

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee B</b>
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Tuesday 16<sup>th</sup> January 2018</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Variation</b>
<b>Premises:</b>	<b>Mini Express Convenience Store, 1162 Stratford Road, Hall Green, Birmingham, B28 8AF</b>
<b>Ward affected:</b>	<b>Hall Green</b>
<b>Contact Officer:</b>	<b>Shaid Yasser, Senior Licensing Officer, 0121 303 9896 <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### **1. Purpose of report:**

To consider a relevant representation that has been made in respect of an application to vary the Premises Licence which seeks to extend the hours for the Sale of Alcohol (for consumption off the premises), to operate from 06:00am until 02:00am (Monday to Sunday).

Premises to remain open to the public from 06:00am until 02:00am (Monday to Sunday).

### **2. Recommendation:**

To consider the representation that has been made and to determine the application.

### **3. Brief Summary of Report:**

Variation application received on 22<sup>nd</sup> November 2017 in respect of Mini Express Convenience Store, 1162 Stratford Road, Hall Green, Birmingham, B28 8AF.

A representation has been received 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:**

Sellathamby Manivannan applied on 22<sup>nd</sup> November 2017 to vary the Premises Licence for Mini Express Convenience Store, 1162 Stratford Road, Hall Green, Birmingham, B28 8AF.

A representation has been received from other persons which is attached at Appendix 1.

The application is attached at Appendix 2.

The current Premises Licence is attached at Appendix 3.

Site Location Plans at Appendix 4.

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:**

Copy of the representation is detailed in Appendix 1

Application Form, Appendix 2

Current Premises Licence, Appendix 3

Site Location Plans, Appendix 4

## **7. Options available**

To grant the variation application

To refuse the whole or part of the application

To modify the conditions of the Licence

## Appendix 1

Entered by

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**From:** Councillor Liz Clements  
**Sent:** 20 December 2017 19:53  
**To:** Licensing  
**Subject:** premises application 104623 (extension of opening hours) - objection

Dear Licensing Team

**Re Premises Application 104623 (extension of hours): Mini Express, 1162 Stratford Road, Hall Green**

As a Hall Green ward councillor, I am objecting to application 104623. My objection is on the basis of the licensing objective to prevent public nuisance. This premises is already open from 6am until 11pm, and is seeking an extension of its trading hours until 2am.

I believe that this extension of trading hours is excessive for a premises which, while it is located on a retail parade, is in the middle of a residential area. I am concerned that there will be an increase of traffic and noise as patrons enter and exit the shop in the early hours of the morning. This is likely to result in noise nuisance for residents in the flats over the parade and in surrounding side streets eg Green Road and Cateswell Road.

Hall Green Parade is an area of Hall Green which the council and local councillors are trying to improve in partnership with traders and local residents. Much effort has gone into reducing littering and tackling nuisance parking, and to tackling the proliferation of fast food outlets. I am concerned that the extension of opening hours for this premises could have a negative impact and risk undermining the progress made thus far.

Liz Clements  
Hall Green ward cllr

## Appendix 2

 Birmingham City Council	<b>Birmingham</b> <b>Application to vary a premises licence</b> <b>Licensing Act 2003</b>	For help contact <a href="mailto:licensingonline@birmingham.gov.uk">licensingonline@birmingham.gov.uk</a> Telephone: 0121 303 9896
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\* required information

<b>Section 1 of 18</b>		
You can save the form at any time and resume it later. You do not need to be logged in when you resume.		
System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	422	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on behalf of the applicant?		
<input checked="" type="radio"/> Yes <input type="radio"/> No		
<b>Applicant Details</b>		
* First name	Seillathamby	BC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED
* Family name	Manivannan	REF NO Include country code. INITIALS
* E-mail		
Main telephone number		
Other telephone number		
<input type="checkbox"/> Indicate here if the applicant would prefer not to be contacted by telephone		
Is the applicant:		
<input checked="" type="radio"/> Applying as a business or organisation, including as a sole trader <input type="radio"/> Applying as an individual		
A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.		
<b>Applicant Business</b>		
Is the applicant's business registered in the UK with Companies House?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Note: completing the Applicant Business section is optional in this form.		
Is the applicant's business registered outside the UK?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Business name	Mini Express	
VAT number	-	None
If the applicant's business is registered, use its registered name.		
Put "none" if the applicant is not registered for VAT.		

