

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

| | |
|-------------------------|---|
| Report to: | Licensing Sub Committee C |
| Report of: | Interim Assistant Director of Regulation & Enforcement |
| Date of Meeting: | Wednesday 9th September 2020 |
| Subject: | Licensing Act 2003 Premises Licence – Variation |
| Premises: | MRH Six Ways, Six Ways Filling Station, Gravelly Hill North, Erdington, Birmingham, B23 6BJ |
| Ward affected: | Gravelly Hill |
| Contact Officer: | Shaid Yasser, Senior Licensing Officer, 0121 303 9896 licensing@birmingham.gov.uk |

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 only), to operate 24hours (Monday to Sunday).

Premises to remain open to the public 24hours (Monday to Sunday)

The application also seeks to remove those conditions listed in Annex 2 of the current premises licence and replaced with those conditions proffered in the variation application.

2. Recommendation:

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

3. Brief Summary of Report:

Variation application received on 23rd June 2020 in respect of MRH Six Ways, Six Ways Filling Station, Gravelly Hill North, Erdington, Birmingham, B23 6BJ.

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:

Motor Fuel Limited applied on 23rd June 2020 to vary the Premises Licence for MRH Six Ways, Six Ways Filling Station, Gravelly Hill North, Erdington, Birmingham, B23 6BJ.

A representation has been received from Other Persons. See Appendix 1.

The application is attached at Appendix 2.

Conditions have been agreed with Birmingham City Council Licensing Enforcement and the applicant, which are attached at Appendix 3.

The current Premises Licence is attached at Appendix 4.

Site Location Plans at Appendix 5.

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 as detailed in Appendix 1.

Application Form, Appendix 2.

Conditions agreed with Birmingham City Council Licensing Enforcement, Appendix 3.

Current Premises Licence, Appendix 4.

Site Location Plans, Appendix 5.

7. Options available

To grant the variation application

To refuse the whole or part of the application

To modify the conditions of the Licence

From: Councillor Gareth Moore

Sent: 13 August 2020 13:13

To: Licensing

Cc: Councillor Robert Alden

Subject: Licensing Objection to Six Ways Filling Station, Gravelly Hill North, Birmingham, B23 6BJ Ref: 115744

Dear Licensing

We wish to object to the licence application made for the above premises which proposes the sale of alcohol on a 24 hour basis due to its proposed operation not being compliant with the Licensing Objectives – namely the Prevention of Crime & Disorder and Prevention of Public Nuisance.

Erdington High Street already suffers from street drinking and alcohol-related ASB and this is particularly significant at the Six Ways end. We receive frequent complaints about street drinkers congregating during the day outside Dixons and Domino's Pizza, and so the provision of another premises selling alcohol is a serious concern – especially where it is proposed to be on a 24 hour basis. Currently there is only one off-licence open beyond 11pm and this causes significant disruption already with street drinking and ASB. The addition of another late night premises will exacerbate this situation further and mean that the premises would operate contrary to the Licensing Objectives.

However, if the applicant was willing to consider revised hours for the sale of alcohol and agree to the following conditions, then we would be willing to withdraw our representation:

- No alcohol to be served to customers who are believed to be street drinkers or are believed to consume alcohol within the vicinity of the premises and High Street
- No alcohol only sales
- Any street drinkers who congregate within the vicinity of the store will be moved on by staff, or if needed reported to West Midlands Police
- Sales of beers, lagers and ciders with an ABV percentage of above 6% is prohibited
- No more than 20% of the surface area of the public area of the premises will be used for the display of alcohol
- A refusals register will be kept on the premises
- Staff will be trained as to their obligations for the sale of alcohol and this will be refreshed on an annual basis or following any changes to the Licensing Act 2003.

We are of the view that the above conditions will help to ensure compliance with the Licensing Objectives and would have a minimal impact for both the premises and the surrounding area. If the applicant is not willing to agree to these conditions, then we do object to the application in full and wish to put forward our case to a Licensing Sub-committee. The applicant or their agent is welcome to make contact with us to discuss our concerns.

Cheers

Gareth

COUNCILLOR GARETH MOORE

**Serving Abbey Fields, Erdington Village, Pitts Farm, Short Heath & Wylde Green
Working for ERDINGTON all year round!!!**



Birmingham
Application to vary a premises licence
Licensing Act 2003

For help contact
licensingonline@birmingham.gov.uk
 Telephone: 0121 303 9896

* required information

Section 1 of 18

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 This is the unique reference for this application generated by the system.

