendix 2-2.9)</i></li><li>3) A summary of all key statement evidence, including the impact statements from officers, local residents and business owners, highlighting the issues they face and concerns they have. <i>(Appendix 3-3.74)</i></li></ol> <p>The previous PSPO covered some of the new proposed PSPO area. However, the order was focused solely on alcohol:</p> <ol style="list-style-type: none"><li>i) A person is prohibited from having in his or her possession open cans, bottles or other unsealed containers of what an Authorised Person deems to be an alcoholic beverage (even if empty) in the Restricted Area.</li><li>ii) A person is required to surrender any such beverage in his or her possession when asked to by an Authorised Person in the Restricted Area</li></ol> <p>Modifications have been suggested due to the nature of the changing crime and ASB in the areas. Alongside the previous conditions, other conditions have also been deemed beneficial as this will help tackle the</p>
--	--



**Public Space Protection Notice – Request cover sheet.**

	<p>breadth of issues in the area.</p> <p>The area has also changed and three neighbourhood policing teams have liaised to create a joint application due to the similar problems faced. This will also allow consistency in the way the police response is given to the problems as the PSPO will ensure the same conditions exist for the areas. This is important when considering for example, Soho Road as police boundaries mean that the road is covered by two teams. This joint approach allows for a consistent delivery in the way problems area dealt with and for teams to be sighted on each other's response, thus improving the PSPO enforcement.</p> <p><b><u>Current Issues</u></b></p> <p>Within the proposed area, the following issues have been experiences:</p> <p>This includes street drinking and drug use which takes place in public on the roads and causes anti-social behaviour. Whilst drug use can be dealt with criminally where appropriate, there are large groups congregating on road sides, taking drugs and consuming alcohol. There is also a large use of gas canisters (nitros oxide) that is typically used and the canisters then discarded in the areas, causing littering. Intoxication in particular leads to verbal abuse or negative interactions with other members of the community. This causes the public to feel intimidated and also affects businesses as many customers are afraid to attend shops.</p> <p>The anti-social behaviours also affect the wider community and have a negative impact on residents in the area. Many of those taking place in the behaviours use the public street to play loud music into the early hours creating noise nuisance and also blocked roads and driveways. The large groups congregating also lead to an increase in litter left at various locations which has been a common complaint in the community.</p>
--	---



## Public Space Protection Notice – Request cover sheet.

	<p>Users who are either intoxicated through drink or drugs become verbally abusive to passers-by. They also congregate in the bus stops to either take shelter from the elements, or to sleep off the effects of the drink/drugs. This then prevents people who actually want to catch a bus from being able to sit in the shelter (which includes elderly and/or vulnerable people) They also congregate outside shops, and shopkeepers and members of the public can feel intimidated.</p> <p>Block Parties – large numbers of people gathering on a small grassed area by the Lodge Rd shops. Numbers can easily be in excess of 100 people. Nearly all those attending arrive in their own vehicles and play loud music into the early hours. This is in a residential area with families that have small children as well as there being a care home at the location. This obviously creates a noise nuisance issue, but also means roads and driveways are blocked so local residents are unable to either drive to their houses or move their vehicle from the drive. It also creates additional issues of excess rubbish being left at the location and party goers going onto resident's front gardens to either urinate or use as a cut through. Vehicles also block the road around and outside the shops, residents face abuse when ask them to move or feel too intimidated to ask.</p> <p>We believe these issues will be dealt with effectively by a PSPO, as per the Birmingham Community Safety Partnership Public Space Protection Order Report 2020, <i>'[In] PSPO areas the reports of ASB have reduced by over 50% in areas when a PSPO is first introduced. We have seen a further reduction on average of about 30% as a result of the notice to issues a PSPO (or warning letter) being sent out'</i>. By introducing this to the proposed area, we can effectively start to deal with the issues at hand, the PSPO then supporting current and future policing and partner strategies.</p>
--	---



	<p><b><u>Proposed Conditions</u></b></p> <p><b><u>Definitions</u></b></p> <p>‘Authorised Officer/Person’: A Police Constable, Police Community Support Officer, Council Officer or an Officer working on behalf of the City Council, and must be able to present their authority upon request.</p> <p>‘Restricted Area’: Any public place within the areas outlined on the attached map.</p> <p>‘Intoxicated Substances’: Means controlled drugs within the meaning of s.37(1), Misuse of Drugs Act 1973 and psychoactive substances within the meaning of s.59, Psychoactive Substances Act 2016.</p> <p>If granted, it is requested the order prohibits the following:</p> <p><b>1) Groups</b></p> <p>a) An Authorised Person may require an individual, or group, within the Restricted Area to leave the location, where they reasonably suspect that an individual or any persons within that group is causing or likely to cause nuisance or disorder, or harassment, alarm or distress to any other person.</p> <p>b) An individual or group required to leave the Restricted Area by an Authorised Person is;</p> <p>i) Required to leave that area immediately, and</p> <p>ii) Prohibited from returning to the Restricted Area within 24 hours of being required to leave.</p> <p>c) An individual will not breach paragraph 1(b)(ii), if he attends a railway station, bus-stop or tram-stop within the Restricted Area for the purpose of taking public transport out of the Restricted Area, so long as he is not accompanied by any other person who has also been required to leave the Restricted Area (except for a</p>
--	--



15

**Public Space Protection Notice – Request cover sheet.**

	<p>dependent person).</p> <p><b>2) Alcohol</b></p> <p>a) If an Authorised Officer reasonably suspects that a person who is or has been drinking alcohol in the open air within the Restricted Area is causing or likely to cause a nuisance or disorder, they may request the person to;</p> <p>i) Immediately stop drinking alcohol within the Restricted Area; and/or</p> <p>ii) Hand to the Authorised Person any container of alcohol in his possession, whether or not it has been opened, and even if it is empty.</p> <p>b) A person who has who has been requested to do either or both of the things referred to at paragraph 3(a) above, is required to comply with such a request immediately.</p> <p>c) For the purpose of this paragraph, the Restricted Area does not include frontages covered by a current authority to sell or supply alcohol under the Licensing Act 2003, or an area covered by a pavement licence.</p> <p><b>3) Intoxicating Substances</b></p> <p>a) It is prohibited for any person to possess or consume in any manner an Intoxicating Substance within the Restricted Area, except a prescription drug which has been prescribed for his use.</p> <p>b) It is prohibited for any person to be under the influence of an Intoxicating Substance within the Restricted Area, except a</p>
--	---



	<p>prescription drug which has been prescribe for his use.</p> <p>c) It is prohibited for any person to sell or supply any Intoxicating Substance within the Restricted Area, except a pharmacist who does so in fulfilment of a medical prescription.</p> <p><b>4) Gas Canisters</b></p> <p>a) A person is prohibited from using gas canisters in the restricted area and may be asked to stop doing so by an Authorised Officer.</p> <p>ii) A person is required to hand to the Authorised Person any gas canisters in their possession, whether they have been opened, and even if empty.</p> <p><b>5) Obstructing Footpaths</b></p> <p>a) An authorised officer may request that a person remove themselves from the footpath where they reasonably suspect is causing, or is likely to cause anti-social behaviour.</p> <p>b) A person is prohibited from refusing to remove themselves when asked to do so by an authorised officer in the restricted area.</p> <p><b>6) Bus Shelters</b></p> <p>a) An Authorised person may request an individual leave a Bus Shelter within the Restricted Area if they reasonably suspect that individual is engaging in anti-social behaviour.</p>
--	--



**Public Space Protection Notice – Request cover sheet.**

	<ul style="list-style-type: none"> <li>i) Is not using the Bus Shelter for the purposes if waiting for a bus</li> <li>ii) Is causing, or likely to cause harassment, alarm or distress to any other person.</li> </ul> <p><b>7) Vehicle Nuisance</b></p> <ul style="list-style-type: none"> <li>a) A person is prohibited from persistently driving a vehicle within the restricted area between the hours of 19:00 – 07:00 for the purposes of engaging with sex workers.</li> <li>b) A person is prohibited from playing loud music from a stationery vehicle within the restricted area.</li> <li>c) An Authorised Person may request that a person stop these activities where they reasonably suspect a person is causing or likely to cause, alarm, harassment, distress.</li> </ul> <p><b>8) Graffiti and Littering</b></p> <ul style="list-style-type: none"> <li>a) A person is prohibited from marking any surface within the Restricted Area with any form of unauthorised graffiti.</li> <li>b) Where an Authorised Person reasonably suspects that a person is using or likely to use any item to mark any surface with unauthorised graffiti, he may require the person to surrender that item immediately.</li> <li>c) A person is prohibited to litter within the Restricted Area</li> </ul> <p><b>9) General Anti-Social Acts</b></p> <ul style="list-style-type: none"> <li>d) A person is prohibited from urinating or defecating in any public or open space within the Restricted Area.</li> </ul>
--	---



## Public Space Protection Notice – Request cover sheet.

	<p><b><u>Summary</u></b></p> <p>The PSPO with the above prohibitions will allow the police and BCC to tackle the issues that are prevalent in the geographical area. This will help support the police in the ways we deal with anti-social behaviours.</p> <p>There is a detrimental effect taking place in the community that has impact on business owners, residents, visitors and the wider community.</p> <p>The evidential threshold for criminal offences is to prove beyond reasonable doubt that an offence has occurred. With the PSPO being a civil order, the evidential threshold is on the balance of probabilities, which is much easier to prove. It is therefore easier to enforce the order and to take positive action.</p> <p>The PSPO can also be enforced by a wider variety of people including Police Officers, PCSO's, and Council staff with the relevant accreditation. There will be a greater number of resources available to help enforce the order and which will improve the effectiveness in which ASB is dealt with.</p> <p>There is also the issue of the order helping to increase public confidence in the police and our partners. The order would show that we, with our partners are actively working to address the concerns raised by the public by adopting a long-term problem-solving approach. It would demonstrate the ways we are working in partnership to help improve the quality of life for our residents and people visiting or working in the area.</p>		
<p><b>Have other actions have been considered</b></p>	<table> <tr> <td data-bbox="454 1758 774 1977"> <p>Yes, explain what they are and why they did not work</p> </td><td data-bbox="774 1758 1370 1977"> <p>As mentioned above, the previous PSPO only covered prohibiting drinking alcohol in a public place. Given the array of issues we are facing, this condition was not sufficient by</p> </td></tr> </table>	<p>Yes, explain what they are and why they did not work</p>	<p>As mentioned above, the previous PSPO only covered prohibiting drinking alcohol in a public place. Given the array of issues we are facing, this condition was not sufficient by</p>
<p>Yes, explain what they are and why they did not work</p>	<p>As mentioned above, the previous PSPO only covered prohibiting drinking alcohol in a public place. Given the array of issues we are facing, this condition was not sufficient by</p>		



19

**Public Space Protection Notice – Request cover sheet.**

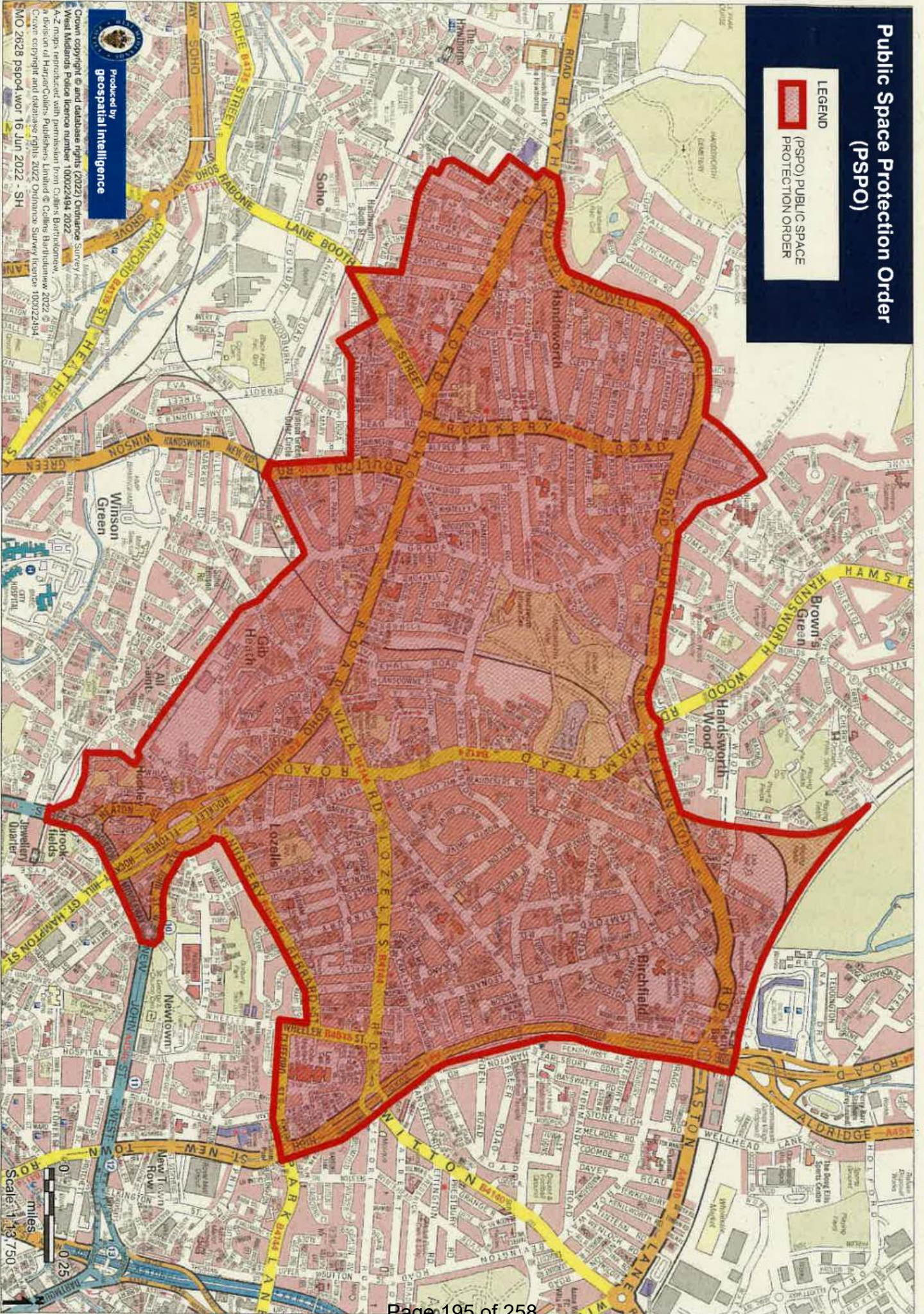
		<p>itself to have a significant impact.</p> <p>ASB and crime incidents tend to be dealt with on a singular basis, as and when they occur. This therefore fails to tackle the wider associated ASB.</p> <p>CPW and CPN's have been used, but again this is on a singular basis. Whilst obviously an effective tool on an individual basis, it is far too low scale to have a significant impact on the wider issues we are facing.</p> <p>Dispersal Orders (Section 35) have also been used by police in particular areas where there have been issues or concerns. However, the orders are limited to 48 hours and are limited the specified locality, thus not dealing with the scale of the problem.</p>
	No, explain why not.	N/A
<b>What partners have been involved</b>	<p>SOHO BID and the associated shops are fully supportive of the proposed order.</p> <p>Police teams also regularly conduct partnership work as a way to provide support to those engaging in the above behaviours. These take place regularly or consist of All Out Days. Teams have worked with Change Grow Live, Betel, Women's Aid, Cocaine Anonymous and more. We are committed to helping divert individuals and address the more complex needs that may exist.</p>	
<b>Date</b>		
<b>ASB Panel Use Only</b>		





# Public Space Protection Order (PSPO)

LEGEND  
[Red shaded area] (PSPO) PUBLIC SPACE PROTECTION ORDER



Produced by  
geospatial intelligence

Crown copyright © and database rights (2022) Ordnance Survey  
West Midlands Police licence number 100022494 2022  
A-Z maps reproduced with permission from Collins Bartholomew  
a division of HarrodCollins Publishers Limited © Collins Bartholomew 2022  
Crown copyright and database rights 2022 Ordnance Survey licence 100022494  
SMO 2628 psp04 wor 16 Jun 2022 - SH



### Lozells Impact Survey

The Impact Areas Survey was conducted by West Midlands Police from February-March 2022. This was conducted as part of our This Works Matters Strategy and covered a range of different questions to understand the thoughts of our communities. For Lozells, 92 participants completed the survey and provided their feedback.

