

Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B

TUESDAY, 24 OCTOBER 2017 AT 10:00 HOURS
IN COMMITTEE ROOM 1, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

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**

Chairman to advise meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

3 **MINUTES**

3 - 22

To confirm and sign the Minutes of the meeting held on 22 August 2017.
To note the public part of the Minutes of the meeting held on 19 September 2017.
To confirm and sign the Minutes of the meeting held on 26 September 2017.

4 **LICENSING ACT 2003 - PREMISES LICENCE - GRANT - GREET**
SERVICE STATION, 372 WARWICK ROAD, BIRMINGHAM, B11 2HA

23 - 48

Report of the Acting Director of Regulation and Enforcement.
N.B. Application scheduled to be heard at 1000 hours.

5 **OTHER URGENT BUSINESS**

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

6 **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:-

Minutes - Exempt Paragraphs 3 and 4

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 19 September 2017.

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 Chairman are matters of urgency.

BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE B 22 AUGUST 2017

**MINUTES OF A MEETING OF
LICENSING SUB COMMITTEE B
HELD ON TUESDAY 22 AUGUST 2017
AT 1000 HOURS IN COMMITTEE
ROOM 1, COUNCIL HOUSE,
BIRMINGHAM**

PRESENT: - Councillor Alex Buchanan in the Chair

Councillors Mike Leddy and Bob Beauchamp

ALSO PRESENT

David Kennedy, Licensing Section
Joanne Swampillai, Committee Lawyer
Phil Wright, Committee Manager

NOTICE OF RECORDING

1/220817

The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

2/220817

Apologies were received from Councillors Lynda Clinton, Nawaz Ali and Des Flood and it was noted that Councillors Alex Buchanan, Mike Leddy and Bob Beauchamp were the Nominee Members respectively.

**LICENSING ACT 2003 PREMISES LICENCE – GRANT SOIREE LOUNGE,
UNIT 2, 5-11 FLEET STREET, BIRMINGHAM, B3 1JP**

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See document No. 1)

The following persons attended the meeting.

On behalf of the applicant

Ms S Clover – Barrister representing the Applicant
Mr I Rashid – Owner's son
Mr C Moore – C.N.A. Risk Management Ltd
Mr S Krueter – Designated Premises Supervisor

Those making representations

PC A Rohomon – West Midlands Police
Mr R May – Husband of the person making representations at Appendix 2
Mr P Davis – Chair of Islington Gates Management Company

The Chair noted that the 3 Members knew Mr Davis in his capacity of being a Councillor on the Authority but had not discussed the matter before the Sub-Committee with him.

Following introductions by the Chairman, David Kennedy, Licensing Section, made introductory comments relating to the report.

Ms Clover in presenting the Applicant's case made the following points:-

- a) The premises had previously traded as Beorma by a company owned by Mr T Rashid with his son Mr Z Rashid as the Designated Premises Supervisor (DPS) and Manager.
- b) Following the suspension of the premises licence Mr Z Rashid had moved to run the family owned neighbouring Japanese restaurant. The premises had operated as the Soiree Lounge under a number Temporary Event Notices (TENs). Therefore the application before the Sub-Committee was a new one with no connection to the previous DPS.
- c) Discussions had taken place with both Environmental Health and West Midlands Police in relations to conditions. Conditions have been agreed with Environmental Health leading to them withdrawing their objections. However West Midlands Police had not withdrawn their objection to the application as the applicant could not agree to all the conditions proposed by West Midlands Police and an agreement could not be reached on rewording of them.
- d) The new DPS was Mr S Krueter who had a wealth of experience working in Birmingham in the licensing trade. A new security company was in place, More Secure Limited. Therefore there had been a change in both the DPS and security company which provided separation from the previous operation.
- e) The previous licence had been suspended following a serious identifiable incident and with the proposed conditions there would not be a repeat of a similar incident or any crime and disorder.
- f) With regard to the issue of noise raised by the objectors this had been

considered by a licensing consultant who had undertaken a noise assessment. There was no noise breakout from the premises. It was not correct for those making representation to say noise made by people in the street in the early morning was associated with the premises as there were a number of premises in the vicinity which opened to 0400 hours. It would be expected that, if there was an issue with noise, out of the 144 residential apartments more than 2 people would have made representations.

- g) The representations in respect of planning matters were not an issue for the Sub-Committee to consider as the planning and licensing processes should remain separate. It should be noted the Planning Authority had not made a representation. A change of use application had been submitted and no planning enforcement had taken place.

Ms Clover indicated that she now wished to refer to the proposed police conditions and, with the agreement of the Sub-Committee and other parties, circulated them around the table:-

(See document No. 2)

Ms Clover then made comments on the conditions as follows:-

Condition No. 4

CCTV images could not be “made immediately available and downloadable” as this would conflict with data protection. The premises data controller would not be in an immediate position of being able to release the footage required and to release it immediately would not be lawful. Ms Clover proposed that the condition be rewritten to read ‘CCTV all images to be made available and downloadable as soon as practicable to’

Condition No. 10

Condition unnecessary as it was unreasonable to have a guest invite list when an ID scanner was in use. There was no justification not to have names added on the day.

Condition No. 13

This condition was inappropriate as it did not take in to account what happens in the event of the scanner malfunctioning.

Condition No. 18

This condition was not required as it was similar to condition No. 5 proposed by Mr Samms, Environmental Protection Officer, on page 76 of 80 of the agenda documentation.

Condition No. 19

The condition could not name Zafran Rashid as this was not normal practice. Ms Clover emphasised that Zafran Rashid was no longer involved in the business although he was the manager at the family run Japanese restaurant next door.