**Continued from previous page...**

Legal status	Sole Trader		
Applicant's position in the business	Owner Manager		
Home country	United Kingdom	The country where the applicant's headquarters are.	
<b>Applicant Business Address</b>			
Building number or name	1162	If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.	
Street	Stratford Road		
District			
City or town	Hall Green		
County or administrative area	Birmingham		
Postcode	B28 8AF		
Country	United Kingdom		
<b>Agent Details</b>			
* First name	Nira		
* Family name	Suresh		
* E-mail			
Main telephone number		Include country code.	
Other telephone number			
<input type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone			
Are you:			
<input checked="" type="radio"/> An agent that is a business or organisation, including a sole trader		A sole trader is a business owned by one person without any special legal structure.	
<input type="radio"/> A private individual acting as an agent			
<b>Agent Business</b>			
Is your business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	09036487		
Business name	ARKA LICENSING CONSULTANTS LIMITED		If your business is registered, use its registered name.
VAT number	-	None	Put "none" if you are not registered for VAT.
Legal status	Private Limited Company		

**Continued from previous page...**

Your position in the business	Licensing Agent	
Home country	United Kingdom	The country where the headquarters of your business is located.
<b>Agent Registered Address</b>		Address registered with Companies House.
Building number or name	B003 Trident Business Centre	
Street	89 Bickersteth Road	
District		
City or town	London	
County or administrative area		
Postcode	SW17 9SH	
Country	United Kingdom	

#### **Section 2 of 18**

##### **APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number 4652/11

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

Address  OS map reference  Description

##### **Postal Address Of Premises**

Building number or name	1162
Street	Stratford Road
District	
City or town	Hall Green
County or administrative area	Birmingham
Postcode	B28 8AF
Country	United Kingdom

##### **Premises Contact Details**

Telephone number

**Continued from previous page...**

Non-domestic rateable  
value of premises (£)

10,000

**Section 3 of 18**

**VARIATION**

Do you want the proposed  
variation to have effect as  
soon as possible?  Yes  No

Do you want the proposed variation to have effect in relation to the  
introduction of the late night levy?

Yes  No

You do not have to pay a fee if the only  
purpose of the variation for which you are  
applying is to avoid becoming liable to the  
late night levy.

If your proposed variation  
would mean that 5,000 or  
more people are expected to  
attend the premises at any  
one time, state the number  
expected to attend

**Describe Briefly The Nature Of The Proposed Variation**

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

This is a local convenience store run responsibly by current owner over 6 months. This is a store established to support customers who need to shop late at night due to their work commitment during day hours and late evenings.

The store initially applied for to open until 2am, however it has amended the hours to address concerns raised by few residents. The store now work closely with many local residents and they are happy. The store sells food, grocery, soft drinks, household items etc. Alcohol form part of the business amount less than 20% of overall business.

The store was newly fitted with good lighting system, CCTV etc

**Section 4 of 18**

**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to  
vary is successful?

Yes  No

**Section 5 of 18**

**PROVISION OF FILMS**

See guidance on regulated entertainment

*Continued from previous page...*

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes  No

**Section 6 of 18**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes  No

**Section 7 of 18**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes  No

**Section 8 of 18**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes  No

**Section 9 of 18**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes  No

**Section 10 of 18**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes  No

**Section 11 of 18**

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

See guidance on regulated entertainment

*Continued from previous page...*

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes  No

**Section 12 of 18**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes  No

**Section 13 of 18**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes  No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

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

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

**SATURDAY**

Start

End

Start

End

**Continued from previous page...**

**SUNDAY**

Start

End

Start

End

Will the sale of alcohol be for consumption?