The following question was asked as part of the survey:

#### **What is the greatest community concern that you have?**

There were clear themes throughout responses, with an emergence over the concerns around anti-social behaviour.

The conditions of the PSPO will help deal with some of these issues and provide powers to Authorised Persons to take the necessary action to help prevent this type of behaviour taking place.

This will help support the local police strategies in place and help build a robust response to the issues in the area.



*'Vulnerable people can be found...can find many begging in Lozells'*

*'Cat convertor theft, drugs and prostitution. There seems to be no real steer or initiative to stop this. Whatever is being done isn't working'*

*'To many drug dealers addicts 24 hour alcohol shops and to many drunks hanging around. Also women selling sexual services makes Lozells a very dangerous area'*

*'Drugs, alcohol poor behaviour on roads where people are begging, selling drugs and drunk people drinking on streets...fly tipping graffiti and drunken behaviour nothing gets done'*

*'Anti-social behaviour, drunks, beggars. Fly tipping and general safety in the area.'*

*'Youth gathering in street corners causing nuisance to residents. Increase in homelessness has caused individuals to start begging on streets. Shoppers have to turn the other way to avoid this'*

*'Noise nuisance, kids gathering late at night outside my house at night talking and blasting music...'*

*'HMO's, drug dealing, vehicle crime, prostitution, ASB'*



'Youth gathering in street corners causing nuisance to residents. Increase in homelessness has caused individuals to start begging on streets. Shoppers have to turn the other way to avoid this'

'Drugs anti-social behaviour and littering'

'Vandalism, begging and prostitution on Soho Road'

'Beggars... Flytipping'

'Openly drug dealing. HMO's unruly behaviour antisocial behaviour drunk and drugged up. Graffiti more recently. Thefts burglaries robberies are rife. Gangs on street corners. Dirty streets discarded needles gas canisters. Speeding vehicles late at night blowing horns antisocial hours'

'Too many drunkards and too many HMO's which in turn has a lot of them on the roads in large groups. As a resident feel scared and intimidated walking past them'

'...Lozells is becoming worse with drugs and alcohol and littering... shouting on the streets by prostitution it's not a nice place to walk or take kids out. Litter is getting worse'

'Too much drug dealing in the area. Anti-social behaviour. Litter everywhere'

'Anti-social behaviour with increasing HMO bringing junkies, drugs, prostitution and rubbish in the area. Not safe to walk during day let alone night'



## Crime by Type and Neighbourhood, 1st June 2021 to 31st May 2022 (12 months)

Neighbourhood	homicide	violence with injury	violence without injury	sexual offences	possession of weapons	robbery business	robbery person	burglary residential	burglary business	theft of motor vehicle	theft from motor vehicle	other vehicle crime	theft from person	theft from shop	theft other	criminal damage and arson	drugs offences	other crimes	TMC
BWJC - Soho Road	0	363	947	111	76	15	118	128	43	75	98	21	55	165	168	194	81	333	2,991
BWLA - Handsworth Wood	0	395	1,203	98	68	10	72	199	37	92	114	26	18	47	222	250	92	345	3,288
BWLB - Lozells and East Handsworth	0	729	1,970	201	152	9	238	243	40	96	207	43	58	47	319	396	171	624	5,543



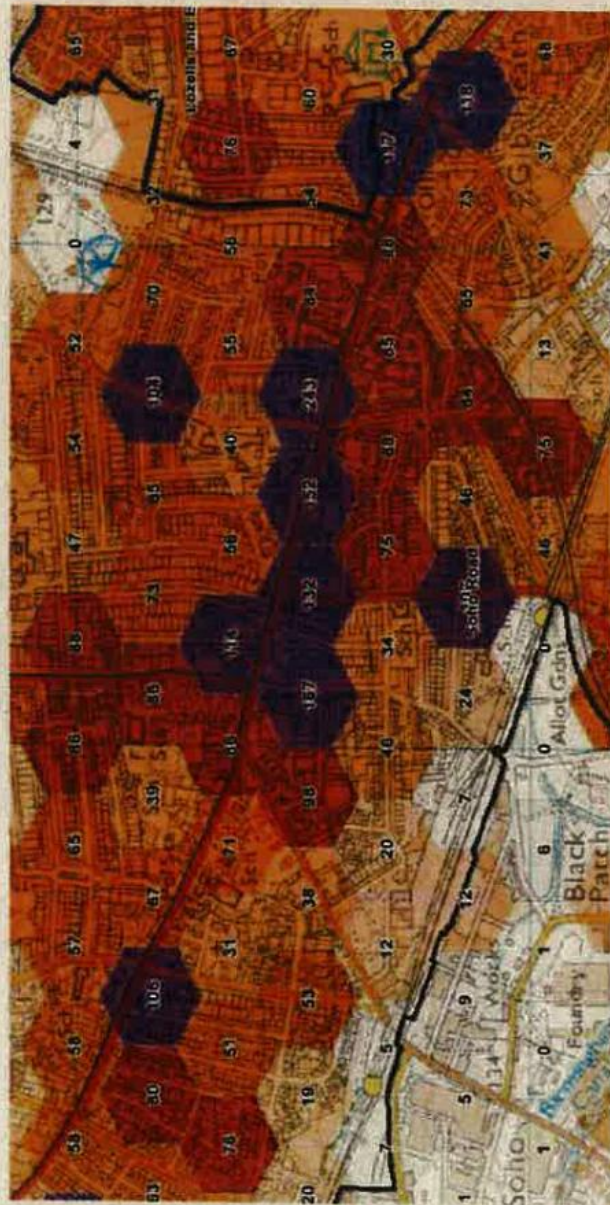
### A Map Showing Total Recorded Crime for Lozells and East Handsworth from June 2021 to May 2022



From June 2021 to May 2022 there was a total of 5543 recorded crime for the area. This is the third highest, after St Michaels in Coventry and the Birmingham City Centre, for all neighbourhoods in the West Midlands.



### Analysis of Types of High Crime Hotspots



The purple areas show the highest areas of crime- 'hotspot' areas and the red areas show the second highest crime areas, within the area. It is clear to see there is high proportion of crime taking place in the local area.

Many of these crimes have links to anti-social behaviour and the PSPO will help in reducing the number of crimes that take place, whilst criminal offences will be dealt with as such, much of these crimes are the result of ASB.

The concentration of purple hexagons related to SOHO ROAD. A more in depth view shows the crime breakdown across this area and shows a high proportion of crimes across occur across this stretch.

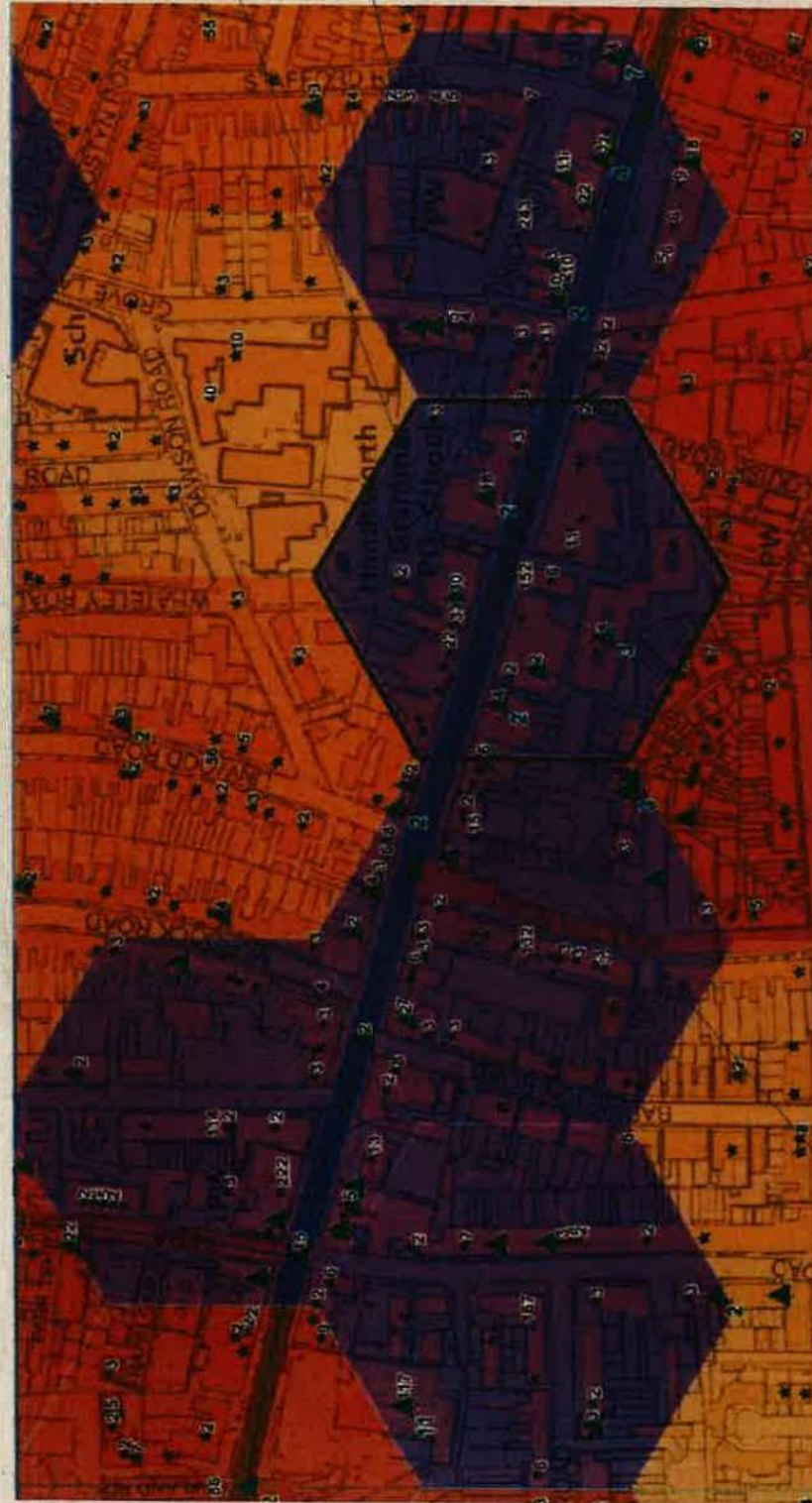
The green triangles also depict the location of ASB incidents, the map shows the high density across the SOHO ROAD.

For example, this triangle relates to an incident where a call was made about an aggressive beggar at the location.





# Analysis of Types of Offences in ASB Locations- Soho Road



- ASB nuisance
- Male making threats
- Male with cannabis
- 2 homeless people arguing/fighting
- Beggars
- Male refusing to leave
- Male begging
- Aggressive beggar
- Aggressive beggar to security

Disorder  
Male refusing to leave

Examining just one hexagon and looking at the green triangles, we can see the types of calls that are made regarding the location. A key theme identified is the ASB nuisance with begging, possession of drugs and people refusing to leave at the forefront of issues.

Often individuals under the influence of drugs or street drinking, there are often groups along the road that congregate socially, and for example drink on the street which can often lead to issues identified in the hexagon.

The PSPO would allow for breaches of the prohibited behaviours to be dealt with before they became an issue.

- Regular beggar at location
- Male smashing windows
- Concern for safety
- Public order
- Aggressive patient
- Aggressive beggar



### Lozells and East Handsworth Crime Breakdown

From May 2021-May 2022 there were 874 crimes in Lozells and East Handsworth that were fuelled by alcohol, drugs and other solvents, many of these taking place in the above hotspot areas. Each of the hexagons can be analysed more deeply by teams and shows the exact location occurrence of the crimes. This occurs as part of the current strategies to use evidence based policing to create long term solutions in the way we tackle crime.

There were 144 drug specific crimes in the same period, this includes possession of a control substance, possession with intent to supply and concerned in the production of a controlled drug. Local intelligence has also suggested many of these drug offences take place in key hotspot areas such as SOHO ROAD, VILLA ROAD, LOZELLS ROAD, WILLS STREET and WELLINGTON ROAD. These offences are often carried out by nominals from gangs who can often exploit others in order to sell drugs.

There were 518 public order offences that took place during this period, many of these taking place in busy streets and areas of high footfall. These include offences such as; affray, causing intentional harm, alarm or distress (HAD), public indecency, fear or provocation of violence, racially or religiously aggravated fear of violence and HAD, and violent disorder.

From May 2021-May 2022 there were 885 intelligence logs specifically submitted for Lozells and East Handsworth. Many of these logs related to anti-social behaviours such as; groups gathering, drug use, drug dealing, prostitution, begging and street drinking.

The PSPO can help in dealing with this with the conditions around groups as this will help the police proactively deal with the problems and set expected standards around the hotspot areas.