In response to questions from Members of the Sub-Committee, Ms Clover and Mr S Krueter made the following points:-

- a) The Police were content that Zafran Rashid was no longer involved with the premises. It was acknowledged that there had been some poor decision making in the past. Mr C Moore – C.N.A. Risk Management Ltd had been brought in and he had identified areas that needed to improve.
- b) The representations made concerning noise were inaccurate as the premises had operated under a number of TENs. Mr Samms, Environmental Protection Officer, had received a complaint from a resident who had denied Mr Samms the opportunity to place monitoring equipment at their property. There was a wealth of material from the Mr Higgins the noise consultant and Mr Moore that suggested that the premises were not creating a noise nuisance and this had been seen by Mr Samms. Noise travelled over the roof tops from licenced premises in Sand Pitts Parade.
- c) The conditions were fairly standard but it was noted that additional conditions had been added to provide greater protection.
- d) There was no designated smoking area and smoking took place on the street in front of the premises. Also it was policy for patrons not to be allowed back in to the premises once they left so smoking should not be an issue.
- e) A listed building planning application been submitted and a change of use application would be submitted in due course.
- f) Mr S Krueter the DPS had been proactive and had attempted to meet with Mr Davis, Chair of Islington Gates Management Company, but had not received a reply from him. The DPS wanted to hear the views and opinions of the residents and wanted a dialogue with residents but request for meetings had been declined.
- g) Twelve TENs had been used to run events with between sixty to hundred and twenty people attending each. It was expected that the premises would operate with about two hundred guests.
- h) TMR 2016 Ltd had Mr Rashid the father as sole Director. It was recognised that Mr Z Rashid had been the wrong manager and going forward with a new DPS and strengthened conditions the premises could be run a different way. The TENs had proved the premises could be run correctly.

- i) With reference to the alleged noise nuisance referred by the residents it was emphasised that if there was any disturbance or noise in the street the premises' door staff, who wore high-vis armbands, were encouraged to call the police and not intervene as they would not understand the situation and their personal safety may be compromised.
- j) Mr S Krueter the DPS had a wealth of experience of working in licenced premises in Birmingham including Bamboo, Moon Lounge, Legs 11 (for 4½ years) and subway amongst others which gave him experience of running high profile and high turnover premises.

PC A Rohomon, West Midlands Police, in presenting the case for the Police indicated that the Police had made representations because they had not been able to agree with the applicant the wording of some of the conditions proposed. The Police felt the conditions proposed would ensure that the premises were run in an efficient and appropriate manner. He therefore spoke about individual conditions as follows:-

Condition No. 13

There needed to be a failsafe plan in case the ID scanner was not working, he therefore suggested the condition be replaced with the following:-

'The premises to immediately notify of any breakdown of the ID machine to West Midlands Police Licensing via email BW-licensing@west-midlands.pnn.police.uk. Premises to record such breakdown in an incident book and to continue to check ID for all patrons entering past 12 midnight. Ids to be in the form of a recognised ID type as per the 182 guidance.'

Condition No. 4

The argument put forward by the applicant was noted but there had not been issue with the wording before. It was questioned what the wording 'soon as practicable' meant in reality. This was in contradiction with the section 182 guidance which indicated conditions should be clear and unambiguous. Police would want to see CCTV footage immediately if a crime had been committed and could legally ask for such footage.

Condition No. 10

A guest list had been in place at the premises when operating under TENs so there was no justification to changing the condition.

Condition No. 19

It was normal practice for individuals to be named in conditions. The Police were concerned that Zafran Rashid would still be linked to the premises and the condition as proposed would prevent this. The condition would not have an effect on the way the premises were run by the father Mr Rashid. The way Zafran Rashid had run the premises previously had resulted in the suspension of the licence following a review and the condition was a proportionate response to that.

In response to questions from Members of the Sub-Committee, PC Rohomon made the following points:-

- a) It was important that CCTV footage was obtained in a timely manner particularly when investigating crime. He therefore did not agree that the condition should be amended and the process outlined by it was achievable.
- b) Whilst he was not aware that Zafran Rashid had been subsequently involved in the premises it was important that it was conditioned that he has no involvement in the premises by way of management or promotions. He noted that the applicant's representative had acknowledged the previous problems had been caused by poor management.
- c) Who the premises employed to provide security was up to them and whilst the Police did not endorse companies he was aware of C.N.A. Risk Management Ltd and Carl Moore.
- d) The TENs had had only 60 to 100 people attending which was not a true reflection of how the premises could operate.
- e) The police had not been aware of the reports of noise nuisance to Environmental Health.
- f) Whilst PC Rohomon knew of Mr S Krueter he could not comment on whether he had a reputation as a trouble-shooter.

Mr May made the following points in relation to his representations:-

- a) There had been a lot of problems at the premises and management had always indicated that they would do 'this and that' but the problems were never resolved satisfactory.
- b) It was a surprise that Planning had not made representations particularly as there were planning issues that were not resolved. It was emphasised that the area was a mixed use one with residential, a museum and a recruitment centre in the vicinity. There were clubs on Sand Pits but they faced away from the residential property in Fleet Street so noise could not be heard from those venues.
- c) The noise mainly came from people leaving the premises and those that had parked vehicles in Fleet Street. Other noise came from taxis picking up picking up patrons.
- d) Environmental Health had been informed but residents had no faith they would do anything.
- e) There were problems with the Japanese restaurant which owned by the company attracting vermin.

- f) Residents were concerned that the venue's website indicated that entrance to the premises would be by invite only but in reality people walked in off the street. Residents did not believe that smokers would not be let back in to the premises and therefore the problem of people smoking outside the front of the premises would continue.
- g) Residents had seen door staff not dealing with people shouting in the street and had noted that they had not worn high vis jackets.