Your reference 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?
 Yes No
 Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:
 Applying as a business or organisation, including as a sole trader
 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.

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No
 Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If the applicant's business is registered, use its registered name.

VAT number Put "none" if the applicant is not registered for VAT.

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

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.

A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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

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

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

75,500

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.

The premises is a petrol forecourt store located on Gravelly Hill North, Birmingham, B23 6BJ.

The variation is to do the following:

1. To extend the sale of alcohol to between the hours of 0000 and 2400 daily for consumption off the premises.
2. To remove the conditions listed under Annex 2.
4. To include in Annex 2 the conditions in boxes b to e of Section 16 of the application.

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

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

Yes No

| |
|--|
| <i>Continued from previous page...</i> |
| 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? |
| <input type="radio"/> Yes <input checked="" type="radio"/> 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? |
| <input type="radio"/> Yes <input checked="" type="radio"/> 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? |
| <input type="radio"/> Yes <input checked="" type="radio"/> 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? |
| <input type="radio"/> Yes <input checked="" type="radio"/> 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? |
| <input type="radio"/> Yes <input checked="" type="radio"/> 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 |
| 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? |
| <input type="radio"/> Yes <input checked="" type="radio"/> No |

Continued from previous page...

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

SUNDAY

Start

End

Start

End

Continued from previous page...

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.

The premises sells alcohol and other age restricted products.

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

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...

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.

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

Conditions listed under Annex 2.

I have enclosed the premises licence

Continued from previous page...

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.

We are currently unable to access the original premises licence due to lockdown.

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.

b) The prevention of crime and disorder

1. A digital CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The CCTV system shall be capable of producing immediate copies on site. Copies of recordings will either be recorded digitally on to CD/DVD or other equivalent medium.
3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The precise positions of the camera may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
5. The system will display, on any recording, the correct time and date of the recording.
6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
7. There will be no sales/supplies of beer, lager or cider with an ABV over 6%.

c) Public safety

There will at all times be adequate levels of staff maintained at the premises. Such staff levels will be disclosed, on request, to the licensing authority and police.

d) The prevention of public nuisance

Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.

e) The protection of children from harm

Continued from previous page...

1. 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 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.

2. Signage informing customers of the age verification policy adopted at the premises will be prominently displayed.

3. • All staff engaged or to be engaged in the sale of alcohol on the premises shall receive training in age restricted sales.

- Induction training must be completed and documented prior to the sale of alcohol by the staff member.

- Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.

Training records will be available for inspection by a police officer or other authorised officer on request.

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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 you 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 (£)

315.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

| | |
|-------------------------------|---|
| Building number or name | <input type="text"/> |
| Street | <input type="text"/> |
| District | <input type="text"/> |
| City or town | <input type="text"/> |
| County or administrative area | <input type="text"/> |
| Postcode | <input type="text"/> |
| Country | <input type="text" value="United Kingdom"/> |

DECLARATION

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 | <input type="text"/> |
| * Capacity | <input type="text"/> |
| Date (dd/mm/yyyy) | <input type="text"/> |

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.

From: Sharon Watts
Sent: 15 July 2020 17:32
To: Licensing
Subject FW: Application to Vary Premises Licence, Licensing Act 2003 - Premises Licence no. 3136/3 - MRH Six Ways, Six Ways Filling Station, Gravelly Hill North, B23 6BJ

Dear Licensing

Please find below conditions which have been agreed with the agent for the above.

Many thanks

Sharon Watts
Licensing Enforcement Officer

Birmingham City Council,
Licensing Section,
P.O. Box 17831,
Birmingham,
B2 2HJ

www.birmingham.gov.uk/licensing

Twitter: @BCCLicensing

For information on Birmingham Licensed premises including licensed hours, activities and conditions go to <http://publicregister.birmingham.gov.uk>

Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors.

From: Tina Vlahovic
Sent: 15 July 2020 17:21
To: Sharon Watts
Cc: Robert Botkai
Subject: RE: Application to Vary Premises Licence, Licensing Act 2003 - Premises Licence no. 3136/3 - MRH Six Ways, Six Ways Filling Station, Gravelly Hill North, B23 6BJ

Hi Sharon,

I have advised our client to amend the notices by hand in the meantime. We have also requested for a new newspaper advert to be published as the notice with the previous details has been published today.