29-

**STATEMENT PACK 1 – NHT SGTS**

**SGT MCGRATH 20697**

**SGT PINCHES 20928**

**SGT LAMPITT 2104**



# APPENDIX 3.0

## STATEMENT PACK SUMMARY

Appendix	Title Of Statement	Description	Ward	Date of Statement	Category
3.1	Statement of Police Sergeant Gavin MCGRATH	<p>The officer is the supervisor of the Handsworth and Lozells neighbourhood team and provides evidence in support of the PSPO. The officer provides an overview of the issues and problems in the area which include a number of locations such as Soho Road, Rookery Road, Villa Road, Lozells Road, Georges Park, Hamstead Road, Heathfield Road and Wellington Road.</p> <p>The officer is a member of the Handsworth Neighbourhood Team and provides evidence in support of a PSPO and highlights issues at a number of locations within the ward including Sandwell Road, Holyhead Road, Rookery Road and Oxhill Road. The officer notes that crime, anti-social behaviour and public nuisance involving alcohol are prominent issues within the ward. The statement of evidence includes observations of persistent begging at traffic lights, the increasing issue with litter, intimidating groups congregating in bus stops drinking alcohol and open drug dealing.</p>	BWLB, BWLA, BWJC	14/07/2022	Police
3.2	Statement of Police Sergeant Jason PINCHES	<p>The officer is a neighbourhood officer within the PSPO boundary for over 10 years. He outlines in his statement in respect of anti-social behaviour, drug dealing, public place intoxication and street sex working. He highlights certain locations being the Soho Road, Linwood Road, Holyhead Road, Rookery Road and Villa Road. The officer gives evidence of witnessing aggressive and organised begging in the area, drunken and disorderly behaviour, litter discarded as a result of the red light area activities and documents that there has previously been two PSPOs during his service.</p>	BWLA, BWLB, BWJC	25/06/2022	Police
3.3	Statement of Police Sergeant Gregory LAMPITT				



OFFICIAL – (when complete)

MG11

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. URN 

Statement of Gavin McGrath

Age if under 18 Over 18 (if over 18 insert "over 18")

Occupation Constable

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:

(witness)



Date 14/07/2022

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Sergeant (20697) of West Midlands Police current stationed at Handsworth Police Station, Birmingham. I am attached to the Lozells IMPACT and East Handsworth Neighbourhood Police Team. I have been a neighbourhood policing supervisor with the Perry Barr constituency since March 2021. This statement is a Community Impact Statement in respect to Lozells and East Handsworth.

The purpose of this statement is to highlight concerns raised to myself by residents, businesses and partners who experience a significant degree of anti-social behaviour and crime and disorder with the Lozells and East Handsworth ward.

The Lozells and East Handsworth is a ward situated on the Birmingham West Neighbourhood Policing Unit (NPU). The Birmingham West NPU area covers approximately half of the geographical area of Birmingham City. The ward as a part of the geographical area is only a small proportion of the BW NPU. The ward generates a significant degree of demand and call for service for the police. The ward experiences a high degree of significant serious crime consisting of murder, attempted murders, firearms discharges, serious assaults involving bladed weapons and gang related disorder and violence.

The area also suffers from a significant degree of anti-social behaviour which consists of disruptive and disorderly individuals causing alarm, harassment and distress as a result of their threatening and intimidating behaviour especially within the retail and open parklands within the ward. There are a significant number of individuals who are partake in street drinking, public drug taking and leave rubbish and litter behind after consumption who will then involve themselves in disorder and nuisance behaviour.

I will comment on the most common complaints I receive via police reports, community meetings, partner agency meetings and concerns I have received from local councillors. I have witnessed much of the behaviour myself as part of my duties with my team and can confirm that anti-social behaviour which will be described below is having a significant impact on the quality of life of the community I police.

Signature



Signature witnessed by



03/2016

OFFICIAL – (when complete)



OFFICIAL – (when complete)

MG11

Crime No.

URN

Statement of Gavin McGrath

There are a number of people who partake in persistent begging and harassment outside businesses, retail premises and public traffic lights causing residents and visitors to the area to feel harassed. These activities primarily take place on SOHO ROAD, HAMPSTEAD ROAD, VILLA ROAD, CHURCH VALE, WELLINGTON ROAD, LOZELLS ROAD and HEATHFIELD ROAD. I have also witnessed this behaviour in most parts of the ward adjoining to these areas.

A 'red light' district also exists along the SOHO ROAD whereby street sex workers can be regularly be observed from as early as 18:00hrs who persistently loiter for the purposes of solicitation for sex. As a by-product of this industry paraphernalia can be found discarded in public streets, rights of way, gardens owned by residents, car parks and alleyways, consisting of used condoms, wrappers and sexual lubricants. These pose a hazard to residents, incur a cost to the local authority in order clean and dispose of and cause residents alarm.

The industry attracts kerb crawlers to the area who will attend the location to solicit women for sex. The men involved who are attracted to the area carry a significant degree of risk to the women involved in the industry and also residents nearby who reside in the area. My team and I have conducted operations targeting kerb crawlers who come from many walks of life but it is common to encounter men who have a significant previous convictions for serious offences, operating their motor vehicle under the influence of drugs and alcohol, carrying bladed articles or are on probation, prison licence or included on the sex offenders register.

I have also received complaints from women who are not involved in the sex industry being approached by kerb crawlers and being solicited for a sexual purpose which has caused them considerable distress.

The industry also effects the surrounding side roads, and other locations but to a lesser extent on VILLA ROAD and HEATHFIELD ROAD.

I receive regular reports of street level drug dealing and drug use in public places. I receive regular reports of individuals congregating selling drugs openly at street level and individuals habitually using drugs in public places such as cul-de-sacs, alleyways and public parks. My team and I have carried out a significant amount of work combatting such offences and have made large recoveries of crack cocaine, heroin, cannabis and mamba from individuals who we have identified as drug dealing at street level.

We regularly encounter individuals consuming drugs in public and also those under the influence of drugs on a public highway. I commonly find individuals congregating in cars or on foot in secluded places such as alleyways, residential cul-de-sacs and near to children's parks smoking cannabis. I have found drug users preparing drugs and smoking crack on street corners. It is also common to find users on benches or in

Signature ..... *G. McGrath* 2007

Signature witnessed by ..... *N/A*

03/2016

OFFICIAL – (when complete)



OFFICIAL – (when complete)

MG11

Crime No.

URN

Statement of Gavin McGrath

doorways who are in heavily intoxicated state as a result of smoking mamba and spice.

An increasingly problematic issue is one of gas canisters, a new trend which has developed in the last few years are individuals abusing nitrous oxide cannisters which are lawful to possess but are commonly abused. These cause a heavily intoxicated state in a user and makes an individual insensible. I am finding people openly using these in a public place whilst walking around the ward or congregating in groups in parks as a result of their legal status. I am finding large amounts of silver canisters in public places which are being discarded by drug users and I receive public complaints about these. I have found them increasingly in GEORGES PARK, LOZELLS and HANDSWORTH PARK, HANDSWORTH.

The open drug dealing and drug users causing alarm and distress to local residents, it causes fear in the community and children in the local area have to witness such behaviour when travelling to and from school. It causes a feeling of intimidation and an absence of a sense of safety in the area.

I receive complaints of public place defecation and urination by individuals who chose to use public spaces as a toilet. There are a small handful of homeless individuals with the ward but most of those who are perceived as homeless actually hold tenancies. I have not received complaints that the behaviour has been caused by those who have a lack of access to a toilet as one would expect but very often the individual involved is intoxicated and will use a nearby space where they are drinking as a public convenience to minimise the disruption to their public place drinking.

I receive complaints of large groups of individuals drinking alcohol acting in a disorderly manner across the ward especially in the summer months. These individuals will congregate nearby the vicinity of off licences to enable long enduring drinking sessions, the most problematic locations for such behaviour include outside the public library SOHO ROAD, ROOKERY ROAD, VILLA ROAD, LOZELLS ROAD, WELLINGTON ROAD, OXHILL ROAD, HANDSWORTH PARK and GEORGES PARK.

As part of uniformed and plain clothes duties I have witnessed and dealt with much of the behaviour complained of. I am regularly approach by residents and business owners who inform me of the impact the above described behaviour has within the ward on their lives. The character of the area changes significantly in the later evening especially in the winter months when it becomes darker much earlier.

I have witnessed fights breaking out in front of me, individuals complete drugs exchanges; see groups congregating and drinking in a public place and then engaging in disorderly conduct despite a police presence being near to them.

The ward has also been subject to a number of dispersal orders authorised by a senior police officer under section 34 of the Anti-Social Behaviour, Crime and Policing Act 2014 aimed at the most problematic areas

Signature *G. McGrath 20/5/16*

Signature witnessed by *N/A*

03/2016

OFFICIAL – (when complete)



OFFICIAL – (when complete)

MG11

Crime No.

URN

Statement of Gavin McGrath

of the ward to target anti-social behaviour and criminality.

My team have carried out a large amount of work with other agencies to combat the anti-social behaviour in other ways such as making referrals for those abusing drugs and alcohol. We have made referrals to partner agencies for issues relating to mental health, homelessness, substance misuse and housing. We liaise with partner agencies and community groups through the Lozells Steering group, we have highlighted the cases of vulnerable and behaviourally challenging individuals through the street community cohort meeting.

In conclusion, I make this statement to assist and inform the local authority of local policing issues and the problems faced by residents. I am told increasing by long standing residents that they feel the ward is in decline and the levels of anti-social have increased dramatically in more recent years.

Signature *Gavin McGrath*

Signature witnessed by *N/A*

03/2016

OFFICIAL – (when complete)



OFFICIAL – (when complete)

MG11

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. URN 

Statement of Jason PINCHES

Age if under 18 Over 18 (if over 18 insert "over 18")

Occupation Police Sergeant 20928

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: (witness)

Date 25/06/22

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I'm Police Sergeant 20928 PINCHES of the West Midlands Police currently station at Thornhill Police Station, Handsworth.

I'm currently posted as supervisor to the Handsworth Wood Neighbourhood Team and have been since May 2021. Prior to my current posting I served for approx. 5 years in the Birmingham area during which my role as Police Constable on the Force Support Unit (FSU) would lead to me patrolling areas that had become synonymous with crime or anti-social behaviour.

This statement is in support of the proposed Public Spaces Protection Order (PSPO) which will encompass a segment of my neighbourhood ward. This includes Sandwell road, Holyhead Road, Rookery Road, Oxhill Road and various roads off.

Whilst posted to the FSU it was not uncommon for requests to be made for officers to patrol the area's of Handsworth and Lozells. These areas are well known for being hotspots for crime, violence and anti-social behaviour. I have noted that the areas were subject to issues involving, public nuisance by way of alcohol consumption, this would lead to anti-social behaviour, litter and violence. There would also be evidence of drug dealing and taking which again led to anti-social behaviour and crime, some of this crime would be particularly violent in nature. My knowledge of the area at the time was limited, however I can safely say that given the reputation and what I observed it was an intimidating area to police.

Having now been posted as a Sergeant to the Handsworth Neighbourhood Team I have gained a greater knowledge of the area and an understanding of what is impacting the communities, businesses and the police.

The main road's within my ward that would be covered by the PSPO are significant routes in and out of the city of Birmingham. These routes will be used significantly by commuters and visitors to Birmingham travelling through Handsworth towards Perry Barr and other areas of the city. They will also be used by

Signature

Signature witnessed by

03/2016

OFFICIAL – (when complete)



OFFICIAL – (when complete)

MG11

Crime No.

URN

Statement of Jason PINCHES

those leaving as they lead towards the motorway network. These routes are often have a high volume of vehicular and foot traffic with the Holyhead Road leading onto Soho Road which is a significant shopping district.

Holyhead Road at the junction of Island Road suffers with persistent begging, due to the volume of traffic they will walk along car's whilst they are stationary at red lights. They will often workn in conjunction with each other whilst each walking along the rows of traffic at each set of traffic lights. I have had reports of beggars becoming abusive to occupants of vehicle's or even with other beggars. This begging has led to an increase in litter as they will frequently discard rubbish, cushions, clothing items at the lights and leave them in situ. There have been recent reports of the beggars targetting local shops where they have committed theft offences. I have instructed my team to positively engage with people engaging in such activity, to offer support and if required conduct enforcement however as one person moves on another will take their place.

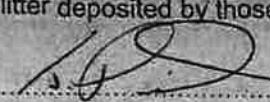
Rookery Road has previously been branded the most dangerous place in Birmingham. Fortunately precision policing and activity from partners as helped reduce this notiriety but is still a very challanging area to police. Since arriving I have had to contend with significant incidents of anti-social behaviour. The most persistent being the consupmtion of alcohol.


The bus stops along the road have become a haven for persons wishing to congregate in groups and consume alcohol. This behaviour has led to an increase in litter, graffiti, anti-social behaviour and crime. This has had a detrimental effect on the businesses situated on Rookery road with some persons becoming so intoxicated that they fall on shop displays outside the stores and creating an intimidating environment driving those who may shop in the area away. As the persons are gathered within bus stops this makes it an intimidating location for those wishing to use the bus stop to actually catch the bus. Officers have utilised tactics to move these persons on but this can be a temporary solution. A PSPO with the appropraite conditions will allow for more enforcement around the consumption of alcohol in these areas.

Gatherings are not exclusive to the bus stops with groups also gathering in areas such as outside fast food shop's or off licence's.

These gathering have included those who deal or take drugs, again this has led to an increase in litter, crime and violence. In November 2021 1 of my officers was subject to an assault whilst attempting to engage with a person suspected to be in possession of drugs and weapons. This male was within a group on Rookery Road. Whilst the person was arrested for these offences gatherings are still a regular occurrence and police actions are often temporary and not longer term which the PSPO would provide.

There is significant litter deposited by those engaged in these groups, many will discard litter on the floor

Signature 

Signature witnessed by 

03/2016

OFFICIAL – (when complete)



OFFICIAL – (when complete)

MG11

Crime No.

URN

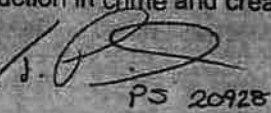
Statement of Jason PINCHES

this leads to a poor environment which not only looks unattractive thereby putting off potential customers to businesses but leads to an increase in vermin. It's documented that areas that appear unattractive due to litter and graffiti will often see an increase in crime.


Many of the streets running off these roads will also suffer with anti-social behaviour, this may be a result of street drinking or drug taking, with groups congregating in residential streets. Groups will use alleyways as a means of moving around and to escape if encountered by police. Residents have made complaint's to me including persons urinating against their property, damage caused to property, evidence of alcohol abuse, evidence of drug use and excessive noise. I have received reports of vehicles parking in residential streets with loud music being played and also evidence that occupants are taking drugs or drinking often discarding containers and small canisters onto the residential streets.

Many people gathering who attend in vehicles will also park illegally, this creates hazards for pedestrians, other roads users and businesses who can't access their places of work.