Mr Davis made the following points in relation to his representations:-

- a) He had lived at Islington Gates Management Company for 8 years and was familiar with the area. Although he no longer lived there he remained the Chair of Islington Gates Management Company which represented all residents in the 144 flats. The area was mainly residential. Whilst it had been commented that there had been only one complaint he suggested that there were 44 complaints.
- b) There were clubs nearby but these were around the corner. Before the premises had opened as Beorma there had never been any gun crime in the vicinity.
- c) Residents were concerned that the premises would operate in the same manner as previously. It was noted that the Police had objected to the previous manager being involved in the premises and had proposed valid conditions to overcome the problems which the applicant had not agreed with.
- d) Mr S Krueter the DPS had contacted Mr Davis who had replied but had not met with Mr Krueter. At the time the premises had given an undertaking to Planning Enforcement that they would not open until the planning issues had been resolved.
- e) The operation of the premises under the TENs had been different to the way the premises had operated as Beorma because of the clear reduction in the number of people attending. The premises could hold two hundred people. Even so on the night of 1 and 2 July 2017 there had been noise nuisance which had warranted a complaint to Environmental Health from a resident. In addition the operation of the TENs after the undertaking given to Planning Enforcement show the disregard that management had to legislation and authority.

Responding to questions from Members of the Sub-Committee Mr Davis made the following points:-

- a) The operation of the TENs when only 50 to 60 people attended did not fully reflect what would happen when the premises operated under a full licence.
- b) On the night of 1 and 2 July the doors to the premises were shut and there were no door staff to police the doors or the customers outside the

premises.

- c) Residents were concerned that although it had operated in the past the proposed operation suggested it would operate as a club in the future. Residents did not feel that this was appropriate in a residential area. The premises had been associated with crime and disorder in the past and the ownership had not changed. The change of use from restaurant to bar was still outstanding in planning terms.
- d) The residents did not have trust in the current owners and management would be able to operate the premises any differently than previously and it was not a fresh start.
- e) If the licence was granted then residents felt that there would be problems.

In summing up, PC Rohomon, West Midlands Police, highlight that if granted the premises could operate 7 days a week. The conditions as proposed by the police were enforceable and would ensure the premises were operated on a satisfactory basis. Whilst there was a new director he was from the same family who had operated the premises previously. West Midlands Police did not object to the TENS as they did not reflect the 7 day operation of the premises.

In summing up, Mr May indicated that it was unreasonable for a night club, able to operate 7 days a week, to set up in a residential area. The family who were the owners could not be trusted particularly in light of the outstanding planning issues.

In summing up, Mr Davis indicated that Islington Gates Management Company were seeking the refusal of the licence application as it was not appropriate for a 200 capacity night club to be in a residential area.

In summing up, Ms Clover indicated that the premises predominately wished to operate on Friday and Saturday nights and the 7 day licence application was to allow flexibility. The TENS had gone well and the fighting in the street had no relevance to the TENS. With reference to the wording in condition No. 4 this was common legal wording. The police's wording did not have clarity nor did it was it legally justifiable when considering the data protection issue. The guest list referred to Condition No. 10 was a cross reference list and possibly only referred to after the event if there was need. It was not unreasonable to allow guests to be added to it on the day of the event. What would happen if a guest on the list subsequently decided to bring their partner/friend it would be harsh to say no. With regard to condition No. 19 it was not right to name Zafran Rashid and the Sub-Committee could have faith that he was no longer involved in the operation of the premises. The representations on page 7 of 80 were not correct as the noise did not come from the premises and there were already revellers in the vicinity from other premises who could have been making a noise. In the same way smokers could have come from the entrance of other premises.

Ms Clover continued summing up by referring to the representations made by Mr Davis on behalf of the Islington Gates Management Company. She noted that there was no evidence on how the Company sought the views of the 144

residents or how many had made comments. What was clear only one and Mr Davis had put a representation direct to the Sub-Committee. It could be said that Mr Davis' representations had a historical view of the situation and not a current one. The TENs had been a test and whilst the capacity of the premises under the fire certificate was two hundred the premises did not have to operate to that. The Planning issue was not outstanding as an application had been submitted and the outcome awaited.

In conclusion Ms Clover indicated the premises were not at fault and there was no evidential basis on which to refuse the licence application. Mr Krueter added that the business was on a solid footing and wished to move forward. He was conscious of the previous incident but felt sufficient procedures etc had been put in place to mitigate the risk.

At 1229 hours the Chairman requested all present, with the exception of Members, the Committee Lawyer and the Committee Manager to withdraw from the meeting.

At 1345 hours, after an adjournment, all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

3/220817

RESOLVED:-

That the application by TMR 2016 Limited for a premises licence in respect of Soiree Lounge, Unit 2, 5-11 Fleet Street, Birmingham, B3 1JP be refused.

In reaching this decision, the Sub-Committee was mindful of the promotion of the Licensing Objectives in the Act, particularly the prevention of crime and disorder, public safety and the prevention of public nuisance.

The Sub-Committee's reasons for refusing this application for a premises licence are due to concerns over the suitability of the management arrangements at the premises, highlighted during the recent use of Temporary Event Notices (TENs), given the previous troubled history of the premises.

The Designated Premises Supervisor described the operation of the TEN events, but the Sub-Committee observed that in many instances the Designated Premises Supervisor was not following the premises' own written policy documents, for example regarding security personnel. The Sub-Committee therefore considered that as the Designated Premises Supervisor had confirmed to them that he had not adhered to his own operating arrangements during the TENs, it followed that they could not have any confidence that he would adhere to the conditions of a Premises Licence.

In addition, the style of operation, type of venue, ownership and desired clientele of Soiree Lounge were the same or very similar to those seen when the premises were known as 'Beorma'. This was of concern to the Sub-Committee. A great many assurances were given during the meeting that the new Designated Premises Supervisor was entirely unconnected to the previous management, and had simply been brought in as a suitably experienced professional, to run the premises for the owner, in order that the previous manager (who had

demonstrated a lack of capability) should no longer be the responsible person. Whilst the Sub-Committee of course accepted the truth of this assertion, they considered that the premises continued to operate in a manner too similar to Beorma, especially in that it was marketed in a manner designed to attract similar clientele.

The Sub-Committee heard representations from West Midlands Police, who were of the view that the application could be granted provided the applicant agreed to the conditions suggested by West Midlands Police, all of which were designed to help the premises uphold the licensing objectives. The Sub-Committee was therefore surprised to hear the applicant's legal representative query the Police's suggested conditions, and in fact ask that some of them be redrafted to suit the premises' view of how things should be done. This did not inspire any confidence whatsoever that the premises was embarking on a proper 'fresh start', in which it would cooperate properly with West Midlands Police and accept advice. The Police also observed that the conditions had been drafted by the Police to be suitable to address all concerns relating to crime and disorder and public safety, whereas the redrafting requested by the applicant's legal representative was vague and/or unenforceable. Given the Designated Premises Supervisor's answers to questions about how the TEN management arrangements had departed from what was required in the premises' own policy documents, the approach taken by the premises towards West Midlands Police suggested that the premises were not fully focused on distancing themselves from previous problems – neither the poor styles of management, nor even the past failures to uphold the licensing objectives.

The Sub-Committee also heard representations from other persons, regarding the concerns of local residents. These persons expressed their worries that the recent use of Temporary Event Notices, for limited numbers of patrons (estimated by the Designated Premises Supervisor to be around 60 to 120 patrons per event, and by West Midlands Police to be 50 to 60 patrons per event), was not in any way an accurate predictor of how the premises would operate at full capacity, being a 200-capacity club.

One objector also observed that the advertising of the supposed 'Miami Nightlife Experience' on offer at Soiree Lounge was altogether too reminiscent of the Beorma marketing style, which had attracted the kind of patron who carried a firearm into the premises and then discharged it on the public highway directly outside the premises, an episode which consequently led to the revocation of the Beorma premises licence. Certainly the Sub-Committee had doubts about the Designated Premises Supervisor's description of the desired clientele as 'high spend per head' patrons, such as 'footballers'. This had been what had been heard in the Beorma Committee hearings - but it had been observed that that marketing strategy had succeeded only in attracting entirely the wrong element to Beorma.

All in all, given the previous history, the Sub-Committee had hoped that the new Designated Premises Supervisor would have used the TENs to establish a complete break with previous problem styles of management, and that the premises would have operated the TENs in a very tightly controlled manner, adhering strictly to every requirement of their own policy documents. This had not

happened. In addition, the attitude shown by the premises towards the help and advice offered by West Midlands Police was disappointing. Given the recent circumstances, namely a firearms incident under the previous management, the only acceptable way forward was complete cooperation with the Police on all aspects of the operation.

The Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the information contained in the application, the written representations received and the submissions made at the hearing by the applicant, their legal adviser, West Midlands Police and others making representations.

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.

OTHER URGENT BUSINESS

3/220817 There was no urgent business.

The meeting ended at 1348 hours

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CHAIRMAN

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B 19 SEPTEMBER 2017
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**MINUTES OF A MEETING OF
LICENSING SUB-COMMITTEE B HELD
ON TUESDAY 19 SEPTEMBER 2017
AT 1000 HOURS IN COMMITTEE ROOM 1,
COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Lynda Clinton in the Chair;

Councillors Barbara Dring and Des Flood.

ALSO PRESENT:

Chris Arundel – Licensing Section
Joanne Swampillai – Legal Services
Gwin Pountney – Committee Services

NOTICE OF RECORDING

01/190917 The Chairman advised the meeting that members of the press/public may record and take photographs except where there are confidential or exempt items.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

02/190917 Apologies were submitted by Councillor Nawaz Ali, Councillor Barbara Dring attended as a nominee Member. .

03/190917 **MINUTES**

The public parts of the Minutes of the meetings held on 8 August 2017 and 15 August 2017 were noted.

OTHER URGENT BUSINESS

04/190917 No items of other urgent business were submitted.

EXCLUSION OF THE PUBLIC

05/190917

RESOLVED:

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:-

(Minutes – Exempt Paragraphs 3 and 4)

BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE B 26 SEPTEMBER 2017
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**MINUTES OF A MEETING OF
LICENSING SUB COMMITTEE B
HELD ON TUESDAY 26 SEPTEMBER 2017
AT 1000 HOURS IN COMMITTEE
ROOM 1, COUNCIL HOUSE,
BIRMINGHAM**

PRESENT: - Councillor Barbara Dring in the Chair

Councillors Mike Leddy and Des Flood

ALSO PRESENT

Shaid Yasser, Licensing Section
Joanne Swampillai, Committee Lawyer
Katy Poole, Committee Manager

NOTICE OF RECORDING

- 1/260917 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 2/260917 Apologies were received from Cllr Lynda Clinton and Cllr Nawaz Ali. It was noted that Cllr Barbara Dring and Cllr Mike Leddy were the Nominee Members respectively.

LICENSING ACT 2003 PREMISES LICENCE – GRANT

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See document No. 1)

The following persons attended the meeting.

On behalf of the applicant

Shaid Yasser, Licensing Officer explained that the applicant had been invited to the meeting, however, did not wish to attend; explaining that the applicant felt the information provided in the application was adequate.

Those making representations

Maria Widdows – Local Resident

Paul Baker – Local Resident

Following introductions by the Chairman, Shaid Yasser, Licensing Section, made introductory comments relating to the report.

In response to questions from Members of the Sub-Committee, Ms Widdows made the following points:-

- a) That her main objection had been the late evening license.
- b) That she lived further down from the premises and had concerns regarding anti-social behaviour and an increase in noise levels.
- c) That she lived in a residential area.
- d) That there were other restaurants in the local area, to which Ms Widdows had noted the opening and closing times. Most of which, she concluded, opened no later than 11:30pm.
- e) That there were multiple flats opposite and above, as well as a residential street running parallel behind and next to the premises road.
- f) That 3 out of the 4 licensing objectives apply to this application; public nuisance, prevention of crime and disorder, and protection of the public.
- g) Poppas Pizza recently had a mass brawl which had been published in the media. A food establishment which is local to the one featured in this application.
- h) That there were other takeaways in the area that did not sell or serve alcohol which close at a similar time to this application, but they do not want to serve alcohol. Therefore Ms Widdows felt these were not causing a huge problem.
- i) That there was an opportunity for public nuisance due to the opening times listed on the application.
- j) That the other restaurants in the local area usually close as she is going to bed especially on week days. Although on the weekends, it can get noisy.
- k) That there were filter lanes outside her house which meant that parking and noise associated with traffic was an issue for her and the residents

locally, without additional traffic and noise associated with this premises.

- l) That the late night drinking bar, Brew House closed at 11pm from Sunday to Thursday and then 12 midnight Friday and Saturday. The Quinto Lounger operated similar opening times. Then other local restaurants close earlier; anywhere from 10:30pm and 11:30pm.
- m) That she feared the premises will end up operating as a late night drinking facility; if so she felt it ought to be situated in the city centre where there are no residents.
- n) That she had been having issues with men urinating outside her house, along with issues of people signalling rude gestures to passing cars. Ms Widdows explained that she had felt scared and had waited till the men had gone.
- o) That there had been issues with litter, including; glass, bottles, general rubbish.
- p) That if the premises were to open even later than other premises in the area, it is going to heavily reduce the quiet sleep time during the night. This had been a growing concern for her due to the fact she had children.
- q) That she had real concerns about the public nuisance this premises could contribute to, in the primarily residential area.
- r) That the premises is not located on the busier stretch of road, it is nearer the residential area, directly by the flats.
- s) She also had concerns that if the later opening hours were granted it would set a precedent for all the other businesses in the area; others may want to be opening later into the evenings.
- t) That there had been issues with people parking opposite her house playing loud music.
- u) That she had lived there for a year and a half.
- v) That she was not sure that if alcohol were only to be served with meals it would ease her concerns, or solve any problems.
- w) That the opening times were the biggest issue.
- x) That if times were in line with other restaurants she would not be so concerned.
- y) That she had been surprised that there had been no objections from the police; she had thought this would have added to crime and disorder in the area and that the police would have been involved.

Licensing Sub Committee B – 26 September 2017

In response to questions from Members of the Sub-Committee, Mr Baker made the following points:-

- a) That the New Year's Eve opening times had raised the biggest concern for Mr Baker.
- b) That up-market restaurants would not want to open till early hours of the morning; they just do not do that.
- c) That he had lived in the area for 14 years and had objected to the previous license.
- d) That he felt there had been a clear difference in weekday and weekend activity in the local area.
- e) That if alcohol was only served along with meals and food that would be more acceptable.
- f) However, he was not sure why these longer opening hours were needed if they were a restaurant, he was concerned regarding what they were trying to achieve.
- g) That he had no objection to the premises occupying as a restaurant, as it beats having an empty premises, but he only wanted it ran professionally.
- h) That conditions on the license would help to ensure the nature of the business is in line with other establishments in the area; especially regarding opening times.
- i) That he was in agreements and supported Ms Widdows points.

In summing up, Ms Widdows made the following points:

- a) That the times should be in line with the other restaurants in the local area.
- b) That she had made her points.

Mr Baker made no further comments and felt he had nothing further to add.

At 1038 hours the Chairman requested all present, with the exception of Members, the Committee Lawyer and the Committee Manager to withdraw from the meeting.

At 1129 hours, after an adjournment, all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

3/260917 **RESOLVED:-**

Bodega Cantina, 26 Birmingham Road, Sutton Coldfield, B72 1QG

That the application by Mybodega Limited for a premises licence in respect of Bodega Cantina, 26 Birmingham Road, Sutton Coldfield, B72 1QG **BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS** to promote the prevention of crime and disorder, public safety and the prevention of public nuisance objectives in the Act:

- The opening and closing times of the premises shall be no earlier than 1200 (noon), and no later than 0000 (midnight), daily
- The provision of late night refreshment is permitted until 0000 (midnight), daily
- The hours for the sale of alcohol shall be from 1200 (noon) to 2330 hours, daily.
- The alcohol sales shall be On Sales for consumption on the premises only – Off Sales are not permitted at any time
- Alcohol shall only be sold to patrons ordering meals for consumption whilst seated at tables
- The further conditions agreed in advance with the Licensing Enforcement department of Birmingham City Council shall apply, namely:

1. All members of staff will receive training regarding the:-
 - four licensing principles contained in the Licensing Act 2003;
 - responsible retailing of alcohol, and law regarding sales of alcohol;
 - protection of children from harm and this must include how to competently check customers' identification where necessary;
 - permitted hours during which licensable activities can take place, and the conditions attached to the premises licence.
2. The 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 provided.
3. The staff training records will be kept at the premises and made available to any Responsible Authority upon request.
4. A notice must be prominently displayed in the premises requesting that customers respect the needs of local residents and other businesses in the vicinity and to leave the premises quietly.
5. The premises licence holder will implement and operate a challenge 25 age verification policy to prevent the sale or supply of alcohol to persons under 18 years of age; a copy of the written age verification policy must be signed by all members of staff to confirm they have read and understand the policy and this signed copy must be maintained at the premises and available for inspection by any Responsible Authority on request; a notice will be displayed at the premises and clearly visible to customers informing them that a challenge 25 policy is in operation at the premises.
6. The Premises Licence holder shall ensure CCTV will be installed to meet the requirements of West Midlands Police; images will be retained for a period of 31 days and made available to any Responsible Authority on request

The Sub-Committee carefully considered the operating schedule put forward by the applicant, and the likely impact of the application, but did not accept that there was evidence of an overwhelming risk to the promotion of the licensing objectives arising from the proposed operation of the premises. West Midlands Police and Environmental Health had not objected. Licensing Enforcement had agreed conditions with the applicant in advance of the meeting.

However the Sub-Committee felt that there was uncertainty over whether the premises was to be a restaurant or a late-night drinking venue. Unfortunately however, the applicant did not wish to attend the meeting, and Members were therefore unable to ask him any questions.

The concerns of other persons (local residents, who did attend the meeting) were heard. They explained that it was a predominantly residential area, although there were businesses in the vicinity. However the other alcohol premises in the area were restaurants, rather than late-night drinking establishments. The hours proposed by the applicant were akin to those of a late-night bar/ public house, and therefore there were risks that the nuisance & anti-social behaviour recently seen in the area could increase if the Sub-Committee were to grant the Licence to the late hour requested by the applicant.

The concerns of residents were taken into account by imposing suitable conditions regarding the opening & closing times, the hours for alcohol sales, and also by ensuring that the premises served alcohol only with meals (in other words, operation as a restaurant rather than as a late-night drinking venue). The Sub-Committee considered these conditions sufficient to allay residents' apprehensions. The Sub-Committee also considered it sensible to impose the conditions in order to ensure that the licensing objectives could be upheld by the applicant.

Those other matters detailed in the proposed operating schedule and which are not addressed above, and the relevant mandatory conditions under the Licensing Act 2003, will also 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 under Section 182 of the Licensing Act 2003 by the Secretary of State, the information in the application, the written representations received and the submissions made at the hearing by those making representations (local residents).

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.

OTHER URGENT BUSINESS

4/260917 There was no urgent business.

The meeting ended at 1212 hours

.....
CHAIRMAN

Report to:	Licensing Sub Committee B
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Tuesday 24th October 2017
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Greet Service Station, 372 Warwick Road, Birmingham, B11 2HA
Ward affected:	Acocks Green
Contact Officer:	Shaid Yasser, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:
<p>To consider a relevant representation that has been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption off the premises only) to operate from 00:00 – 23:59 (24 hours a day) Monday – Sunday.</p> <p>Premises to remain open to the public from 00:00 – 23:59 (24 hours a day) Monday – Sunday.</p>

2. Recommendation:
<p>To consider the representation that has been made and to determine the application.</p>

3. Brief Summary of Report:
<p>An application for a Premises Licence was received on 13th September 2017 in respect of Greet Service Station, 372 Warwick Road, Birmingham, B11 2HA</p> <p>A representation has been received from other persons.</p>

4. Compliance Issues:
4.1 Consistency with relevant Council Policies, Plans or Strategies:
<p>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.</p>

5. Relevant background/chronology of key events:

Maruthan Sabapathi applied on the 13th September 2017 for the grant of a Premises Licence for Greet Service Station, 372 Warwick Road, Birmingham, B11 2HA

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

The application is attached at Appendix 2.

Site Location Plans at Appendix 3.

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

Site Location Plans, Appendix 3

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:
Sent: 11 October 2017 10:35
To: Licensing
Subject: licence objection / greet service station

Dear Sirs,

Greet service station
372 warwick road
Birmingham
B11 2HA

we are writing to register our objection to the application for a premises licence by Greet service station , Birmingham. The basis for this opposition is that granting a licence for this premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Enabling the premises to sell alcohol would be totally detrimental to its aims and objectives. The application proposes that alcohol will be sold for consumption off the premises 24hours, seven days a week. Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local community.

Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night. They have endured this inconvenience and it is totally unacceptable to expect them to continue to do so.

In view of the above, I would urge the licensing Authority to refuse the application.

Yours faithfully,

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 **J. MARUTHAN SARAPATHI**

(insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description GREET SERVICE STATION, 372, WARWICK ROAD, BIRMINGHAM, WEST MIDLANDS.			
Post town	BIRMINGHAM.	Postcode	B11 2HA.
Telephone number at premises (if any)		N/A	
Non-domestic rateable value of premises		£6200	

Part 2 – Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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



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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ma <input type="checkbox"/>		Other Title (for example, Rev)	
Surname N/A		First names N/A	
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current postal address if different from premises address		N/A	
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

Name N/A
Address N/A
Registered number (where applicable) N/A
Description of applicant (for example, partnership, company, unincorporated association etc.) N/A
Telephone number (if any) N/A

E-mail address (optional)
N/A

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY
1 2 1 0 2 0 1 7

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)

THESE CORNER PLOT, DETACHED PREMISES CURRENTLY OPERATE AS A PETROL SERVICE STATION AND A NON - LICENSED CONVENIENCE STORE. THE TRADING AREA IS THE GROUND FLOOR ONLY. THE LOCATION IS ON A PARTICULARLY BUSY ROAD WHICH IS A 'FEEDER ROAD' TO MANY INDUSTRIAL ESTATES AND INDUSTRIAL UNITS IN THE VICINITY, SO COMMERCIAL CUSTOMER ACTIVITY IS AROUND THE CLOCK. THE APPLICANT IS AN EXPERIENCED RETAILER AND HAS A PROVEN TRACK RECORD IN THE PETROL SERVICE STATION INDUSTRY. HE, ALONG WITH THE BENEFITS OF A BP FRANCHISE, AIMS TO RELAUNCH THE SERVICE STATION AS AN INDEPENDENT, QUALITY, SERVICE STATION AND CONVENIENCE STORE BUT THIS TIME WITH THE PROVISION OF AN OFF - LICENCE FACILITY. THE ENCLOSED PLANS DETAIL THE SHOP'S LAYOUT AND THE SECURITY MEASURES TO ENHANCE THE PROTECTION OF BOTH STAFF AND CUSTOMERS IN RESPECT OF POSSIBLE LATE NIGHT TRADING. AS IS NORMAL WITH MOST PETROL STATIONS, THE PREMISES HAS ITS OWN CAR PARK.

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

N/A

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

A

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

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the columns on the left, please list (please read guidance note 6)		
Sun					

C

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

D

Boxing or wrestling entertainments Stated days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both please tick (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 (please read guidance note 4)</u>		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)</u>		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)</u>		
Sat					
Sat					

E

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

F

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

G

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

II

Anything of a similar description to that falling within (e), (f) or (g) 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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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 (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 3)			Will the provision of late night refreshment take place indoors or outdoors or both please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			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 columns on the left, please list (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 9)			Will the supply of alcohol be for consumption – please tick (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	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	00.00	24.00			
Tue	00.00	24.00			
Wed	00.00	24.00			
Thur	00.00	24.00			
Fri	00.00	24.00			
Sat	00.00	24.00			
Sun	00.00	24.00			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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):

Name JOHN MARSHAL MUTHUKUMAR	
Date of birth	
Address	
Postcode	
Previous licence number (if known)	
Issuing licensing authority (if known) BLACKPOOL COUNCIL – LICENSING TEAM	

K

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

N/A

L

Hours premises are open to the public: Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	00.00	24.00	
Tue	00.00	24.00	
Wed	00.00	24.00	
Thur	00.00	24.00	
Fri	00.00	24.00	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 (please read guidance note 6)
Sat	00.00	24.00	
Sun	00.00	24.00	

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

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

NOTHING BEYOND EXISTING HEALTH & SAFETY / FIRE SAFETY ETC REQUIREMENTS.

b) The prevention of crime and disorder

SEE ABOVE, THE PREMISE ALREADY HAS INTERNAL AND EXTERNAL CCTV INSTALLED TO THE SPECIFICATIONS AND RECOMMENDATIONS OF THE POLICE. THE CCTV IMAGES, ARE RETAINED FOR THIRTY ONE DAYS AND DOWNLOADABLE ON REQUEST. CCTV WILL ALSO BE RECORDING AT ALL TIMES THE PREMISES IS OPEN FOR LICENSABLE ACTIVITY. CCTV TIMES AND DATES, ARE TO BE VISIBLE AND ACCURATE. IN THE EVENT OF ANY BREAKDOWN OF THE CCTV EQUIPMENT, THE PREMISES LICENCE HOLDER / D.P.S, WILL INFORM THE LICENSING AUTHORITY AND THE POLICE AND RECORD ALL SUBSEQUENT BREAKDOWN ACTION DATA IN AN INCIDENT REPORT REGISTER, INCLUDING ALL FAULT RECTIFICATION DETAILS. THE PREMISES IS FULLY ALARMED INCLUDING A PANIC ALARM BUTTON FACILITY. LATE NIGHT TRADING WILL BE VIA A SECURITY SERVING HATCH LOCATED IN THE PREMISES FRONTAGE. THE DESIGNATED PREMISES SUPERVISOR WILL ENSURE THAT ANY STAFF INVOLVED IN THE SALE OF ALCOHOL WILL HAVE FULLY RECORDED AND DOCUMENTED TRAINING, INCLUDING SIX MONTHLY REFRESHER COURSES, IN RESPECT OF THEIR RESPONSIBILITIES UNDER THE LICENSING ACT 2003. THIS WILL INCLUDE ANY CHANGES OF LEGISLATION AND ALSO SIMILAR TRAINING IN THE USAGE AND CHRONICLED STORAGE OF CCTV. ALL TRAINING RECORDS WILL BE RETAINED AND AVAILABLE ON SITE FOR INSPECTION AT ANY TIME.

c) Public safety

SEE ABOVE,
ALSO, INTERNAL AND EXTERNAL CCTV ETC.
THE PREMISES ALREADY HAS A COMMERCIAL FIRE ALARM AND PETROL STATION FIRE FIGHTING EQUIPMENT, COVERED BY MAINTENANCE CONTRACTS. BOTH EMERGENCY LIGHTING AND SMOKE DETECTORS ARE ALREADY INSTALLED ALONG WITH ALL THE OTHER LEGAL SAFETY REQUIREMENTS THAT ENABLE A GARAGE / PETROL RETAILER TO TRADE SAFELY. INTERNAL LIGHTING WILL BE UPGRADED AND EXTRA EXTERNAL LIGHTING WILL BE INSTALLED IN RESPECT OF LATE NIGHT TRADING.

d) The prevention of public nuisance

SEE ABOVE, INTERNAL AND EXTERNAL CCTV IN PARTICULAR, IS A PROVEN
 DETERRENT IN TERMS OF ANY ANTI - SOCIAL ACTIVITIES AND ALSO POTENTIAL
 PROXY SALES. THE DESIGNATED PREMISES SUPERVISOR AND HIS STAFF, WILL AT
 ALL TIMES BE VIGILANT IN RELATION TO ANY LITTER ISSUES WITHIN THE
 IMMEDIATE VICINITY OF THE PREMISES.

e) The protection of children from harm

{SEE ABOVE}, INTERNAL AND EXTERNAL CCTV ETC.
 THE LAYOUT OF SHOP GIVES CONSIDERATION TO THE PREVENTION OF
 CHILDREN'S ACCESS TO ALCOHOL AND ANY ALCOHOL DISPLAYED WILL NOT BE
 OBSTRUCTED FROM THE VIEW OF THE SALES ASSISTANTS. PREMISES WILL
 OPERATE A PROOF OF AGE SCHEME VIA ACCEPTABLE FORMS OF
 IDENTIFICATION AND INCORPORATING THE CHALLENGE IS POLICY. A SALES
 REFUSAL AND INCIDENT BOOK WILL BE FULLY MAINTAINED AND AVAILABLE
 FOR INSPECTION AT ANY TIME. IT WILL ALSO BE SIGNED OFF WEEKLY BY THE
 DESIGNATED PREMISES SUPERVISOR.
 NON - ALCOHOLIC / SOFT DRINKS, CRISPS AND CONFECTIONERY WILL BE
 SITUATED AWAY FROM THE ALCOHOL DISPLAY AREA.

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE
 A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE
 WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION
 TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A
 PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO
 BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF
 THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT
 LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE
 LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION,
 ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE
 SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE

KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> [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). 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, if appropriate (please see note 15).
Signature	
Date	7 th SEPTEMBER 2017
Capacity	AGENT FOR THE APPLICANT

For joint applications, signature of 2nd applicant or 2nd 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)			
LICENSED TRADE LEGAL SERVICES LIMITED, REGENT HOUSE, BATH AVENUE, WOLVERHAMPTON, WEST MIDLANDS.			
Post town	WOLVERHAMPTON	Postcode	WV1 4EG
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
N/A			



Birmingham City Council

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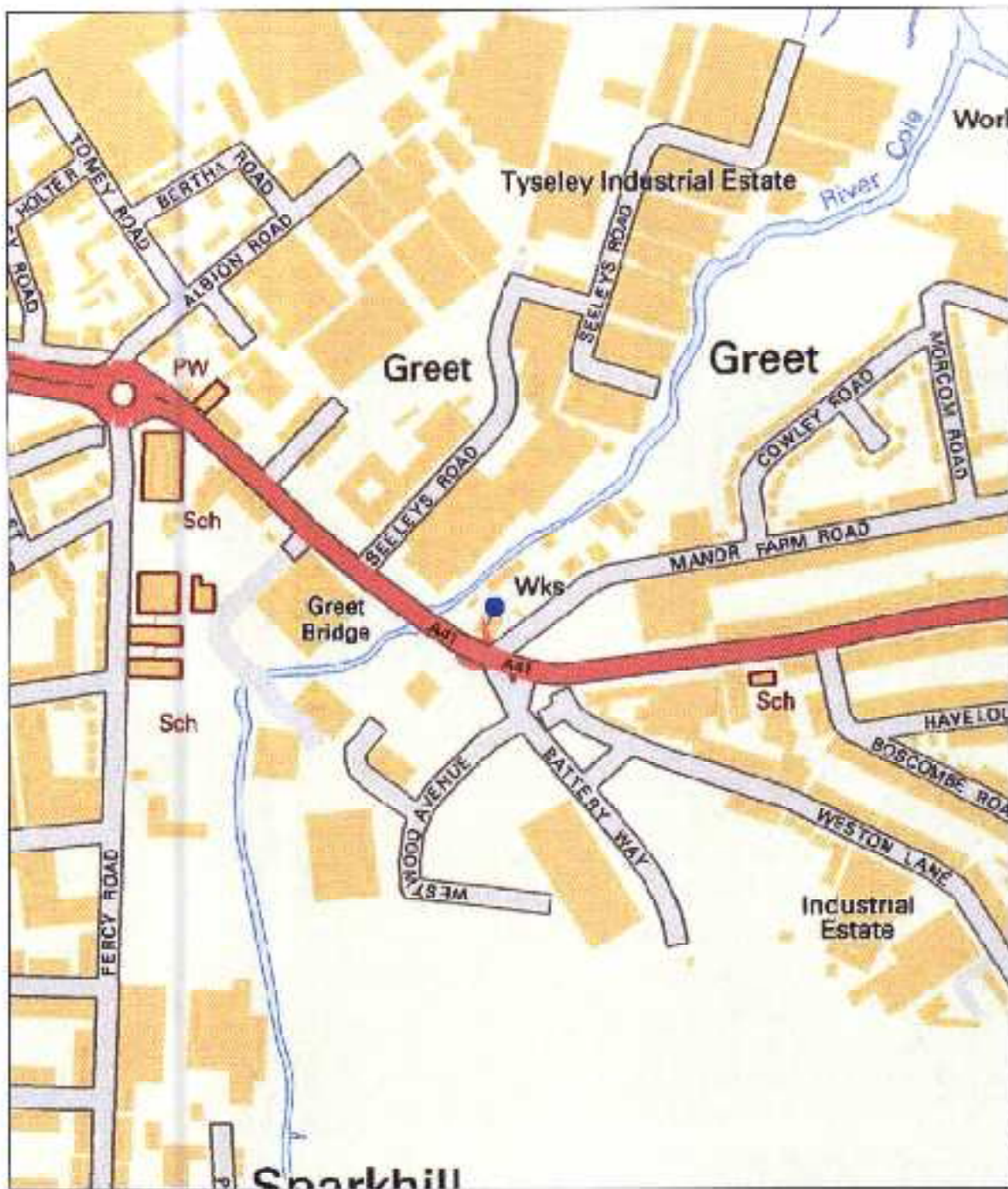
Notes

Date of Map Creation: 12/10/2017



Scale:
1:1,250

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