May I suggest the following wording which is inline with conditions preferred by our client.

- All staff engaged or to be engaged in the sale of alcohol on the premises shall receive training in age restricted sales.
 - Induction training must be completed and documented prior to the sale of alcohol by the staff member.
 - Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.

- Training records will be available for inspection by a police officer or other authorised officer on request.

Please confirm if we are agreed.

Kind Regards,

Tina

Winckworth
Sherwood

Our Privacy
Notice

www.wslaw.co.uk

LICENSING ACT 2003**PREMISES LICENCE**

Premises Licence Number:

3136 / 3

Part 1 - Premises details:

| | |
|--|------------------------------|
| Postal address of premises, or if none, ordnance survey map reference or description MRH Six Ways Six Ways Filling Station Gravelly Hill North | |
| Post town: Birmingham | Post Code: B23 6BJ |
| Telephone Number: Not Specified | |

| |
|---|
| Where the licence is time limited the dates N/A |
|---|

| |
|---|
| Licensable activities authorised by the licence L Late night refreshment M2 Sale of alcohol by retail (off the premises) |
|---|

| |
|--|
| The times the licence authorises the carrying out of licensable activities Monday – Sunday 23:00 - 05:00 L Monday – Sunday 08:00 - 23:00 M2 |
|--|

| |
|---|
| The opening hours of the premises Monday – Sunday 00:00 - 23:59 |
|---|

| |
|---|
| Where the licence authorises supplies of alcohol whether these are on and/or off supplies Off Supplies Only |
|---|

Part 2

| | |
|---|------------------------------|
| Name, (registered) address, telephone number and email (where relevant) of holder of premises licence Motor Fuel Limited Gladstone Place 36 - 38 Upper Marlborough Road | |
| Post town: St Albans | Post Code: AL1 3UU |
| Telephone Number: Not Specified | |
| Email N/A | |

| |
|--|
| Registered number of holder for example company number or charity number (where applicable) 05206547 |
|--|

| | |
|---|--------------------------|
| Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Important Note: At the time of issuing this Premises Licence the licensee had not specified an individual to be the Designated Premises Supervisor (DPS). It is an offence for alcohol to be sold at the premises until such time as the licensee has applied to vary the licence to specify an individual as the DPS. | |
| Post town: N/A | Post Code: N/A |
| Telephone Number: N/A | |

| | |
|---|---------------------------------|
| Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol | |
| Licence Number N/A | Issuing Authority N/A |

Dated 10/04/2019

Bhapinder Nandhra
Senior Licensing Officer
For Director of Regulation and Enforcement

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.

Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

No enforceable conditions identified from operating schedule.

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

The Licence Holder shall install and maintain a new CCTV system, or will maintain the existing system so that it is fit for the purpose.

The Licence Holder shall ensure the CCTV system will be capable of producing immediate copies of recordings on site. The copies of recordings will be recorded on good quality video tape or digitally on to a CD/DVD or other equivalent medium.

Any recording shall be retained and stored in a suitable and secure manner for a minimum of 28 days and shall be made available, subject to compliance from Data Protection Legislation, to the Police for inspection on request.

The CCTV system will incorporate a camera covering the entrance door and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the camera may be agreed, subject to compliance with Data Protection Legislation, with the Police from time to time.

The Licence Holder shall ensure the CCTV system will display, on any recording, the correct time and date of the recording.

The Licence Holder shall ensure a system will be in place to maintain the quality of the recorded image and a complete audit trail maintained.

The CCTV system will be maintained so as to be fully operational throughout the hours that the premises are open for any licensable activity.

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

The applicant will at all times maintain adequate levels of staff. Such staff levels will be disclosed on request, to the Licensing Authority or the Police.

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

The Licence Holder shall provide adequate waste receptacles for use by customers immediately outside the premises.

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

A challenge 21 (or equivalent) scheme shall be adopted so that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears under the age of 21 years, for evidence of age. The evidence shall be photographic, such as a passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced.

All cashiers will be instructed, through training, that a sale shall not be made unless the evidence is produced. Prominent notices will be displayed in the store advising customers that they may be asked to provide evidence of age.

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

Annex 4 – Plans

The plan of the premises with reference number **110511-3136/3** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please call the Licensing Section on 0121 303 9896 to book an appointment.