I feel strongly that a PSPO will assist police and partners with enforcing the behaviour which is effecting the area in a negative way. Positive enforcement of a PSPO will lead to a decrease in the behaviour described, a reduction in crime and create a more pleasant environment for those working, visiting and living in the area.

Signature 

03/2016

Signature witnessed by 

OFFICIAL – (when complete)



OFFICIAL – (when complete)

MG11

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. URN 

Statement of Gregory Lampitt

Age if under 18 Over 18 (if over 18 insert "over 18")

Occupation Police Officer 2104

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: G.Lampitt (witness)

Date 25/06/22

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am the above named officer currently stationed at Handsworth Police Station.

I have worked this policing constituency for almost 10 years and I have excellent knowledge of the location, crime and ASB hotspots.

This statement is in support of the impending Public Space Protection Order sought between West Midlands Police and Birmingham City Council.

I am aware of the proposed area we wish to cover with this this order (PSPO).

The main focus is the Soho Road. This is a key arterial route linking the Sandwell area to Birmingham City Centre and the M5/M6 motorway network.

I would suggest this road is one of the busiest in the Birmingham area but also one of the slowest as it links Handsworth and Winson Green and houses a vibrant shopping high Street. This location from my experience would benefit a dedicated policing presence. This road is busy day and night and depending on the time of day depends on the issues raised. The day time, the shops are open and the high street is active. There are lots of bus stops along this busy route. It is common for groups of adult men and women to loiter within these and openly consume alcohol and abuse it. They remain in groups for hours at a time which is an unpleasant sight not just for me as police officer but also the public. Their behaviour increases which spills into open space, public drunkenness. On occasions people become too intoxicated they are incapable of looking after themselves. We often see people urinating against properties / side alleyways. I

Signature

Signature witnessed by

03/2016

OFFICIAL – (when complete)



OFFICIAL – (when complete)

MG11

Crime No.

URN

Statement of Gregory Lampitt

can produce a photograph of such behaviour taken by the community. This is exhibit GL/1.

The Soho Road in day time to evening does suffer drug dealing and drug users attending this area to purchase drugs. This creates pockets of people on the street. The most commonly known places are at the road junction with Soho Road and Linwood Road. On either end of the road is an off licence and then opposite a book makers. This is a poor combination which in my opinion fuels behaviour. Directly opposite is a pub called the Cross Guns. There is a foot alleyway along the side of the building which is sheltered. This also houses groups of people. We suspect drug dealing but also customers from the pub itself. This activity is blatant till around 22.00 hours. It results in litter and an untidy public place

The Soho Road is a magnet for begging. From my observations it is normally done at traffic light junctions where cars can build up and it creates an area for them to target. I have seen 2-3 people working together at these junctions. Although not a group directly standing together they are literally metres apart and it is not a nice having people aimlessly tap vehicles for money. This is most persistent at the top of the Soho Road/ Holyhead Road by the petrol station with Island Road, Handsworth.

When its night time or dark of night for example in the winter we see lots of sex workers canvassing the streets for sex. This can create groups of females on street corners which attracts "customers" to the area. Despite efforts to tackle and support those vulnerable conducting this behaviour it is persistent and detrimental to the area. It creates lots of rubbish for example items such as alcohol containers and used condoms. This behaviour creates a lot of worry for the community. People engaging in cars and loitering around again creates pockets of people on the streets.

Rookery Road is off the Soho Road and another main road which houses residential properties mixed with shops, off licences and betting shops. This road suffers lots of on street drinking, public violence and robberies. I have policed this street for many years policed, two previous Public space Protection Orders which I felt were needed. The takeaway shops attract large numbers of people, they gather for food and loiter for hours in the street. They are noisy and rowdy and the litter they leave behind is unpleasant. This puts people in fear of walking the streets.

In May 2022 I was present on Rookery Road where 3 adult males were arrested for Affray. Fighting in the

Signature 

03/2016

Signature witnessed by .....

OFFICIAL – (when complete)



OFFICIAL – (when complete)

MG11

Crime No.

URN

Statement of Gregory Lampitt

street. Those arrested were drunk and their behaviour required a large police presence to detain and convey them to the police station. These males were aggressive and offered physical resistance towards each other and the police. There were children present in the street when this was happening. This is proof groups of males who are intoxicated in a public place can easily create demand for the police and create upset and fear for the people living within view.

I have taken an image from an officer attending body worn camera prior to my arrival. This shows 4 adult males, 2 of which are fighting and 2 young children standing close by with one with his hand over his mouth, to me this indicated they are shocked and scared. This image is my exhibit GL/2.

I have policed two previous PSPO covering Rookery Road. They were a fantastic tool for disrupting anti-social behaviour and curbing the street drinking. In recent months I have noticed more groups of males attending Rookery Road and standing outside fast food shops and shops selling alcohol. These males are Romanian Nationals, they congregate most evenings and are loud. They leave rubbish and shop keepers have told me they are causing a nuisance which affects their businesses. These large groups attract vehicles to the area. They park all over footpath causing obstructions for people wanting to pass.

Another Key road within this PSPO application is Villa Road in Lozells Handsworth. I have been responsible for supervising officers covering this area since March 2022 and I feel this area is getting worse. I have always been aware of street drinking in this location but this location has become toxic and dangerous. I am aware the intelligence surrounding on this road and in the last few months I have been present when groups of East African males have been detained where drugs have been recovered. (namely cannabis, mamba, heroin and crack cocaine). This is a regular sight for local police officers. There are groups of males actively loitering on this street and their activity is blatant. They block the footpath and place clothing and drinks containers on people's car. From engaging with shops owners, they are scared to encounter these groups and live in fear of being attacked. They have told me as a result of these groups their business are failing. The drug dealers attract people all day and into the early hours. This makes the footpath a no-go area. We have tried many policing tactics to dispel groups and currently working on creating a car free area. We need an order to police to discourage these groups and assist exposing them. In recent weeks I have encountered children leaving such groups holding large quantities of drugs. My latest encounter on this road was on Monday 20st June 2022 Where I was present when a 17 year old male was detained walking away from a group and when searched was in possession of 30+ deals of mamba hidden down his pants. Prior to detaining this child I walked passed a group of males who I believe are active drug dealers. The

Signature 

03/2016

Signature witnessed by .....

OFFICIAL – (when complete)



OFFICIAL – (when complete)

MG11

Crime No.


URN

Statement of Gregory Lampitt

body camera footage shows 5 males loitering in the street. The male detained would've been number 6.  
This image shows how they canvass the street, lean against other peoples property and create a detriment to the area. This image is my exhibit GL/3.

Having policed previous civil orders they are a massive support to the police tool box especially towards groups / individuals causing Anti-social behaviour. It gives police officers more options when aiming to improving the locality. G.Lampitt

G.Lampitt

Signature 

03/2016

Signature witnessed by .....

OFFICIAL – (when complete)



**STATEMENT PACK 2 – NHT OFFICERS**

**PC STANFORD 20872**

**PCSO AFTAB 31686**

**PCSO JONES**



## OFFICIAL

## WITNESS STATEMENT

Investigation Number:

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of: Mr David Stanford

Case Number

Age: if under 18: over 18 (if over 18 insert 'over 18')

Occupation: Neighbourhood Policing Officer

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Date: Wednesday, 16 February 2022

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am Police Constable 20872 Stanford of the West Midlands Police, I am currently based at Summerfield Police Station, Birmingham.

I have been an officer on the Soho Neighbourhood Police Team for over five years.

Over recent years the number of officers on the Soho and neighbouring police teams have decreased, currently I am one of three Police Constables along with a Sergeant and four PCSO's (Police Community Support Officers) who make up our team.

The Soho Road and surrounding area has historically been a challenging area to Police, typical issues we deal with are begging, street drinking, drug dealing/taking, prostitution, shoplifting and block parties.

Many of the persons we encounter are drug and/or alcohol dependent, there are various agencies and charity groups we can signpost these persons to, however many of them refuse to engage with the Police.

For the purpose of this PSPO application the area that the Soho Neighbourhood Police Team covers has been split into four 'zones' (I have enclosed a map showing each of the zones, I can refer to this as my item reference DS/A).

For this statement I will talk about the issues on Zone 4, Zone 4 is the area that covers Victoria road down to Hockley Circus.

The main area of concern around Zone 4 is Lodge Road, Hockley, commonly referred to by locals as 'inner circle', this area has numerous 'drinking dens' which attracts many people, many of these premises are run down, they are often closed during the day and are mainly sparsely decorated, one such place is a former barbershop, it is now a room with a pool table in the middle, this premises is frequented by large groups, mainly males, I rarely drive past there without seeing a group stood outside drinking alcohol. It is long suspected the premises is



selling alcohol without a licence however this has been unproven. As the night goes on the group gets bigger, more cars attend the area and park in the street causing obstruction, there are neighbouring premises to this 'barbershop' that are also frequented by groups, one such premises has an intercom entry with CCTV cameras covering the entrance so occupants can see who is attending. I know there is a function room and kitchen at the rear of this property as I have previously attended, again it is believed alcohol is being sold and unlicensed activity is regularly occurring here. Opposite these drinking dens is a care home for vulnerable persons, I have spoken with staff who state they regularly see parties and groups drinking outside, and that the residents of the care home have gone out to visit the local shop and been asked if they wanted to buy drugs from these groups. There are many residents around Lodge Road who are fed up with these groups, especially in the summertime when the gatherings get much larger and spread onto a green space, we have had reports of up to 150 people at one time, with music from large sound systems and cars blaring out, residents are too frightened to leave their homes and many are too frightened to report these incidents to Police in fear of reprisals. Residents have told me they have witnessed people defecating on their garden and sitting on residents cars drinking, one resident has sent me numerous video footage from their CCTV camera and this shows at all times of day and night groups gathering, dealing drugs, urinating in gardens. I have enclosed three stills of images from this CCTV and can refer to them as my item reference DS/1. I know the Council are also aware of the issues on Lodge Road as I have attended a residents home in company with a Housing manager for Birmingham City Council. I believe having a PSPO that covers this area that would give us powers to move groups on or take alcohol off them if they are causing a nuisance would greatly reduce Anti Social Behaviour in the area and make the area more pleasant for residents and legit businesses.

Examples of incidents we have had in the Lodge Road area include:

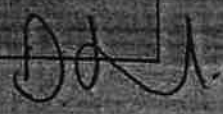
An assault at an unlicensed club (specific address not known by victim) on Lodge Road, whereby the female victim was hit over the head with a bottle following a dispute inside premises. (crime ref 20/138870/22) 16/01/22

Reports of group of youths with knives, possibly filming a rap video on Hurdlow avenue (20/1923947/21) 30/11/21

Robbery on All Saints Road, whereby female victim had phone stolen at knifepoint (20/1909319/21) 24/11/21

There are a large amount of Houses of Multiple Occupancy (HMO) on Zone 4, many of these are unregulated unfortunately many of these occupants of HMO's are addicts of alcohol or drugs, therefore this attracts ASB to the areas where HMO's are, I have encountered drug addicts frequenting streets around South Road, Park Road, Factory Road, I believe they are usually awaiting their dealers, often they are drunk and in possession of opened cans of alcohol, their behaviour can be intimidating to residents and people passing through the area, again we as Police will always offer to support these people by way of signposting them to the appropriate agency however the same people are often seen time and time again causing issues, I feel that if a PSPO was in place then alcohol could be taken off these people and fines could be issued if appropriate, although not targetting the root of the problem, I believe this would help in prohibiting the same offenders causing ASB and help spread the message that ASB will not be tolerated.

There has been numerous reports of robberies, assaults and thefts in the Zone 4 area, I would state that many of these incidents are linked to either the victim or offender being under the influence of alcohol, some examples of crimes in Zone 4 from recent months include:





20/1997618/21 - male reporting having been assaulted and his money stolen, South Road, 24/12/21.

20/1726605/21 - Victim attacked and had phone / jewellery stolen , South Road 05/09/21.

20/1747235/21 - female had prescription stolen from her pocket , South Road 01/09/21.

20/1792497/21 - victim threatened with blade or sharply pointed object after seeing someone scratch his car , Park Road, 13/10/21.

20/343216/21 - victim driven at and threatened with a knife by offender following a verbal altercation, Factory Road, 03/10/21.

20/795075/21 - victim attacked by offender who demanded money from him, victim hit to head from behind, Factory Road , 01/01/22.

20/1929061/21 - victim walking through park, female asked if victim wanted sex, male offenders have then approached and made threats to stab victim asking for his bag, Bacchus Park, 02/12/21.

20/1946816/21 - Ip has shouted at offender who was in street to stop making noise, offender has then threatened to 'smash victims face in', Ashwin Road, 09/12/21.

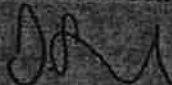
20/1993911/21 - unknown offender has scratched door of ip's vehicle whilst parked unattended on road.

As a team we have recently received intelligence that there is prostitution occurring in Bacchus Park, as well as youths gathering and drinking alcohol / taking drugs.

On a daily basis whilst on duty I see groups of people loitering outside off licences , bookies and pubs on our beat, on most occasions these groups are drinking alcohol they have purchased from nearby shops, I see individuals or groups sat around bus stops, many incoherent through drink or drugs, these people can be intimidating especially to people wishing to use bus stops for their proper purpose.

I believe a PSPD, along with working closely with our partners (Soho BID- business improvement district, street watch groups etc) would make the Soho area a much safer place for people to live, work and visit.

I believe the facts stated in this witness statement and as amended in any tracked changes (and initialed) are true.





OFFICIAL – (when complete)

MG11

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. URN 

Statement of Safina Aftab

Age If under 18 OVER 18 (if over 18 insert "over 18")

Occupation Police Community Support Officer

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:  (witness)

Date 18/02/22

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Community Support Officer Safina Aftab 31686 of the West Midlands Police, I am currently based at Summerfield Police Station, Birmingham.


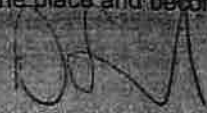
I have been an officer on the Soho Road Neighbourhood Police Team for over 2 years.

Over the months and years of working in the Soho Road area it has been challenging. I deal with constant ASB which includes begging, street drinking, dealing with persons taking/dealing drugs, prostitution, theft, robbery etc. My colleagues and I still are receiving complaints from local residents/shops about these concerning issues.

These are the main areas/roads for zone 2 of the Soho Road Neighbourhood that we have concerns for.

Alcohol abuse and begging is a constant problem in the area of Handsworth. My colleagues and I whilst on foot patrol on numerous occasions have witnessed begging and drinking by traffic lights in Holyhead Road area by The Range. The traffic lights by Crockett's Road and on Soho Road. Often the offender/beggar would be carrying an open and closed cans whilst walking up & down the main streets, often holding an empty cup asking for change. My colleagues and I will engage and offer support by way of signposting them to the appropriate agency however the same people are seen time and time again causing issues.

The high chain superstores such as Lidl and Iceland have constant battles with most of the above issues which ends up people stealing from the stores constantly especially Lidl on Soho Road. They purchase 1 can of alcohol from stores such as Five Star superstore and drink outside in the bus shelters which prevents people waiting for the buses in the shelter. Moreish Caribbean also is a cause for concern as group of people purchase alcohol and drink outside on the corner of Soho Road and again by the bus shelter this prevents people from walking past and shopping in the area and it's very intimidating. Soho Pharmacy have them coming in to get their medication and prescription but end up trashing the place and becoming violent towards staff and stealing.

Signature Signature witnessed by 

03/2016

OFFICIAL – (when complete)



OFFICIAL – (when complete)

MG11

Crime No.

URN

Statement of Safina Aftab

The domestic violence (DV) cases are high in the area of zone 2 in the majority of cases this is often due to alcohol abuse. There have been several incidents where offenders have been refused entry to their properties and caused ASB in the road.

Crime Investigation 20/110975/22 – due to drinking

Assault with Injury - s.20 - Malicious wounding: wounding or inflicting grievous bodily harm

There is a high number of houses with multiple occupants (HMO'S) in zone 2, which causes anti-social behaviour (ASB) in the area such as Sycamore road, Victoria Road, Queens Head Road, Babington Road, Boulton Road. Most of the residents who reside in these homes are drug addicts and beg to feed their habits. When spoken to they often state that they are homeless and will steal from shops and supermarkets. We have had reports of persons being robbed whilst they are shopping, who describe the offender as intoxicated.

Crime Investigation 20/193962/22 - Theft from shops and stalls

Crime Investigation 20/1096188/21 - Theft of alcohol


Crime Investigation 20/1966583/21 - Theft from shops and stalls Soho pharmacy

Non Crime Investigation 20/154582/22 - ASB Investigation - Non Crime

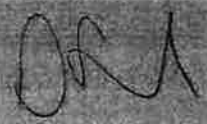
Drinkers hang around at the Boulton Road carpark at the rear end in groups. When officers have conducted stop searches on these individual's alcohol is often a factor. Drugs and offensive weapons have been seized by police from this location and several arrest have resulted from this. Again, majority of the persons involved in this matter have open bottles and cans of alcohol with them and use this area as a community gathering for street drinking. This location is a main carpark for the shoppers on Soho Road and families will park their vehicles and become exposed to this type of behaviour. Speaking to the local shoppers many of them find it extremely intimidating as they are often with children.

Shops which do not sell alcohol have also informed me that they feel that due to the street drinking their business is suffering. I have been informed that they have had to clean their doorways due to empty cans and bottles and sometimes urine.

On occasion ambulances have had to be called to give medical aid to persons that have been found drunk and incapable. Again, this causes shoppers and other members of the public to leave the area as often abusive languages are being displayed.

Signature 

03/2016

Signature witnessed by 

OFFICIAL – (when complete)



OFFICIAL – (when complete)

MG11


Crime No.

URN

Statement of Safina Aftab

I strongly believe that to support the intervention and reduction of alcohol related crime and ASB a PSPO would assist in greater powers for enforcement.

Signature 

Signature witnessed by 

03/2016

OFFICIAL – (when complete)



OFFICIAL – (when complete)

MG11

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 58

Crime No. URN Statement of *Kate Jones*Age if under 18 *0/18* (if over 18 insert 'over 18')Occupation *Police Community Support Officer*

This statement (consisting of *1* page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: *K. Jones* (witness)Date *17/4/20*Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Community Support Officer On Soho Road Neighbourhood Police Team. The area I work is broken up into 4 zones and I am responsible for zone 3. My neighbourhood is challenging and zone 3 presents lots of Anti Social Behaviour, being prostitutes, substance abuse, which causes problems for my local community when out and about on Soho Road shopping where upon I have been told by local residents they feel unsafe and vulnerable whilst shopping on soho road with the amount of people who are openly drinking alcohol gathering within groups along soho road. People have stated they feel intimidated by the groups of people drinking and have been approached when passing these people for money and stated that if they refuse then these people start being quite abusive to them by swearing at them. I have asked members of the public how they feel about a public space protection order which will assist the police in helping us to use powers that will be in force provided a public space protection order is granted. This definitely is very much welcomed by members of the public and very much so by local community who live and travel, shop within zone 3. I encounter and engage with prostitutes on zone 3 and have noticed with the increase of homes of many occupants the increase in prostitute within zone 3 has risen. This does tend to fluctuate when some residents move out of address and then rise again when others move into residence. We do use cpw/cpn at present to deal with anti social behaviour prostitution, however a public space protection order would also be very much welcomed by myself for zone 3 where I patrol. Gudwara/Nishkam security and street watch also assist with helping and offering support to prostitutes and their initial goal is long term resolution to help them get away from prostitution. The gudwara street watch also offer support in food bank to prostitutes in case any of them are doing this because they cannot afford food. Also cocaine anonymous work with myself and conduct joint patrols to offer prostitutes support and help if they are substance abuse users, drugs, alcohol. Cocaine Anonymous are aware within zone 3 that a public space protection order would be most welcomed and support this. I have spoken with my local businesses within zone 3 who are affected by groups of people drinking coming into their stores and following their customers and asking for money then getting aggressive when customers will not give it to them and causing stress.

Signature *K. Jones*Signature witnessed by *[Signature]*

03/2016

OFFICIAL – (when complete)



OFFICIAL - (when complete)

MG11

Crime No.

URN

Statement of

*Kate Jones*

and alarm to their customers, also to them the store owners. *K Jones*

Signature

03/2018

Signature witnessed by

OFFICIAL - (when complete)



3.6	Statement of Police Constable Alexander WHITE	<p>The officer is a member of the Lozells &amp; Handsworth Neighbourhood Team and provides evidence in support of a Police Constable and highlights issues. Whilst on foot patrol around James Watt Drive which is known where groups congregate and cause issues for local residents.</p> <p>Number of parking areas where vehicles are seen to idle in the evenings and at night. Numerous bottles and various rubbish that are not considerate of residents. One resident have told the officer that this behaviour is having a negative effect on their well-being and is fed up with all the cars and all the drug dealing from the cars. Officer found a large box in the parking area that contains several containers that are used to re-fill the nitrous oxide canisters which people are inhaling. Officer also found a green plastic container which smelt strongly of cannabis when opened, likely this was used to store cannabis.</p>	BWL	20/05/2022	Police
3.7	Statement of Police Community Support Officer Safina AFTAB	<p>The officer is a local neighbourhood PCSO on the Soho Road Team. There are numerous issues on this road, including Alcohol abuse, begging, drug taking/dealing, prostitution. High chain supermarkets has issues with people stealing from the stores. Individual purchase 1 can of alcohol and then drink outside Five Star superstore in the bus shelter preventing people waiting for the buses in the shelter, making them feel intimidating. Soho Pharmacy have individual coming into to collect medication but end up trashing the place and coming violent towards staff and stealing. DV cases are high in the area due to alcohol abuse. There are number of HMVs which causes ASB in the area of Sycamore Road, Victoria Road, Queens Head Road, Babington Road, Boulton Road. Most residents who reside here are drug addicts and beg to feed their habits or steal from the shops. Drinkers hang around Boulton Road carpark in groups. Drugs and offensive weapons have been seized by officers. Shops which do not sell alcohol feel that due to the street drinker their business is suffering and have to clean their doorways due to the empty cans and bottles and sometimes urine.</p>	BW/C	18/02/2022	PCSO Officer
3.8	Statement of Police Community Support Officer Kate JONES	<p>The officer is a local neighbourhood PCSO on the Soho Road Team. Evidence within the statement outlining the problems of ASB, Prostitutes, substance misuse all on the Soho Road. Have been told by local residents they feel unsafe and vulnerable whilst shopping. Numerous amount of street drinkers that gather on the road intimidated the public for money and can get abusive if they refuse. PSPO has been explained to the residents and they welcome this. PCSO has witnessed prostitutes in this area and has seen an increase in the street workers.</p>	BW/C	17/02/2022	PCSO Officer



The officer is a neighbourhood officer on the Soho Road Team within the PSPO boundary. The Soho Road and surrounding area has historically been a challenging area to Police, typical issues are begging, street drinkers, drug dealing / taking, prostitution, shoplifter and black parties. The team has four zones for this area. Zone 4 covers Victoria Road down to Hockley Flyover. There is numerous drinking dens which attracts many people and most of these premises are run down. Selling alcohol without a license. As the night goes on the groups get bigger and cars attend the area causing obstructions. Opposite these drinking dens is a care home for the vulnerable and staff have seen regular parties and groups drinking outside and has seen by residents being asked if they want any drugs. Residents around Lodge Road are fed up and are frightened to leave their homes and to report these incidents. Resident has CCTV footage showing all these issues. HMO's are unregulated and are addicts of alcohol or drugs therefore attracts ASB. Encountered drug addicts frequenting street around South Road, Park Road, Factory Road, waiting for their dealers. Numerous robberies, assaults and thefts that are linked to either victims or offenders being under the influence of alcohol or drugs.

3.4 Statement of Police Constable David STANFORD BWJC 16/02/2022 Police

The officer gives evidence as a local neighbourhood police officer. He documents anti-social behaviour in the form of prostitution whereby unpleasant sexual paraphernalia is left and discarded in public area in the community as a result of red light activities. He has witnessed the aftermath of fly tipping leaving the area within the PSPO area in an unkempt state attracting vermin. He also witnesses begging committed by a number of people on the Soho Road and documents a number of people being intoxicated and consuming alcohol in a public place within the PSPO area.

3.5 Statement of Police Constable David MANNS BWLA, BWLB, BWJC 28/02/2021 Police



**STATEMENT PACK 3 – RESIDENTS/SOHO BID & COUNCILLORS**

**RESIDENT INFO REDACTED**

**CLLR ZAFFAR**

**BID MANAGER RAKESH SONI**



OFFICIAL - (when complete)

MG11

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B

Crime No. URN 

Statement of Waseem Zafar

Age if under 18 Or 18 (if over 18 insert over 18)

Occupation Councilor

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: 

(witness)

Date 08/07/2022

Tick if witness evidence is visually recorded ☐ (Supply witness details on next)


I am the above named person and I live at the address as shown overleaf

I am the local Councilor for the Lozells area and I have been a Councilor for over eleven years.

Many of the residents living in the Lozells area have made contact with me raising concerns about issues that is impacting the quality of life around the Lozells area and the other surrounding areas. The issues that are impacting the local residents on day to day basis is as follows.

There are many street drinkers who gather in large groups on the streets and consume alcohol and the drinkers normally start drinking from the early morning and continue throughout the day. Once these drinkers are intoxicated they cause Anti social behaviour around the area which ranges from swearing and shouting and fighting with each other and this often takes place in front of young children who are out with family members. It has been noticed by many of the residents that a good proportion of these drinkers do not live in Lozells or Handsworth and they reside in other parts of Birmingham however they seem to come into the Lozells and Handsworth area to get intoxicated and to cause Anti Social behaviour and then leave the area late at night.

Another area that that is a major concern and is on the increase is the amount of aggressive beggars there are in the area. Again many of these beggars do live in the area and they are from outer areas and they come into the local area to beg. Many of my residents have complained about that these beggars sit outside shops along Lozells road and other streets and harass customers and become aggressive if customers do not hand over money. Many of these beggars also hang around at busy junctions and harass drivers who are waiting in their cars whilst the traffic lights are red and again they become aggressive if money is not handed over.

Signature Signature witnessed by 

03/2016

OFFICIAL - (when complete)



OFFICIAL – (when complete)

MG11

Crime No. [REDACTED]

URN [REDACTED]

Statement of Wasseem Zafar

I have had many complaints from local residents about the increase in Fly tipping that takes place in the area where huge amounts of rubbish that is dumped on the streets and at street junctions. This is a concern from a health safety point and makes the area look unpleasant for local residents.

There have been complaints about the amount of drug dealing that is taking place in the area and the amount of drug addicts that are out on the streets throughout the day and these addicts contribute to the Anti social behaviour around the area when they are high on drugs.

There have many complaints about HMO's that are situated on Heathfield Road, Lozells and these HMO's are housing residents that are involved in Anti social Behaviour and it is believed that many of these residents are involved in criminality around the area. I am also aware that there has been an increase in the amount HMO's that have opened up in the local area and surrounding areas.

I can also confirm that I have witnessed the issues I have mentioned myself as I have been a Councillor in the area for eleven years.

It is a major concern that these issues that I have listed is on the increase and is impacting the local residents and Business owners on a daily basis and these issues need to be solved to make the quality of life better for all that live and work in this area.

I am fully aware that West Midlands Police are in the process of applying for a PSPO ( Public Spaces Protection Order) for the Lozells area in order to tackle the issues that are listed. I can confirm that I fully support West Midlands Police in applying for the PSPO and hope that the quality of life improves for all.

I am happy to attend Court and give evidence if required.



Signature



Signature witnessed by



03/2016

OFFICIAL – (when complete)



OFFICIAL – (when complete)

MG11

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. URN 

Statement of Rakesh SONI

Age If under 18 Over 18 (If over 18 insert 'over 18')

Occupation BID Manager

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:

(witness)

Date 08/03/22

Tick if witness evidence is visually recorded ☐ (Supply witness details on rear)

I am the current manager of the Soho Road BID (Business Improvement district). I believe we need a PSPO (Public space protection order) for the Soho Road and surrounding areas as there is everyday anti-social behaviour occurring all along it up to Holyhead Road and the streets off it.

On a daily basis I see large groups of males and females standing around, they are of all nationalities. I see them drinking alcohol from cans and glass bottles, me and the BID officers engage with them and try encourage them to not drink in public or throw their drink away but they mostly refuse and more often or not swear and abuse us, at times they have physically confronted us and my staff have been assaulted before by these groups when engaging with them, at the moment there is nothing in place to state people cannot drink in public, a PSPO would help combat this and would help attract less drinkers and beggars to the area, at the moment you see drinkers everywhere you go round Soho Road, Wavemill park usually has drinkers sat in there; there is always rubbish (empty drinks cans and bottles, condoms) in the park and also round by the shops at the junction of Nineveh Road, you also see drinkers further up Soho Road around the Cross Guns pub, Rookery Road, Queens Head Road, you see people loitering waiting for drugs by Handsworth Library and sat on the benches drinking, also around Holyhead Road street drinkers hang around on street corners by the off licences and pubs, they are around all day and often start fighting with each other and shouting abuse at passers by, it's horrible for the businesses, residents and school children passing through.

Beggars you see sat outside shops, some can be aggressive if they don't get given money, you also see beggars walking up and down busy junctions at Soho Road like Rookery Road and near Holyhead Road, they walk between cars at the traffic lights asking drivers for money, it's only a matter of time before

Signature

Signature witnessed by

03/2016

OFFICIAL – (when complete)



OFFICIAL - (when complete)

MG11

Crime No. [redacted]

URN [redacted]

Statement of Rakesh SONI

someone gets hurt.

Prostitution is another huge problem in the area, you see them at all times of day and night, no matter the time, they hang around by Stafford Road, Ivy Road, by the Lime n' chilli Pub, the back of the Job Centre and Piers Road there is always condoms and needles lying around. They are also active further up Holyhead Road.

Coming to the area at night is sinister, people should feel safe coming to Soho Road, there are lots of businesses and places to eat but the amount of street drinkers, drug users and prostitutes will put many people off.

I believe a PSPO could help resolve a lot of these issues, it would be good for residents and businesses and all visitors to the area if we could have an alcohol free zone in public and the Police/Council had more powers to move groups of people on if they are causing a nuisance.

Signature [redacted]

03/2016

Signature witnessed by [redacted]

OFFICIAL - (when complete)



3.12

Statement of  
Councillor  
Waseem ZAFFAR

The local Councillor for Lozells has made a statement regarding the concerns in the area. Many residents have reported the issues and this includes the quality of life in Lozells and other surrounding areas. Street drinkers gather in large groups and cause anti-social behaviours which lead to violence. Another major concern raised has been around aggressive beggars who sit outside local businesses on Lozells Road and harass customers. Many also beg on busy junctions and harass drivers. There have also been complaints around fly tipping where rubbish is dumped and is a health and safety concern and cause the area to look unpleasant. Drug dealing also takes place in the area which contributes to the anti-social behaviour in the area. HMOs have also been a concern due to residents there taking part in criminality which affects those living in the vicinity. The Councillor has also witnessed the above behaviours after 11 years in the role and supports the PSPO application.

BWL/A,  
BWL/B,  
BWJC 08/07/2022 Councillor

3.13

Statement of  
Rakesh SONI

The witness is currently the manager of the Soho Road BID (Business Improvement District) Believes a PSPO for the area would be good as there is everyday ASB occurring. Daily basis large groups of males and females standing around drinking alcohol. BID engage with these groups to encourage them to stop drinking and they refuse and more often swear and abuse them. Other times they have physically confronted staff and staff have been assaulted before. PSPO would help combat this and would help attract less drinkers and beggars to the area. People loitering waiting for drugs by Handworth Library. Street drinkers hanging around corners and shouting abuse at passers and often fighting with each other. School and residents passing through. Beggars can be aggressive if you do not give them money. Some walk up and down the traffic on Holyhead Road and Rookery Road, Soho Road. Only a matter of time before somebody gets hurt. Prostitution is a huge problem and this is all times of the day. Mainly hang out on Stafford Road, Ivy Road and back of the Job Centre, condoms and needles lying round. People should feel safe coming into Soho Road, there is a lot of businesses and places to eat but the amount of street drinker, drug users and prostitutes are putting people off. Alcohol free zone would be good.

BWL/B/BW  
JC 08/03/2022 Business-  
BID



3.9	<p>Statement of Police Community Support Officer Andrew DOHERTY</p>	<p>The officer is a local neighbourhood PCSO. He gives evidence within his statement outlining the problem of public place drunkenness within the PSPD area. He specifically outlines the persistent issues of groups of individuals drinking alcohol within bus shelters. He also describes issues around persistent street beggars harassing members of the public for money. He notes that the local community feel unsafe and have been caused distress by the conduct of those engaging in such behaviour.</p>	<p>BWLA, BWL B, BWJC 28/02/2021</p>	<p>PCSO Officer</p>
3.10	<p>Statement of Police Community Support Officer Abdul WAZIR</p>	<p>The officer is a local neighbourhood PCSO on the Soho Road Team. Over the past few months working on the Soho Road has been challenging. Constant ASB which includes begging, street drinker, drug users, prostitution. Still receiving complaints from local residents/shops about these concerns. Whilst on foot patrol I see alcohol abuse and begging by the traffic lights on Holyhead Road and at the lights by Rookery Road. Walking up and down holding a empty cup. Try to help them but they do not want to know. A part of Lodge Road attracts street drinker and parties here (reports of 150 plus people). Vehicle blocking roads, drug taking and loud music is rife, resulting in large amount of rubbish. This is next to a care home.</p>	<p>BWJC 24/03/2022</p>	<p>PCSO Officer</p>
3.11	<p>Statement of Councillor Mahmood HUSSAIN</p>	<p>The statement is from a local Councillor regarding the decline in the quality of life for Birchfield, Handsworth and Lozells. Many residents have made contact with the councillor regarding the various, these include: street drinkers, drug dealing, fly tipping and an increase HMOs. The Councillor has served since 1996 and witnessed many of the issues on a daily basis and is in support of the PSPD.</p>	<p>BWLA, BWL B, BWJC 18/07/2022</p>	<p>Councillor</p>



OFFICIAL - (when complete)

MG11

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. URN Statement of [REDACTED]

Age if under 18 Over 18 (if over 18 insert 'over 18')

Occupation BID Chairman

This statement (consisting of 2 pages) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: (witness) [REDACTED]

Date

11/3/22

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a director of Balu Travel Ltd located on Soho Road, Handsworth, I am also the chairman of the Soho Road BID (Business Improvement District).

My family business has been on Soho Road for over 60 years and I believe currently the area is at it's worse I have ever known. Soho Road and the area surrounding it suffers from excessive ASB (anti-social behaviour) there are many HMO's (House of multiple occupancy) in the area and unfortunately this appears to attract a lot of issues.

Begging has increased and you will always see beggars in the area, they sit outside shops, at traffic lights on the road and can be quite abusive and intimidating. I know for a fact they take advantage of the good nature of shoppers visiting the area who will give them change and face abuse if refuse.

Prostitution has increased immensely and runs throughout the day and not just the evening, you can see Prostitutes waiting on corners from Holyhead Road right down the length of Soho Road, morning, day and night.

One of the biggest issues that needs addressing is street drinking, groups of 10-20 persons are gathering on the road, Waverhill Park, outside the Library drinking and causing ASB, some people consider the area a 'no go zone' this has affected my business and other businesses in the area, it also has an affect on my wellbeing and health.

Signature

03/2016

Signature witnessed by

OFFICIAL - (when complete)




OFFICIAL - (when complete)

MG11

Crime No. 


URN 

  
Statement of Manjeen BALU


I am fed up of seeing so many drunk / drugged up people in the area, the area should be a welcoming place for families and persons from all over to come visit but unfortunately they come and see drunks, drug dealers and users, people fighting and prostitutes.

I am fully supportive of a Public space protection order for the area, if this does not go ahead I fear I will have no choice but to consider closing my 60 year old business.



Signature 

03/2016

Signature witnessed by 

OFFICIAL - (when complete)



3.17  
Statement of  
Witness 3

The statement is anonymous and the individual did not wish to identify themselves. The witness would like to mention issues which cause concerns for the safety of students and staff at King Edwards Boys School on Grove Lane. These being drunks, beggars, drug dealers, gang members and prostitutes. Staff have witnessed all of these people. They have been a few incidents that has affected students. Here are few incidents that has been reported to the Police. Student attended DFC Chicken on Soho Road for food and then has left and gone down Union Row where has been approached by a male. The male has asked him if he knew somebody from his school, then asked if he had a iPhone. The male has then gripped and searched the student removing his iPhone and asked for the Pln. Male has threatened the student and informed that he would stab him if he did not provide it and left with the iPhone. Another incident where a student was walking home from school with friends when was approached by 7-8 males who persisted to antagonise the student and pushed him to the chest. Another day a larger group approached the same student and started recording the student. The main offender squared up to the student and called him a racially name and punched the student to the left side of his face and jaw. Witness has seen a drunken man collapsed opposite the school, distressing other students. Final concern is parking where people park on the pavement which partially blocked the school gate and is a fire escape at the school. Witness wants the school to be safe and welcoming and has been instances when parents have raised concerns. School are in the process of installing some cameras at the front of the school to provide extra surveillance and safe guard the students and staff at a financial cost.

BWLB 16/06/2022 Business /  
School

3.18  
Statement of  
Leon THOMAS

The statement is provided by a Security Officer for the Soho Road Health Centre and has worked there for 14 years. There are people outside on Soho Road who just stand around drinking alcohol and drug dealing. Witness see these people around at all hours of the day. See beggars sat down on the road at the entrance of the Health Centre, not good for patients visiting.

BWJC 04/02/2022 Business

3.19  
Statement of  
Arfan PATEL

The witness is a business manager at Lidl Supermarket on the Soho Road. Witness has seen on regular basis shoplifters that they believe live in and around Soho Road. Loads of HMO's where the people from there are begging, drinking alcohol and smoking drugs. Females who stand on the Soho Road traffic lights and look at stationary vehicle, witness is sure they are prostitutes and are not shopping. Very much support the PSPO as clearing up the ASB will help people visiting the area.

BWJC 05/02/2022 Business



3.20

Statement of  
Manjee BALU

The witness is a business owner of Balu Travel on the Soho Road and is the chairman of the Soho Road BID (Business Improvement District). This is a family business for over 60 years and currently the area is at it's worse. Soho Road and the areas surrounding suffers from excessive ASB, there are many HMO's in the area and unfortunately this appears to attract alot of issues. Witness has seen an increase in begging, they sit outside shops, traffic lights on the road and can be quite abusive and intimidating, they take advantage of the good nature of shoppers visiting the area. Prostitution has increased immensely and runs throughout the day not just evening, seen them on Holyhead Road and the lenght of Soho Road, morning, day and night. One of the biggest issues is street drinker in large groups of 10-20 people gathering on the road and Waverhill Park, outside the library and causing ASB. All these issues are effecting my business and other businesses in the area, also effected on their wellbeing and health. Fed up seeing drunks / drugged up people in the area and should be a welcoming place for families from all over to come and visit. Support the PSPD as I fear if this does not go ahead will have no choice but to consider closing their business after 60 years.

BWJC 11/03/2022 Business

3.21

Statement of  
Manjit Singh GILL

The witness is a business manager at Watville Road Post Office and convenience store based on Holyhead Road. Witness is also a security guard manager for the Soho BID (Business Improvement District). Witness has worked in the store for over 10 years and is concerned in the growing numbers of ASB in the Handsworth area. Witness has customers that are scared or fearful coming into the shop due to the amount of beggars that hang around. These beggars can be really aggressive and will shout at you if you do not give them any money. This is not good for the customers and has witnessed this numerous times. Witness has seen a increased of groups gathering on corners and are drinking alcohol, they hang out on Watville Road, Holyhead Road and other junctions on the Soho Road, outside the library, Waverhill Park and Nineveh Road, seem to be everywhere. Another big issues is Prostitutes are seen all the time now, any time of the day and night. These are also drinking or high on drugs. Bus stops often used by people to take drugs or just to sit and drink. This is only going to get worse and lives are being affected such as businesses closing down or somebody getting hurt.

BWJC 07/03/2022 Business



OFFICIAL – (when complete)

MG11

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B

Crime No. URN Statement of [REDACTED]

Age if under 18 Over 18 (if over 18 insert "over 18")

Occupation [REDACTED]

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature [REDACTED]

Date 07/03/22

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

[REDACTED] we are based [REDACTED] Handsworth. I am also [REDACTED]

I have worked [REDACTED] and I am concerned about the growing number of Anti-Social-Behaviour (ASB) in the area of Handsworth.

I am hearing from my customers that they are scared or fearful of coming to the shop, this is due to the amount of beggars that hang around the area, some of these beggars can be really aggressive, they ask for money and some will swear at you or follow you shouting abuse if you refuse, this is not good for customers attending my shop, the beggars are often drunk, I have witnessed this myself.

I have seen myself an increase of groups gathering on corners, they are more often than not drinking from cans of alcohol or bottles, they hang around near Watville Road, and other junctions off Holyhead Road/ Soho Road, you see people drinking all down Soho Road though, I have seen groups round by the library, Waverhill Park and Nineveh road, they seem to be everywhere, it's not good for the area.

Prostitutes are seen all times of day and night, often these are also drinking or high on drugs, bus stops are often used by people to take drugs or just sit in and drink.

I would support a Public Space Protection Order as the problems I believe will only get worse and lead to

Signature [REDACTED]Signature witnessed by [REDACTED]

03/2016

OFFICIAL – (when complete)



OFFICIAL - (when complete)


MG11

Crime No.


URN

Statement of ~~the victim~~ ~~the witness~~ ~~the complainant~~

lives being affected such as businesses closing down or somebody getting hurt.

Signature 

03/2016

Signature witnessed by 

OFFICIAL - (when complete)



3.22

The witness is a employee for the Care Home on Lodge Road that cares for vulnerable people with mental health issues and has worked there for over 10 years and has been aware of the ASB. They state in their evidence the Increasing issues of the road appears to be a public gathering area for people to smoke cannabis and drink alcohol, mainly tend to be older Jamaican males. Problem is worse in the summer and play loud music at night and seems to be coming from a place called N's unisex salon which is opposite the care home. Large amount of noise in the street, numerous cars parked everywhere blocking the road. These parties can start at 6pm and go on until after 4am, litter everywhere as well as needles. It is not nice if you want to pop into the shop as I can see people feel intimidated. I would not like to live here. There are poorly people where I work and it is not nice for them to live here. Staff has had abuse given to them by the males hanging around.

BWJC 24/03/2022 Business / employee

3.23

The witness is a shopkeeper on the Lozells Road, Lozells, Birmingham. He outlines in his statement dealing with drunken individuals who are outside his store throwing glass bottles and fighting with one another. He states members of the public will buy alcohol from his store, drink outside the front and discard the same on the floor. He has to call the police regularly to deal with the issues. He has also had children attending stealing from his store and swearing at him causing him nuisance. He states drunken individuals are scaring off other customers and the situation is becoming worse.

BWLB 25/06/2022 Business

3.24

Within the witnesses statement they document being a business owner on Wellington Road. They have been a business owner within the PSPO area for over twenty years. They document individuals regularly smoking cannabis outside their store, women loitering outside acting in a suspicious manner causing him to suspect that they are prostitutes, he also witnesses people drug dealing in the area. He states that the anti-social behaviour is impacting his business in a negative manner and is affecting his customers. He states that his customers feel unsafe due to the anti-social behaviour.

BWLB 20/06/2022 Business



The witness is a business owner on the Wellington Road and wishes to remain anonymous due to the fear of reprisals. The witness describes suffering for a number of years being plagued with individuals congregating every morning from 11:00hrs drinking alcohol outside her business.

BWLB 19/06/2022 Business

They aggressively beg and act in a hostile manner towards customers. They act in a disorderly manner, swear at people and litter outside the shops. There are individuals who smoke cannabis regularly outside the shops, the witness describes them as extremely persistent and the shop owner does not know how they can deal with this behaviour any longer.

The statement is provided by a business owner who has run a shop on the Albert Road, Handsworth. The witness documents the large degree of flytipping which occurs in the area, the unpleasant smell it causes and the attraction of vermin. The fly tipping is affecting their business and putting off customer coming to the area.

BWLB 16/06/2022 Business

The witness manages a gaming shop on ROOKERY ROAD and describes how anti-social behaviour has affected the life of local businesses and residents. She describes persistent issues with street drinkers who stand outside her store who loiter in groups from 07:00hrs. She describes them acting in an anti-social manner and being a nuisance to passers-by. She describes individuals playing loud music from vehicles, obstructing footpaths and restricting access. The witness also describes the amount of rubbish in the local area, it causing obstructions on the footpath and making the area unpleasant.

BWLA 13/06/2022 Business

This witness owns and runs a grocery store on Grove Lane which is within the PSPO area. They complain of anti-social behaviour which takes place on a daily basis which includes sex workers approaching his customers outside his store and also speaking to kerb crawlers. The witness has observed drug users congregating and taking part in what appears to be drug users making exchanges with drug dealers. They also comment that the drug dealers attracting the drug users go onto commit crimes and engage in further anti-social behaviour. The witness has noticed an increase in street drinkers who engage in drinking alcohol from the early morning into the late evening who swear and fight in public whilst school children are making their way home. They have also experienced intimidation from large groups of youths.

BWLB, BWJC 29/05/2022 Business



3.29



The witness runs a bakery on Soho Road who documents a decline in the area as a result of anti-social behaviour taking place on a daily basis. The have witnessed individuals having sex at the rear of the shop associated with the sex trade which occurs throughout the day. The complain about a large degree of fly tipping and rubbish in the area along with concerns of individuals drinking on the footpath. They describe drunk individuals swearing, fighting and being a general nuisance. They also highlight issues with street begging and also drug users openly taking drugs in public. The behaviour complained of is causing the witness distress and the decline of their business.

BWLB,  
BWJC 31/05/2022 Business

3.30



The witness documents in his evidence that he owns a business on Holly Road, Handsworth and he quality of life has declined as a result of anti-social behaviour. He has ran his store since 1985 and describes life becoming unbearable. The witness describes anti-social behaviour being caused by street drinkers and drug addicts. He has observed individuals drinking alcohol all day and night and fighting in the street due to the state of their intoxication and has seen them acting in this manner in front of school children. He documents individuals persistently begging and harassing people for money on the footpath and to passing cars. The witness also describes the issues and anti-social behaviour associated with the sex industry which takes place nearby. The witness describes the effect that the anti-social behaviour has on nearby locations such as Handsworth Park and notes that the area is in decline.

BWLB 01/06/2022 Business

3.31





Statement of  
Witness 1

The statement is anonymous and the individual did not wish to identify themselves due to fear of reprisals. The witness is a business owner who wishes to document how antisocial behaviour has diminished their quality of life. They have ran a business for over twenty seven years in the local area; they describe individuals pestering pedestrians and motorists and exposing wounds in order to curry sympathy for money. The individual describes that the begging is organised and causes harassment to local people. The business owner also describes the persistent issue with sex workers and the anti-social behaviour attracted by this industry. They document paraphernalia associated by the industry such as condoms being discarded nearby in public places.

BWLB 11/06/2022 Business

They also complain of street drinking and the behaviour of drunk individuals who fight one another and do so in front of families with their children.



3.32		<p>The statement concerns a resident of Handsworth and the landlord of a local business, areas of concerns include Wellington Road and Wood Lane. Issues that raised include drug users, drug dealing and the detrimental impact this has on the area and business. Street drinks are also common in the area and this can lead to violence. Residents are also affected by this behaviour, especially with concerns for personal safety. The business suffers as this impact customers who see the behaviour and the impressions they are left with. Quality of life is highlighted as concern and the ways this has worsened. There are also issues around flytipping which makes the area unappealing and causes safety concerns. There are also concerns around the Increase of HMOs that have opened up that house many of the individuals involved in criminality and anti-social behaviours.</p> <p>A statement of evidence is provided by the manager of a food stor on Rookery Road who . complains about anti-social behaviour consisting street drinkers engaging in poor behaviour and making a nuisance of themselves towards passing members of the public. Their behaviour causes customers to feel unsafe and is causing a loss of business. The witness also complains of anti-social use of vehicles and notes the large amount of litter and rubbish being disposed of in public places and footpaths.</p>	BWLA	28/06/2022	Resident/ Business
3.33		<p>The witness is a manager of an estate agency on Rookery Road and documents the declining quality of life in the area as a result of anti-social behaviour. They report concerns regarding the anti-social use of vehicles and inconsiderate parking at the location. They also complain regarding groups of street drinkers consuming alcohol outside of the business and loitering in an intoxicated manner in bus stops. They also complain about rubbish and the amount of litter disposed of and discard in the street.</p>	BWLA, BWLb	17/06/2022	Business
3.34		<p>Evidence is provided by the witness who is an employee of a business on Rookery Road, Handsworth. They state in their evidence the increasing issue of individuals drinking alcohol in a public place obstructing pavements, making noise and being disruptive. They describe the behaviour as negatively impacting the nearby businesses and customers coming to the store.</p>	BWLA, BWLb, BWJC	17/06/2022	Business
3.35			BWLA	09/06/2022	Business



3.36	Statement of [REDACTED]	Witness is a business owner on Rookery Road and complains of individuals drinking alcohol regularly outside his business and causing anti-social behaviour. He describes individuals loitering for long periods of time drinking affecting his customers who feel uneasy attending the location due to their presence and behaviour.	BWLA	08/06/2022	Business
3.37	Statement of [REDACTED]	<p>The witness is a shop keeper on Rookery Road and he documents the increasing anti-social behaviour in the area, he notes groups of individuals gathering, loitering next to vehicles and playing loud music. He has noticed an increase in litter and individuals dumping rubbish at the roadside. He highlights issues with intoxicated individuals drinking alcohol loitering on footpaths, harassing passers-by and being a nuisance. The witness concludes that the behaviour is having a detrimental effect on his business.</p> <p>A statement has been provided by the business owner who is the proprietor of an electronics shop Lozells Road. He complains of witnessing persistent drug dealing with groups loitering awaiting for drug dealers to arrive. He describes alcohol containers such as whiskey bottles and beer cans being discarded in the street by street drinkers who congregate outside his shop. He complains further of the conduct of street drinkers who are rowdy, scream loudly in the street and stumbling over the public footpath. He also highlights issues of noise relating to quad bikes. The witness describes the detrimental impact that the anti-social behaviour has on his life and business.</p>	BWLA	07/06/2022	Business
3.38	Statement of [REDACTED]		BWLB	12/05/2022	Business
3.39	Statement of [REDACTED]	The witness runs a shop on Villa Road and provides evidence complaining of drug dealing and drug smoking. He gives evidence that large intimidating groups hang around outside the front of the shop who smoke drugs and intimidate his customers. The witness describes that the other shop owners are suffering as a result and are frightened to report matters to the police. He also describes groups of individuals drinking alcohol who remain at the location swearing, fighting and urinating in the street whilst children are present.	BWLB	05/05/2022	Business



The witness has lived within the PSPD area for over forty years. He is a landlord for a number of residential premises which he runs. He gives evidence that there is persistent drug dealing taking place on the Villa Road and individuals constantly drinking alcohol at the location who engage in anti-social behaviour. He describes the drinkers as harassing passing pedestrians for money, he documents the behaviour of a number of individuals who position themselves on the footpath to beg and act in an aggressive manner. The witness states he is scared to walk the streets due to the fear of being a victim of crime.

Statement of [REDACTED]

3.40

BWLB 03/05/2022 Business

The individual wishes to remain anonymous as a result of fear of reprisals. They state that they are a business owner on Church Vale, Handsworth and have been in the area for over twenty years. The witness documents anti-social behaviour caused by individuals consuming drugs and alcohol in the local area. The witness has observed piles of bottles and alcohol containers left up the front of his shop. The behaviour of these individuals is causing him to lose customers, impacting his business financially and is impacting on his family.

Statement of [REDACTED]

3.41

BWLB 18/06/2022 Business

The witness documents in his evidence reports of drug dealing on VILLA ROAD near the Post Office. Young dark skinned male handing out drugs from his waistband. Witness see this activity occurring everyday between 5pm and 12pm. Witness saw this male gave a white male some small packages from his waistband and no money was given. There is a group of 3 dark skinned males all wearing black with hoods up hanging around this location all the time. Witness does not interact with these males. They are dealing outside the cash machine on VILLA ROAD outside Post Office. Witness will not attend the Post Office due to feeling scared of these groups.

Statement of [REDACTED]

3.42

BWLB 18/06/2022 Business

The witness wishes to keep his business anonymous but discloses that his premises is located on CROMPTON ROAD. The witness describes his anger at the use of nitrous oxide gas canisters which are being consumed in a public place and discarded causing damage to customers car tyres leading to replacement. He describes having to clean up the metal canisters on a weekly basis due to their anti-social use. He also comments on the general discarding of litter and bulk waste in the local area.

Statement of [REDACTED]

3.43

BWLB 25/06/2022 Business



The resident lives within the vicinity of Lozells and have lived there for approx 25 years. Witness people throwing empty bottles and cans in resident front yard which has to be cleaned up by the residents. Villa Road has a alleyway leading to a takeaway shop where individuals have parties on a weekly basis. Loud noise from the music and people drinking. Clearly engaging in drug dealing. They are all Black males and I think, possibly Ethiopian or Sudanese. Dealing packages out of the alleyway where they appear to recover stashed drugs to deal. Males are a nuisance to residents and is frustrating nothing is done about this. Resident has seen drug dealing on the road next to George Park. Street drinking is a major issues since the local pub closed and this is ruining the local area. Resident child has made comments about being ashamed of where he lives and this is not nice to hear.

Statement of [REDACTED]

3.44

BWLB 18/06/2022 Resident

A resident of Wills Street has provided evidence of anti-social behaviour affecting her quality of life, the witness explains that they live near Georges Park and quad bikes attend the location and ride around causing a disturbance. They document aggressive begging in the locality specifically near to Hamstead Road and Villa Road. The witness describes a group of males who persistent smoke drugs and drink alcohol in the bandstand. They comment on the amount of litter being discarded and notes that nitrous oxide gas canisters are being discarded. They describe that the local area is declining rapidly.

Statement of [REDACTED]

3.45

BWLB 20/06/2022 Resident

The resident lives in the area of Villa Street, they comment about issues with beggars, street drinkers and individuals loitering in the Georges Park getting intoxicated. They state that there are groups of drug dealers who congregate making drugs exchanges. They list many issues of anti-social within the park particularly around groups of men drinking and leaving litter behind in the bandstand.

Statement of [REDACTED]

3.46

BWLB 20/06/2022 Resident

The witness is a Lozells resident and comments on the large amount of drug dealing which happens at all hours. They note groups who pull up in vehicles near to Georges Park and throw litter out of cars, they also note that groups congregate in the bandstand drinking alcohol and smoke drugs. The witness describes the impact the situation is having on their life and the impact on their family.

Statement of [REDACTED]

3.47

BWLB 20/06/2022 Resident



The resident lives within the vicinity of Georges Park. Experiencing issues with people taking drugs / drinking in the park. Vehicles speeding past in the area where children regularly play. Asian youths and somalian selling drugs. Children witnessing this happening. Happening daily from the early evening onwards. Loads of drug paraphernalia such as needles. The youths are drinking alcohol at all times of the day. The resident and fellow community are scared of letting our children go into the park unattended. Speeding vehicles are seen on Wills Street which is next to the Park. This has left the resident terrified of letting his children leave the house on their own as these cars appear out of nowhere and won't stop if they hit someone. Closing off the road on Wills Street would help tackle the issues.

Statement of [REDACTED]

BWLB 19/06/2022 Resident

3.48

The resident lives within the vicinity of George Park and has lived at the address for 9 years with his family. Numerous occasion large groups of middle aged men and youngsters gather by the bandstand and skate area. They tend to drink excessively and play loud music and sometimes a smell of cannabis. This occurs at different times of the day and night. Resident family stay away from the area fearful of what could happen.

Statement of [REDACTED]

BWLB 19/06/2022 Resident

3.49

The resident lives within the vicinity of George Park and is concerned with the Anti Social Behaviour in the area around the park and the general area. On several occasions middle age men Asian/Black gather by the band stand and skating area drinking and smoking which believe to be cannabis. Resident has complained to the council about loud noise from the park in the past. The behaviour is upsetting the resident family and as a result are staying away from the park.

Statement of [REDACTED]

BWLB 19/06/2022 Resident

3.50

The resident lives within the vicinity of George Park and has lived at this address for 8 years with family. Witnessed Anti-Social behaviour in the park and also outside his address. The incidents involved are Black and Asian men / boys who gather by the bandstand and the small parking area and drink and smoke cannabis. This is happening mainly evenings and nights and a result of this the resident is staying away from the park/

Statement of [REDACTED]

BWLB 19/06/2022 Resident

3.51



3.52	Statement of [REDACTED]	The resident lives within the vicinity of Georges Park, they report individuals acting in an anti-social manner congregating drinking alcohol and discarding drug paraphernalia. She observes males drinking in the park everyday who are confrontational and urinating. They also note drug use by groups late at night who keep residents awake due to the noise that they are making.  The witness resides within James Watt Drive, they are experience a high degree of anti-social behaviour which is impacting their life. On a daily basis they see groups of individuals congregating in the cul-de-sac to drink alcohol, smoke drugs who engage in intoxicated and rowdy behaviour. The resident is constantly harassed by drunks and drug users asking for money. They have seen a number of cars park up and attend the location with sex workers for the purpose of finding a location to have sex. They have witnessed public place urination and an increase of rubbish and litter being discarded.	BWLB	19/06/2022	Resident
3.53	Statement of [REDACTED]		BWLB	20/06/2022	Resident
3.54	Statement of [REDACTED]	A statement is provided by a resident of the Hamstead Road who documents a serious decline in quality of life as a result of anti-social behaviour. There are complaints of large amounts of rubbish being dumped and discarded in the local area. They have observed open drug taking in public places and street drinkers congregating and drinking alcohol in the street. The witness has identified those who are taking drugs and alcohol being groups who will engage in fighting and they have witnessed this often taking place in front of school children. The witness comments that they are in fear and do not feel safe in the area as a result of the anti-social behaviour.  A statement has been made by the witness who is a resident from the local area in the proximity of the Wellington Road who witnesses drug dealing taking place nearby for the past two years. The witness describes the locations of where the drug dealing takes place and those who are involved and the fact this behaviour takes place late into the night. The witness also complains of groups letting their dogs out of control and individuals playing loud music from stationary vehicles at the roadside.	BWLB	21/06/2022	Resident
3.55	Statement of [REDACTED]		BWLB	20/06/2022	Resident



3.56

Statement of [REDACTED]

A statement of evidence has been provided by resident who lives in the vicinity of Leslie Road who complains of issues within the street concerning anti-social behaviour. The witness takes issue with large groups of drinkers who congregate who cause disturbances and trouble members of the public. They are described as noisy, intimidating and create issues for the local shop keepers. The comment that many of the drinkers also beg from the public and it is currently an unpleasant area to live within.

BWLB

26/06/2022

Resident

3.57

Statement of [REDACTED]

This statement concerns a resident that lives on Leslie Road. The issues raised concern the decline in quality of life in the area. On a daily basis there is drug dealing, drug addicts, street drinkers and violent behaviour caused by the anti-social behaviours. There is also concerns around the litter from drinking etc that makes the area look untidy. The resident has experienced damage to their vehicle as a result of the behaviours. The resident also mentions the issues with flytipping which is a real issue as piles of rubbish are left in the Handsworth area which causes health and safety issues for residents. Noise nuisance also occurs due to the behaviour taking place into the night which affects the wellbeing of those living on the street. The resident has been impacted by this behaviour so much they have taken the decision to move properties to feel safer.

BWLB

07/07/2022

Resident

3.58

Statement of [REDACTED]

The resident lives within the vicinity of Piers Road and lives with their family and has suffered a lot with ASB. Resident often see prostitutes working outside their home and have seen them having sex in the street. Family children has witnessed this and it is not something they should have to put up with almost on a daily basis. Condoms outside the house and needles in which they have to clean up these and other litter on a regular basis. Vehicles parking up and down the street late at night playing loud music and honking their horns. Resident car has been hit and damaged a couple of times. Resident does not feel safe for their family and in their own home. Prostitutes and drug users attracts further ASB.

BWJC

07/03/2022

Resident



Statement of

3.59

BWJC 24/02/2022 Resident

The statement is anonymous and the individual did not wish to identify themselves. Individuals lives in the Lodge Road area with their family and young children. Issues they have witnessed is large groups that gather in the street and drink alcohol and smoke cannabis, making the place smell. Loud music can be heard from cars and premises on the road, keeping individual children awake at night. Younger males have thrown stones at individual window and the first night they were burgled. Knife has been found in their front garden. Summer time is worse and cars block their driveway and have to ask them to move which is intimidating. Rubbish left everywhere when these parties are happening. Not fair the family have to put up with this and hear people swearing, it is not on.

Statement of

3.60

BWJC 24/02/2022 Resident

The statement is anonymous and the individual did not wish to identify themselves. Individuals lives in the Lodge Road area with their family. The area has ASB and crime and their neighbour has been burgled and one was threatened with a machete in their own home. Numerous neighbours have had their vehicle broken into. People come into the area and smoke cannabis and drink alcohol in the street and have parties. This is happening most nights. This is intimidating and the individual does not like going outside. Witnessed large groups parties on the green space and the noise is unbearable, roads are blocked by cars and people. Fully support a PSPO.

Statement of  
Witness 2

3.61

BWL B 25/05/2022 Resident

The statement is anonymous and the individual did not wish to identify themselves due to fear of reprisals. The witness is a resident who wishes to document how anti-social behaviour is having an impact on their quality of life. Witness has lived in the Handworth vicinity for over thirty years with their family. Witness has seen a huge increase in crimes ranging from shootings and assaults and does not feel safe anymore. Has seen street drinkers on Brunswick Road and are shouting abuse at each other and end up fighting. Witness has also seen Sex workers throughout the day approaching cars and people on foot at this location. This is happening in front of children and family members. Witness has seen an increase in fly tipping. ASB has had a impact on family life as their children do not feel safe living in the area. Witness are travelling more and are taking their children out of the area in order for them to experience a better life out of the area and not get caught up in negative activities that are taking place on their doorstep. Rapid decline in the area and can not spend family time within our home, impacting mentally, physically and financially.



A statement of evidence has been provided by resident who lives in the vicinity of Murdock Road. Resident has seen a decline of quality of life in the Handsworth Area. Resident has lived in this area for over thirty four years with their family. On a daily basis there are groups of males hanging around on the streets smoking drugs and the amount of street drinkers and are very intimidating when you walk past. Always alert for potential threats. Over the years there has been a increase of HMO's that have opened up in the area. Numerous HMOs on resident road and there are always incidents taking place including fight and disorders. Resident family has been woken up early hours of the morning over the years due to these incidents. This is a huge problem around the area with fly tipping and has been reported numerous times to BCC. Resident has seen a sharp increased in the amount of street beggars that have come into the area normally on Soho Road harasing people. Resident is in fear of these beggars. This is effecting our sleep which has impacting on their general health. Resident family member has had a operation and has been out walking but fears of being assaulted or being a victim of crime. Concerned for their family and do not feel safe living in the area and once a better place to live and not always looking over their shoulders.



A statement of evidence has been provided by resident who lives in the vicinity Linwood Road and has lived here since 1994 with family. Has seen over the past few years a rapid decline in the quality of life that has taken place in Handsworth making life unbearable around the area for local residents. Resident has seen groups of males which is a mixture of adults and youths hanging around the streets mainly corner of Linwood Road and Soho Road. The group stands around and smoke drugs and has seen drug dealing. Local residents have to walk past this group to go to the local shops and this is very intimidating and is in fear of being assaulted or a victim of crime. Increased amount of street beggars that have come into Handsworth area and beg on Soho Road and harass customers who are out shopping and can be aggressive which has been witnessed on numerous occasion. Huge issues of fly tipping making the place look untidy and a unpleasant smell which is attracting rats. Resident has seen a increase in the amount of HMOs, houses where you use to see families living there are now HMOs, housing drug addicts, alcoholic and people committing crimes around the area. Resident has seen incidents outside theses HMOs where fighting and disorder taking place. Resident state street drinking is a problem and are drinking all day from morning until night causing ASB. Having to witness all the issues raised on a day to day basis is very frustrating and not pleasant when trying to raise a family. Whole family do not feel safe anymore and fear of being a victim of crime at somepoint. Want to feel safe walking around and do not.

Statement of [REDACTED]

3.63

BWLB 01/06/2022 Resident

The statement is provided by a shop worker of the Lozells ward. They wish to remain anonymous for the purpose of the statement due to the fear of reprisals. They state that they regularly see individuals openly taking and using drugs and engaging in anti-social behaviour. The complain of a large degree of litter and being confronted by drunk individuals who have been aggressive and abusive.

Statement of [REDACTED]

3.64

BWLB 18/06/2022 Resident

The statement concerns a resident from Wilmore Road who has lived at the location for around eleven years. The resident complains of anti-social noise nuisance at unsocialable hours created by large groups of youths gathering in the local area which can carry on to the early hours of the morning. They note in their evidence that the groups will be rowdy, shout abuse at passers-by. They further describe the impact this has had on their life including the fact that they are scared to leave the house unless they are in company with others due to the anti-social behaviour in the area.

Statement of [REDACTED]

3.65

BWLB 26/06/2022 Resident



The witness is a resident on Radnor Road within the Handsworth ward, they have lived at the location for over thirteen years. They state that it was a pleasant location to reside within but this has changed over time. They perceive an increase in crime and disorder, they have witnessed anti-social behaviour such as fighting, people drinking alcohol in a public place who drink from morning until the night. The street drinkers fighter and swear in public harass the public for money. There are drug users in the area who are seen purchasing drugs in the local area and introduce even more crime into the area. The witness points out that the Villa Road is a particular location when anti-social behaviour occurs. The witness is a taxi driver and confirms the issues he complains of are wide spread across the ward.

Statement of

3.66

BWLB 21/06/2022 Resident

The witness is a volunteer at a Mosque on Stafford Road. Local residents who attend and talk about these issues at this location regarding drug dealing in which witness has witnessed. People who look like they are on drugs will stand on the edge of a street and wait for a vehicle to pull beside them and a deal will take place. See the same vehicles and users. Happens early hours of the morning and late at night. Witness knows loads of dealings which happens on SOHO ROAD behind the CROSS GUNS. Beggars are a issue in the main area mainly on SOHO ROAD, they are out early morning / afternoon. Wait at traffic lights to turn red then ask for money. Could get hit by the traffic. Litter everywhere around this location. Impacting business and embarrassing to welcome residents into the Mosque, with alcohol related litter on the ground as this is against witness religion. Children attend and do not want them to see drug dealing as believe this will change the way they look at life as it is negative. Hope that something can be done to tackle the rapid decline of the area and improve quality of life for residents and local businesses.

Statement of

3.67

BWLB 19/06/2022 Volunteer at Mosque

The statement concerns a resident of Handsworth that has noticed anti-social behaviours especially on the streets of Sandwell Road. This includes vehicles parking playing loud music, vehicle occupants have also been seen consuming alcohol, drugs and nitros oxide canisters which are then discarded on the road along with drug paraphernalia. Littering is also another issue as this contributes to making the area look untidy and some of the litter presents safety concerns too. There are many groups of people and also vehicles that often loiter in the area and cause the residents concern.

Statement of

3.68

BWLA 26/06/2022 Resident



Statement of

3.69

The individual lives within the vicinity of East Handsworth and has lived in this area for 14 years. A lot of drug dealing and drinking outside resident address causing issues for the locals, which is impacting their life. Feel insecure and unhappy that family have to experience this behaviour everyday of their lives. Feel they may have weapons on them and constantly intoxicated and worried they may cause harm to resident family. This is happening different times everyday and can stay there for up to three hours. Vehicles driving around and often quadbikes causing disturbance to all residence. Effecting resident children sleep and are tired for school effecting their education. Also aggressively begging and scared they may do something if no money is given. Rubbish on the street making street dirty. If resident not at home do not let children go out of fear. All these issues are impacting life in a negative way.

BWLB

19/06/2022

Resident

Statement of

3.70

The resident lives in the area of South Road, Hockley and moved here four ages with their children. Resident does not feel comfortable in the area and this is mainly due to the amount of drinkers / males and drugs users who loiter around. Witness child saw a male completely naked in a tunnel at 0830am near Grasmere Road. Also seen a male having a poo. Horrible to walk through the tunnel and often have to walk that way towards the bus stop. It is full of drunks sat on benches making gestures and comments as you go pass them. On South Road is a corner shop and people buy beer from there and the shop closes at 10pm but even up until 0300am there are drunks walking up and own, shouting and screaming or fighting each other. Witness fears for their family safety and the oldest child works late and their employers drops her back off due to these issues. Witness is terrified and has even bought a dog incase they need to take matters into their own hands.

BWJC

07/03/2022

Resident



The witness is a active member of the Holyhead Ward Community aswell as being a member of Street Watch. Also run the Holyhead Community Action Group / Waste Clean up. Ward Champion and monitor the area regularly either by person on in a residential group. Experience numerous issues around the Soho Road and adjoining areas. Betting shop on Holyhead Road attracts number of questionable characters who drink and get drunk outside the premises and loiter for the day. This attracts drug dealers and their clients and cause trouble, their presence is intimidating. Witness has issues with HMOs who do not care much for the area. They drink first thing in the morning and see empty alcohol bottles and they also beg. The chip and whale at the top of Station Road has in the past had people that were mugged. Beggars are aggressive when asking for money, for some women or elderly this is very intimidating and have potential to turn nasty. Holyhead Road has five off licenses and a pub and a Lidl that sell alcohol, this attract crowds who gather nearby. Ongoing problems with prostitution/soliciting at top end of Crocketts Road, Station Road, Woodland Road and Clarence Road. This has attracted people including males in cars. Police remove them but they come back. The prostitutes are mainly Eastern european women and have their handlers of groups of 2-3 mens with dogs. This is really intimidating and further bring the downfall of the Holyhead Ward. Support the application of a PSPO.

Statement of [REDACTED]  
 BWJC 10/02/2022 Community Group

3.71

The statement concerns a resident from Scholars Close and has lived at the address for over 15 years. Resident has noticed that a increased in ASB aswell as crime. Quite often have seen drug deals on a regular basis. This has also lead to increase in vandalism at the playground aswell as intimidating behaviour towards residents. Resident has witnessed prostitutes around the area at night and by the morning there is alot of condoms and needles on the ground, especially outside Nishkam Primary School. Resident has witnessed abusive behaviour and language from residents that live on the hostel next to the Primary School which creates an unsafe environment for the children.

Statement of [REDACTED]  
 BWJC 06/02/2022 Resident

3.72

The statement concerns a resident from Scholars Close and is all for the PSPO to prevent the ASB getting worse. Resident uses the Soho Road to shop and feels frightened by all the groups of males and females drinking alcohol and smoking cannabis. Resident see Prostitutes getting into cars . If something is not put in place to stop these issues happening on the Soho Road, local businesses are going to suffer.

Statement of [REDACTED]  
 BWJC 05/02/2022 Resident

3.73



3.74

Statement of  
[REDACTED]

The statement concerns a resident from Scholars Close and lives there with their family. There are lots of people males and females drinking alcohol and smoking drugs. Resident is frightened when shopping on the Soho Road. Beggars asking for money. See large groups of drinkers fighting with each other holding alcohol in their hands and are quite aggressive to the public when in the shop. Resident see Prostitutes walking up and down the Soho Road and they are not shopping.

BWJC

04/02/2022

Resident



**From:**  
**Sent:**  
**To:**  
**Cc:**  
**Subject:** RE: [External]: Comms regarding Soho Rd dispersal order

Hi

As follows "Following a number of recent complaints regarding anti-social behaviour, intimidating behaviour and disorder linked to the consumption of alcohol in public places a Dispersal Order under s34 Anti-Social Behaviour, Crime and Policing Act 2014 has been granted from Friday 10am on 26/05/2023 until 10am on Sunday 28/05/2023, a period of 48 hours. The area is identified by the map below and centres around Waverhill Park, Handsworth Library, Soho Road with Linwood Road and Barn Lane. Under this power officers in uniform can disperse any individual they are satisfied has committed or is likely to commit anti-social behaviour from the specified area for up to 48 hours as well as require the individual to surrender any item that has or is likely to cause anti-social behaviour. Failure to comply with either direction to leave or surrender an item is a criminal offence."