On the premises

Off the premises

Both

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

State any seasonal variations.

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

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

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

**Section 14 of 18**

**ADULT ENTERTAINMENT**

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

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

**Section 15 of 18**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

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

*Continued from previous page...*

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

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

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

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

*Continued from previous page...*

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

I have enclosed the premises licence  
 I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

#### **Section 16 of 18**

#### **LICENSING OBJECTIVES**

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

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

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

The store has been operating responsibly over 6 months and it serves customers who shops after their evening shifts work, on the way home etc. It serves responsible customers at night. The main purpose of this store is to make late night shopping convenient for local customers.

b) The prevention of crime and disorder

#### **THE FOLLOWING CONDITIONS ARE ALREADY IN PLACE**

1. A CCTV recording system shall be installed that is compliant with, and capable of, capturing an image of evidential standard.
2. All CCTV recordings shall be maintained for a minimum of thirty-one (31) days with date & time-stamping. Cameras shall be installed so as to cover both internal and external areas of the premises.
3. Staff shall be fully trained in the operation of the CCTV system and there shall be at least one member of staff on duty during trading hours who is able to provide copies of CCTV recordings to the Police and authorised officers of the Local Authority.
4. All staff shall be instructed to record in an incident book/register all incidents of crime and disorder occurring at the premises, and details of any occasion when the police are called. These records shall include the time and date of any incident and the identities of staff members involved. The incident book/register shall be made available for inspection by Police and authorised officers of the Local Authority upon demand.

c) Public safety

The store will follow health and safety and fire safety law. It will adhere to the group general policy and procedures in this area.

d) The prevention of public nuisance

The premises maintain the place clean and tidy all time.

*Continued from previous page...*

e) The protection of children from harm

1. The "Challenge 25"/"Think 25" proof of age scheme shall be operated at the premises. All customers who appear under the age of 25 will be challenged to prove that they are over 18 when attempting to purchase alcohol. Acceptable forms of ID include a photo driving licence, passport, or home office approved identity card baring the holographic 'PASS' mark. If the person seeking alcohol is unable to produce an acceptable form of identification, no sale or supply of alcohol shall be made to or for that person.

2. All staff shall be trained in the law about the sale of alcohol. Such training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, acceptable forms of ID and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every six months. The training log will be made available for inspection by Police and authorised persons.

3. A refusals log must be kept at the premises and made immediately available on request to the police or an authorised person. The refusals log shall be inspected on a monthly basis by the DPS and noted in the log, and a record made in the log of any actions that appear to be needed to protect young people from harm. The log must record all refused sales of alcohol and include the following:

- a) the identity of the member of staff who refused the sale;
- b) the date and time of the refusal;

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

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

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

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

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

**Section 18 of 18**

**PAYMENT DETAILS**

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

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

To find out a premises non domestic rateable value go to the Valuation Office Agency site at <https://www.tax.service.gov.uk/business-rates-find/search>

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00\*

Band E - £125001 and over - £635.00\*

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

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

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

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

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

Capacity 5000-9999 - £1,000.00

Capacity 10000-14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

\* Fee amount (£)

190.00

**DECLARATION**

1

**Continued from previous page...**

I/WE UNDERSTAND THAT 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.

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

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

\* Full name

Nira Suresh

\* Capacity

Licensing Agent

\* Date

20 / 11 / 2017  
dd mm yyyy

[Add another signatory](#)

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/birmingham/change-1> to upload this file and  
continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**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.**

**OFFICE USE ONLY**

Applicant reference number

422

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

[< Previous](#) [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

## Appendix 3

### BIRMINGHAM CITY COUNCIL

#### LICENSING ACT 2003

#### PREMISES LICENCE

Premises Licence Number: 4652 / 1

**Part 1 - Premises details:**

**Postal address of premises, or if none, ordnance survey map reference or description**

Mini Express Convenience Store  
1162 Stratford Road  
Hall Green

<b>Post town:</b> Birmingham	<b>Post Code:</b> B28 8AF
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<b>Telephone Number:</b> Not Specified
-------------------------------------------

**Where the licence is time limited the dates**

N/A

**Licensable activities authorised by the licence**

M2 Sale of Alcohol (by retail) off the premises

**The times the licence authorises the carrying out of licensable activities**

Monday-Sunday 06:00 - 23:00 M2

**The opening hours of the premises**

Monday-Sunday 06:00 - 23:00

**Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

Off Supplies Only

BIRMINGHAM CITY COUNCIL

**Part 2**

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</b>	
Mr Sellathamby Manivannan 1162 Stratford Road Hall Green	
<b>Post town:</b> Birmingham	<b>Post Code:</b> B28 8AF
<b>Telephone Number:</b> Not Specified	
<b>Email</b> N/A	

<b>Registered number of holder for example company number or charity number (where applicable)</b>	
N/A	

<b>Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
Mr Sellathamby Manivannan	
<b>Post town:</b>	<b>Post Code:</b>
<b>Telephone Number:</b>	

<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
<b>Licence Number</b>	<b>Issuing Authority</b>

Dated 07/02/2017

\_\_\_\_\_  
David Kennedy  
Senior Licensing Officer  
For Director of Regulation and Enforcement

BIRMINGHAM CITY COUNCIL

**Annex 1 – Mandatory Conditions**

No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either— (a) a holographic mark, or (b) an ultraviolet feature.

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. (2) In this condition:— (a) "permitted price" is the price found by applying the formula  $P = D + (D \times V)$ , where— (i)  $P$  is the permitted price, (ii)  $D$  is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii)  $V$  is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence— (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

BIRMINGHAM CITY COUNCIL

**Annex 2 – Conditions consistent with operating schedule**

**2a) General conditions consistent with the operating schedule**

The Premises Licence Holder shall ensure that an incident look book is maintained at the premises to record details of any incidents. The nature of which may have compromised any of the licensing objectives under the Licensing Act 2003. CCTV recording dates & times shall be linked to incident entries.

The Designated Premises Supervisor shall ensure that all existing staff, new staff, supervisors and managers receive an induction in the legality and procedure of alcohol sales, prior to undertaking the sale of alcohol. This training will include the contents of the premises licence, times of operation, licensable activities and all conditions. Training documents shall be signed and dated and training records be made available to a police officer or council officer on request.

All members of staff must receive training regarding the:-

Four licensing principles contained in the Licensing Act 2003

- Responsible retailing of alcohol, and the law
- Protection of children from harm and this must include how to competently check customers identification where necessary
- Authorised hours for licensable activities and the conditions attached to the premises licence

All training provided to staff will be recorded and each member of staff will sign and date the training records to confirm they have received and understood the training and on-going refresher training every six months.

The staff training records will be maintained at the premises and made available to any Responsible Authority upon request.

**2b) Conditions consistent with, and to promote the prevention of crime and disorder**

The Premises Licence Holder shall ensure that appropriate signage will be displayed in prominent position, informing customers they are being recorded on CCTV.

The Premises Licence Holder shall ensure that CCTV is to comply with Data Protection Act 1998 and is to be working and recording correctly when the premises are open to the public.

The Premises Licence Holder shall ensure that the CCTV covering areas inside and outside of the premises should be installed and maintained to police recommendations with properly maintained log arrangements. All images will be stored for a minimum of 31 days.

**2c) Conditions consistent with, and to promote, public safety**

No enforceable conditions identified from operating schedule.

**2d) Conditions consistent with, and to promote the prevention of public nuisance**

The Premises Licence Holder shall ensure that signage will be displayed at the exit of the premises requesting customers leaving the premises quietly and with consideration so as not to disturb nearby residents.

The Premises Licence Holder shall ensure that appropriate signage will be displayed in prominent position, informing customers they are being recorded on CCTV.

The Premises Licence Holder shall ensure that ensure an incident look book is maintained at the premises to record details of any incidents. The nature of which may have compromised any of the licensing objectives under the Licensing Act 2003. CCTV recording dates & times shall be linked to incident book entries.

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The Premises Licence Holder shall ensure that a staff member from the premises that is conversant with the operation of the CCTV system will be on the premises at all times that the premises are open to the public. This staff member will be able to show the police or council recent data footage with the minimum delay when requested. This data or footage reproduction should be almost instantaneous.

**2e) Conditions consistent with, and to promote the protection of children from harm**

The Premises Licence Holder shall ensure that a refusals record shall be kept at the premises to record details of all refusals to sell alcohol. This book shall contain the date and time of the incident, a description of the customer, the name of the staff member who refused the sale and the reason the sale was refused. The book shall be made available to the Police and authorised Council Officers on request.

The Designated Premises Supervisor shall regularly check the refusals record to ensure it is being consistently used by all staff.

The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 year (or older if the licence holder so elects) to produce, before being sold alcohol. Identification being a passport or photo card driving licence bearing a holographic mark or other form of identification bearing the customers photograph, date of birth and the Proof of Age Standards Scheme (or similarly accredited scheme) hologram.

**BIRMINGHAM CITY COUNCIL**

**Annex 3 – Conditions attached after hearing by licensing authority**

**3a) General committee conditions**

N/A

**3b) Committee conditions to promote the prevention of crime and disorder**

N/A

**3c) Committee conditions to promote public safety**

N/A

**3d) Committee conditions to promote the prevention of public nuisance**

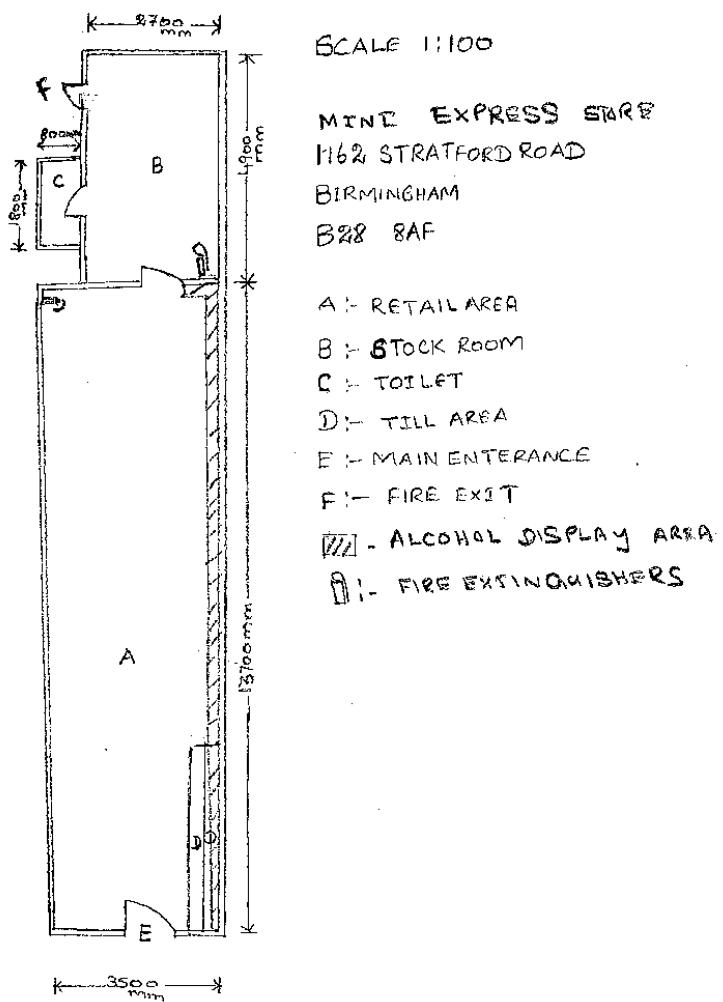
N/A

**3e) Committee conditions to promote the protection of children from harm**

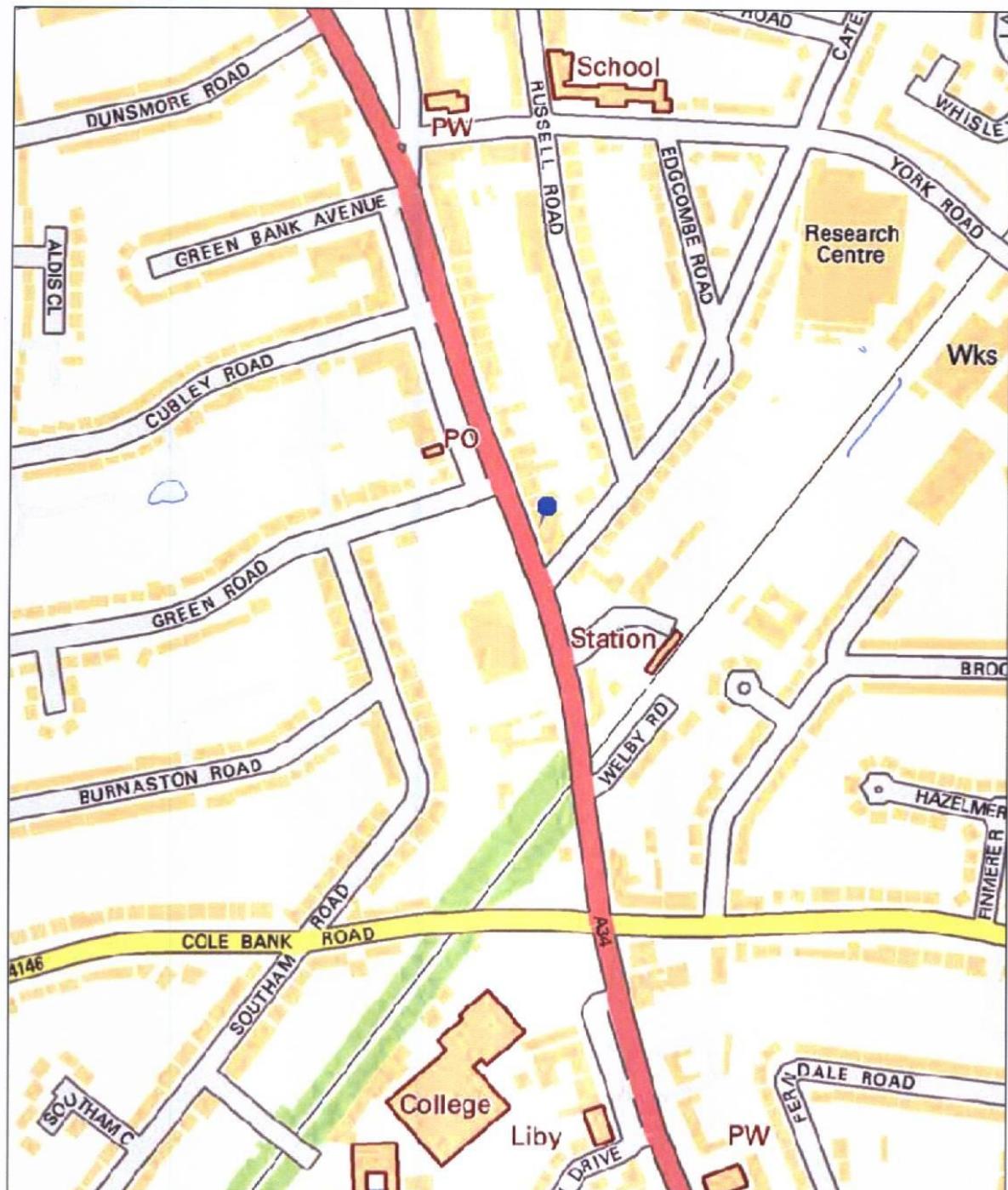
N/A

BIRMINGHAM CITY COUNCIL

Annex 4 – Plans



## Appendix 4



**Birmingham City Council**

Map Created By:

Date of Map Creation: 27/12/2017

**Notes**

Scale:

1:4,000

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 Birmingham City Council

Map Created By:

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Scale: