

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B

TUESDAY, 26 MARCH 2019 AT 09:30 HOURS
IN ELLEN PINSENT ROOM, 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 DECLARATIONS OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

3 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3 - 4 **4 MINUTES**

To note the public section of the Minutes of the meeting held 5 March 2019.

5 - 62 **5 LICENSING ACT 2003 PREMISES LICENCE – GRANT MINI PRICE** **CONVENIENCE STORE, 6 COTON LANE, ERDINGTON, BIRMINGHAM,** **B23 6TP**

Report of the Director of Regulation and Enforcement.
N.B. Application scheduled to be heard at 09:30am.

63 - 148 **6 LICENSING ACT 2003 PREMISES LICENCE – GRANT EXTRA** **SUPERMARKET, 187 HIGH STREET, ERDINGTON, BIRMINGHAM, B23** **6SY**

Report of the Director of Regulation and Enforcement.
N.B. Application scheduled to be heard at 11:00am.

7 **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.

8 **EXCLUSION OF THE PUBLIC**

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

Exempt Paragraph 3

P R I V A T E A G E N D A

1 **MINUTES**

To note the private section of the Minutes of the meeting held on 5 March 2019 and to confirm and sign the Minutes as a whole.

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

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

BIRMINGHAM CITY COUNCIL

<p>LICENSING SUB - COMMITTEE B - 5 MARCH 2019</p>
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**MINUTES OF A MEETING OF
LICENSING SUB-COMMITTEE B HELD
ON TUESDAY 5 MARCH 2019
AT 0930 HOURS IN ELLEN PINSENT ROOM,
COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Nagina Kauser in the Chair;

Councillors Mike Sharpe and Adam Higgs.

ALSO PRESENT:

Chris Arundel – Licensing Section
Parminder Bhomra – Legal Services
Sarah Stride – Committee Services.

NOTICE OF RECORDING

- 1/050319 The Chairman advised the meeting that members of the press/public may record and take photographs except where there are confidential or exempt items.

DECLARATIONS OF INTERESTS

- 2/050319 Members were reminded that they must declare all relevant pecuniary and non-pecuniary interests arising from any business discussed at the meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of meeting.

APOLOGY AND NOTIFICATION OF NOMINEE MEMBERS

- 3/050319 No apologies were submitted.

4/050319 **MINUTES**

That the Minutes of the meeting held on 22 January 2019 were confirmed and signed.

5/050319 **ANY OTHER URGENT BUSINESS**

No items of other urgent business were submitted.

EXCLUSION OF THE PUBLIC

6/050319 **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:

Exempt paragraph 3

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Director of Regulation & Enforcement
Date of Meeting:	Tuesday 26th March 2019
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Mini Price Convenience Store, 6 Coton Lane, Erdington, Birmingham, B23 6TP
Ward affected:	Erdington
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption off the premises) to operate from 7:00am until 1:00am (Monday to Sunday).

Premises to remain open to the public from 7:00am until 1:00am (Monday to Sunday).

2. Recommendation:

To consider the representations that have been made and to determine the application.

3. Brief Summary of Report:

An application for a Premises Licence was received on 4th February 2019, in respect of Mini Price Convenience Store, 6 Coton Lane, Erdington, Birmingham, B23 6TP.

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

4. Compliance Issues:**4.1 Consistency with relevant Council Policies, Plans or Strategies:**

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

5. Relevant background/chronology of key events:

Mohammed Osman applied on 4th February 2019 for the grant of a Premises Licence for Mini Price Convenience Store, 6 Coton Lane, Erdington, Birmingham, B23 6TP.

A representation has been received from West Midlands Police, as a responsible authority. See Appendix 1.

Representations have been received from other persons. See Appendices 2 and 3.

The application, including supporting documents, are attached at Appendix 4.

Site Location Plans at Appendix 5.

It should be noted that there is a special policy in force for the Erdington area. The effect of a special policy is to create a rebuttable presumption that applications for new licences or material variations to existing licences will normally be refused unless it can be shown that the premises concerned will not add to the cumulative impact on the licensing objectives being experienced.

The Council will expect the applicant to demonstrate the steps it will take to promote the licensing objectives. Where relevant representations are made, the Council will consider the application on its individual merits and decide whether to apply the special policy.

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

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

6. List of background documents:

Copies of the representations as detailed in Appendices 1 - 3
Application Form and supporting documents, Appendix 4
Site Location Plans, Appendix 5

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.

Entered

BV

From: bw licensing <...>
Sent: 05 February 2019 11:41
To: 'Rob Edge. Licence Leader Ltd'; Licensing

Subject: RE: Newsletter / Marketing: New Premises licence application - MiniPrice Convenience Store, 6 Cotton Lane, Erdington. B23 6TP

Licensing,

- The area in which this shop is located is in the middle of a Cumulative Impact Zone (CIZ).
- The area of Erdington is already saturated with both on and off alcohol sales, the CIZ was created due to the detrimental effect alcohol sales was having on the local area with alcohol related crime, disorder and ASB.
- West Midlands Police are not satisfied that the applicant will be able to promote the licensing objectives.

Regards

PC 1978 Walker
Birmingham Police Central Licensing Team
Birmingham Partnerships
Lloyd House

ENTERED
B

From: Councillor Gareth Moore
Sent: 25 February 2019 14:54
To: Licensing
Cc: Councillor Robert Alden
Subject: Objection to Mini Price Convenience Store, 6 Coton Lane, Erdington, Ref: 109808

Dear Licensing

Myself and Cllr Alden wish to object to the above licensing application on the grounds of Prevention of Crime & Disorder and Prevention of Public Nuisance.

Erdington High Street already has a large number of off-licences which causes problems of street drinking and anti-social behaviour. As a result, this attracts a number of street drinkers to the area on an evening who engage in anti-social behaviour. It is quite common for these drinkers to take advantage of the secluded areas to drink alcohol and cause a nuisance to nearby residents. The presence of cans and bottles is common place. This has led to the High Street area being covered by a Dispersal Order which was secured by West Midlands Police and is currently covered by a PSPO. The presence of another off-licence within the High Street area will encourage more street drinkers to gather in this area and drive down the price of alcohol due to competition.

The number of off-licences in this area has led to a cumulative impact policy being introduced. The need for a CIP in this area is based on the crime and disorder and public nuisance that already exists. The addition of another off-licence in this area will make this situation worse. It is also a problem that the existing off-licences have to advertise offers to attract business, driving down the price of alcohol and making it cheaper for the street drinkers who are attracted to this area.

Erdington High Street is the third largest local centre in Birmingham and attracts over a million visitors of the course of the year. It is a thriving part of Erdington which we, in partnership with the Erdington BID, have actively tried to improve. The area has suffered problems with street drinkers, who hang around on the High Street drinking all day and abusing those who pass by. This includes children. There has been much work from the Erdington Neighbourhood Police team to address these issues, and while there has been some success, there continues to be issues with street drinking and we are concerned about more off-licences opening up in the area and exacerbating this.

It is also worth noting that this off-licence wishes to open until 1am. This is far later than all of the other existing off-licences in the High Street area, meaning that all those wishes to drink alcohol late at night will need to visit this location. This will make it a magnet to crime and anti-social behaviour.

The addition of a further off-licence in this area is contrary to the Licensing Objectives and the Council's Cumulative Impact Policy and therefore should be refused.

Many thanks

Gareth

COUNCILLOR GARETH MOORE

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

Conservative Group Secretary

The Council House, Victoria Square, Birmingham, B1 1BB |

Why not check out www.facebook.com/ErdingtonNews for the latest information for our area

ENTERED
BN.

From:
Sent: 27 February 2019 16:56
To: Licensing
Subject: Ref: Mini Price Convenience Store, 6 Coton Lane, Erdington, B23 6TP - ref: 109808

The Erdington BID wish to object to the above application.

Erdington High Street already has a large number of off-licences which causes problems of street drinking and anti-social behaviour. As a result, this attracts a number of street drinkers to the area on an evening who engage in anti-social behaviour. It is quite common for these drinkers to take advantage of the secluded areas to drink alcohol and cause a nuisance to nearby residents. The presence of cans and bottles is common place. This has led to the High Street area being covered by a Dispersal Order which was secured by West Midlands Police and is currently covered by a PSPO. The presence of another off-licence within the High Street area will encourage more street drinkers to gather in this area and drive down the price of alcohol due to competition.

The number of off-licences in this area has led to a cumulative impact policy being introduced. The need for a CIP in this area is based on the crime and disorder and public nuisance that already exists. The addition of another off-licence in this area will make this situation worse. It is also a problem that the existing off-licences have to advertise offers to attract business, driving down the price of alcohol and making it cheaper for the street drinkers who are attracted to this area.

Erdington High Street is the third largest local centre in Birmingham and attracts over a million visitors of the course of the year. It is a thriving part of Erdington which we, in partnership with the Erdington BID, have actively tried to improve. The area has suffered problems with street drinkers, who hang around on the High Street drinking all day and abusing those who pass by. This includes children. There has been much work from the Erdington Neighbourhood Police team to address these issues, and while there has been some success, there continues to be issues with street drinking and we are concerned about more off-licences opening up in the area and exacerbating this.

Erdington Business Improvement District
Arion Business Centre,
Harriet House
Rear of 114-118 High Street,
Erdington, B23 6BG

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 Mohammed Osman

(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)		044 58 2019	
6 Cotton Lane Erdington		REF NO	009487/000802
		INITIALS	LW - £190 00
		05.02.19	
Post town	Birmingham	Postcode	B23 6TP

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£4,650.00

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 Mohammed			First names Osman		
Date of birth ()			I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes		
Nationality British					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)		Via agent for the applicant			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? **A.S.A.P.**

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

Convenience store and Off licence

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- | | |
|---|--------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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)			<u>Will the performance of a play take place 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			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
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 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					
			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed					
Thur					
			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place 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			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<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</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music 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						
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)			
Thur						
Fri			<u>Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music 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					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (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	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
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					

H

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	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Thur			<u>Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			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"/>
				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					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			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	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon	0700	0100			
Tue	0700	0100			
Wed	0700	0100			
Thur	0700	0100			
Fri	0700	0100			
Sat	0700	0100			
Sun	0700	0100			

<u>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</u> (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 Mohammed Osman	
Date of birth	
Address	
Postcode	
Personal licence number (if known) 11021	
Issuing licensing authority (if known) Birmingham City Council	

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)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	<u>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Mon	0700	0100	
Tue	0700	0100	
Wed	0700	0100	
Thur	0700	0100	
Fri	0700	0100	
Sat	0700	0100	
Sun	0700	0100	

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)

The premises will be professionally supervised at all times by the PLH/DPS at all times.

Staff training will be both comprehensive and reviewed on a regular basis, with records being retained at the premises, available for inspection by any Responsible Authority at reasonable notice. Staff training will be delivered by an appropriate qualified trainer, with all new members of staff being trained prior to commencing employment.

The Premises Licence Holder shall ensure that the premises use a refusals log, which will be signed off on a regular basis by the PLH/DPS.

b) The prevention of crime and disorder

The Premises Licence Holder will ensure that CCTV is installed on the premises and WM Police will be afforded full access to any recorded images. The Licence Holder shall ensure that the CCTV is correctly fitted, and that images will be held up to 31 days and these images will be made available upon request to any responsible authority.

The premises licence holder shall ensure the CCTV system is recording whenever the premises is open for licensable activities. CCTV will also be used to show the external area of the premises.

A refusals log will be kept at the premises and completed on any occasion an incident occurs; this will be made available to all Responsible Authorities on request.

c) Public safety

In accordance with the Licensing Act 2003, any person who appears drunk or heavily under the influence of alcohol will not be served.

The Premises Licence Holder shall ensure that all entrances, exits and passageways are kept clear of debris or furniture, for ease of exiting the premises in the case of an emergency.

d) The prevention of public nuisance

The premises Licence Holder shall ensure that sufficient signage is displayed requesting customers to have regard for residents when leaving the premises.

The PLH and staff will ensure that regular litter picks take place at the frontage of the property, to ensure that customers leave no debris as litter.

e) The protection of children from harm

A "challenge 25" policy will be used for age verification, meaning any person who appears to be under 25 will be asked for approved proof of age when attempting to purchase alcohol.

Staff will be diligent in observing those who attempt to make proxy purchases on behalf of underage persons and alert the DPS should this occur.

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 or my share code issued by the Home Office online right to work checking service (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
--------------------	---

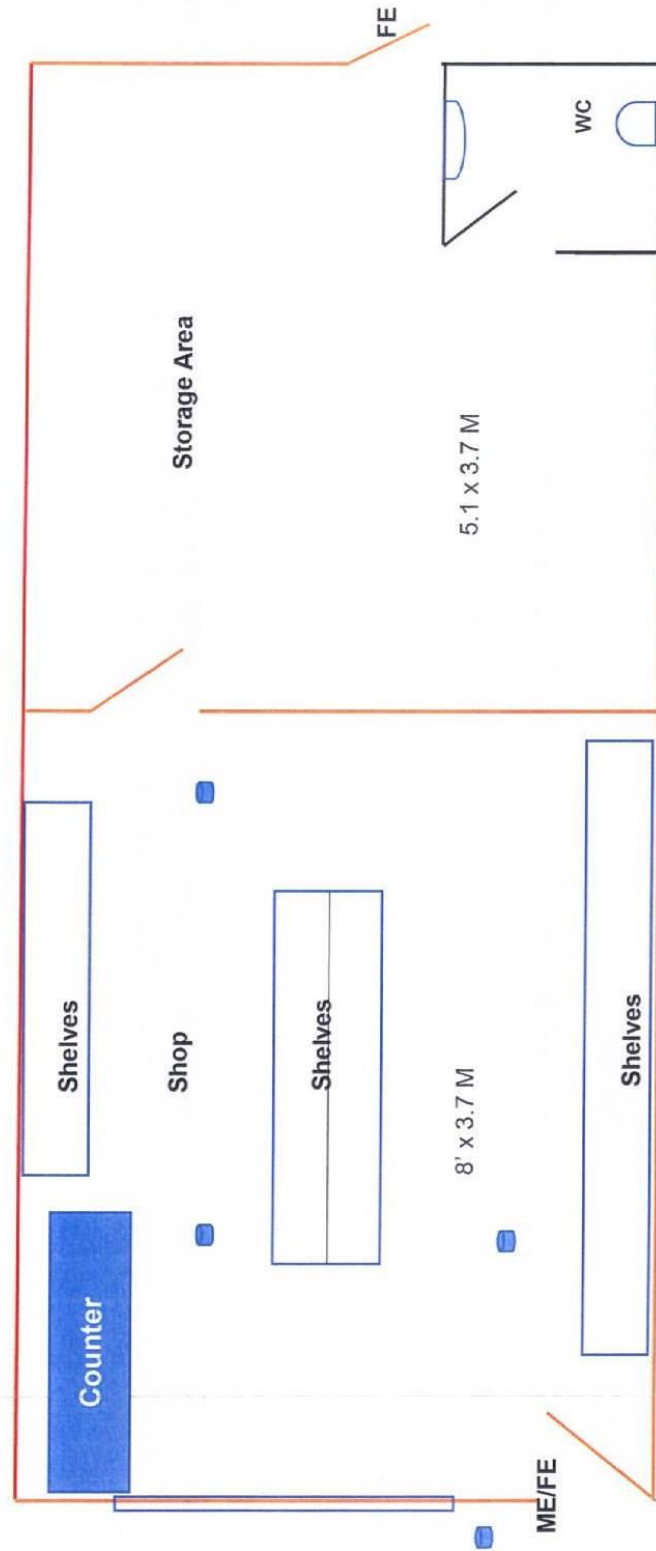
	<p>entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	4 February 2019
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)			
Licence Leader Ltd			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

MiniPrice Convenience Store
6 Cotton Lane, Erdington
Birmingham
B23 6TP



Key:	
FE -	Fire Exit
ME -	Main Entrance
WC -	Toilets
Red Line -	Licensable Area
Blue	CCTV

Version 01 - Jan 2019.
Measurements supplied by owner

Licence Leader Ltd

MiniPrice Convenience Store

Premises Licence and Site Operations

Training Manual

This Premise Licence Operation and Training Manual contains instructions and guidance covering various policies and procedures for this premises.

The intention of this manual is to:

- Assist in staff training and awareness.
- Act as an 'aide memoire' for all staff
- Referencing valuable information quickly and easily
- Providing guidance to staff as part of their on-going training and development.

The Training Regime

All on-site staff must read the training material provided and then satisfactorily pass the subsequent written test before being authorised to sell alcohol. It is important that all of this information is understood. Should a staff member not satisfy the Designated Premises Supervisor (DPS) that they understand all of this then the DPS will not authorise that staff member.

You are at risk of prosecution for making unauthorised sales.

Refresher training will be undertaken at least on an annual basis, to sell alcohol and a number of refresher quizzes should take place to help in testing all staff and their knowledge.

Due Diligence Measures

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

The Premises Licence holder may also consider putting staff members forward to sit the APLH – {Award for Personal Licence Holders} exam if there is a likelihood of them becoming a DPS in the future. For further details, please contact Rob Edge at Licence Leader Ltd, or any other reputable consultant.

All staff training must be recorded, as well as individual staff authorisations to sell alcohol. You should complete both the alcohol training statement sheet and the authorisation record sheet. All staff should be issued with their own

Staff Training and Operations Manual – MiniPrice Convenience Store

confirmation of having received their initial training, whether under this regime or any alternative proprietary system, keeping the originals for your own records. All staff should be listed on the authority record and it should contain their signature as proof of their understanding of the training they have received and the responsibilities that they hold in the sale of alcohol. Subsequently as they are re-authorized to sell alcohol on a regular basis this should form part of the refresher training and they are indicating by signing the authority sheet again that they are still fully conversant with the rules relating to the sale of alcohol.

New staff members should then be added as they join, subsequently signing again on a regular basis thereafter, after each refresher. The alcohol training and authority sheets are designed for quick reference by any of the Responsible Authorities, which may visit your store, and for you to identify and maintain all training requirements.

Premises licence – Licensable Activities

You can only carry out the sale of alcohol off the premises during the licensable hours of the premises licence. The penalty for selling outside permitted hours is substantial – and may include a possible review of the premises licence.

Staff Authorisation

Under the terms of the grant of the premises licence: It is an offence for a person to serve alcohol to anybody unless you have been authorised to do so by a personal licence holder.

Underage Sales

It is an offence to sell alcohol to anyone under the age of 18, or to anyone purchasing alcohol on behalf of someone under the age of 18. It is an offence for any person under the age of 18 to buy or attempt to buy alcohol. It is an offence for anybody under 18 to sell alcohol unless authorised to do so by a responsible person. Responsible persons are defined as:

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

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

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

Staff Training and Operations Manual – MiniPrice Convenience Store

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

Do not accept any other form of ID under any circumstances

Note: the penalty for the member of staff selling alcohol to an under aged person ranges from a fixed penalty notice to a criminal conviction and a substantial fine. You must ensure that you are completely satisfied as to the customer's age BEFORE you make the sale.

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

DUE DILIGENCE PROCEDURE

All staff are to be regularly briefed on the following topics:

- ii Test purchasing
- iii Age restricted products
- iv How to check proof of age
- v Follow the guidelines
- vi What the law says
- vii Due diligence procedure

Protection of Children from Harm

To protect children from harm and comply with the law, the vast majority of retailers take under age sales very seriously. There can be major consequences for businesses, licensees AND individual members of staff. Penalties for breaking the law include substantial fines, loss of licences, even imprisonment. Individual members of staff can be taken to court and prosecuted. They could also lose their job.

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

Test purchasing

Trading Standards and the Police (sometimes-together) check that the law is followed and can carry out test purchases of all age-restricted products as part of their enforcement duties. The test purchases are made with volunteer young people who are to look their age.

These test purchases follow procedures supported by the government. They are allowed as evidence of underage sales. Following these guidelines and asking for proof of age and receiving appropriate proof (asking by itself is not a

defence), should make sure that you do not make an illegal sale. Samples of 'proof of age' are shown on the photocards poster in the support material

Age restricted products – age restrictions

Alcohol Products 18

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

How to check proof of age ?

If a customer who looks under 25 and asks to buy an age restricted product, ask for one of the prescribed forms of proof of age and check it. If appropriate proof of age cannot be produced, you must refuse the sale and make an entry in the refusals register. You must only accept proof of age with date of birth and a photo. Remember to check that the photo matches the customer and that you can see their face clearly, including asking them to remove hoods and caps.

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

Always follow these checks

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

• Acceptable proof of age includes

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

There are fake proof of age cards about so if you are unhappy with a card for any reason, refuse the sale. Items such as birth certificates and national insurance cards are not good enough. They carry no photo so can be passed between friends. Legally you have the right to refuse to sell to anyone, whether over or under age, if you are unhappy with the sale in any way.

REMEMBER – If in doubt Refuse the sale

Staff Training and Operations Manual – MiniPrice Convenience Store

- Don't try to judge ages. Only accept approved proof of age cards with photos and date of birth.
- Follow either the 'Challenge 21 or Challenge 25 Rule' and ask for proof of age from anyone who does not look over 21 or over 25. Remember, if you guess wrong you could end up in court!
- Make sure notices (e.g. 'It is an offence to sell cigarettes to persons under 18') are on display.
- Know when dates of birth will be correct. Are they 18 yet? Just having today's date with the relevant year of birth will do!
- Fill in a 'refusals book' (at 4.11) each time a refusal takes place. The DPS should check entries regularly to make sure all staff are using the register.
- Be careful should young people wearing school uniforms request to purchase age related products.
- Do not sell to an adult you suspect of buying for under age young people. It is an offence for an adult to buy alcohol on behalf of someone under 18. This is called proxy selling.
- Support colleagues when they refuse sales. It can be difficult to say 'no.'

Alcohol

The age at which product alcohol can be legally served and bought is 18. Do not sell to over 18s who you think may be purchasing for under 18s. Both the owner of the business and the seller may commit a criminal offence if alcohol is sold to an under 18. If you are found guilty of selling alcohol to a person under 18 the premises licence to sell alcohol is at risk.

Under 18s cannot legally purchase alcohol. Always ask for proof of age before you serve and check the details. You can face prosecution and a criminal record or alternatively the police can issue on the spot fine of £90 if under age sales are made.

Checking Proof of age

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

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

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

Check that

i. Passport

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

ii. European style driving licence

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

iii. **PASS cards**

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

iv. **The customer**

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

If you are in any doubt about the validity of the identification offered or the age of the customer even with the identification **you MUST refuse the sale and record the details in the refusals book**

What to watch out for regarding the ID of a person who is possibly under the influence of alcohol.

Signs of Intoxication

There are many signs that a person may display as they become intoxicated. As blood alcohol levels rise; differences can be noticed in coordination, appearance, speech and behaviour.

An intoxicated person may typically show some of the following signs:

i. Behaviour and Physical Signs

Becoming loud, boisterous and disorderly Dropping possessions, rambling conversation, becoming argumentative Fumbling and difficulty in picking up change Loss of train of thought e.g. forgot to pay for goods Annoying other customers and staff Swaying and staggering Difficulty in paying attention Becoming incoherent, slurring or making mistakes in speech Difficulty walking straight Not hearing or understanding what is being said Becoming physically violent Bumping into fixtures/other customers Drowsiness, dozing or sleeping while in premises becoming bad tempered or aggressive Glassy/bloodshot eyes and lack of focus Observe customers in difficulty lighting cigarettes whilst outside the premises using offensive language. Falling, Vomiting Exhibiting inappropriate sexual behaviour Flushed Face Dishevelled Clothing Person smells of alcohol

DUTY TO REFUSE SERVICE

It is your duty to refuse to serve under 18s and you must refuse to serve a person if they are or appear to be drunk.

How to refuse a sale

Sometimes refusing a sale will make the customer angry. Here are some tips to help you handle difficult refusals.

Ask for proof of age. This helps the situation, as it is not a direct refusal. It says that you will make the sale if they can produce valid proof of age. Only accept proof of age with a photo, and only if you are happy it is correct.

Refuse politely. If necessary repeat your refusal clearly.

Keep calm. Do not get into an argument.

Explain briefly, why you cannot sell. Try saying

- 'I'm sorry; if I serve you I might be breaking the law.'
- 'We have a policy of 'no proof of age, no sale.'
- 'Our company policy is not to sell these products to young people.'

Show customers notices, posters and stickers that indicate you will not serve alcohol to under 18s or sell other age-restricted products.

Be positive in your refusal. Have a firm tone of voice, be confident and use direct eye contact. The law is on your side and you are doing the right thing.

Call your supervisor or manager for support if necessary.

Record details in your premises' refusal register.

Report incidents where you have felt threatened and/or intimidated.

Remember, **you commit an offence** if:

- You sell alcohol to a person who is under 18
- You allow alcohol to be sold to someone who is under 18 when you could have prevented that sale
- You sell alcohol to a person who is drunk
- You sell alcohol to a companion of a person who is drunk for the drunken person's consumption
- You allow alcohol to be sold to someone who is drunk when you could have prevented that sale

On the spot fixed penalty, notices can be issued for serving alcohol to someone who is drunk or under age with prosecution also being a possibility.

If someone is drunk or disorderly they can be ejected from the premises and the Police must assist if requested to do so - if you think a customer should be ejected please ensure that you seek assistance from a colleague and follow your company procedures in order to deal with the incident properly and safely.

Keep calm. Do not get into an argument. **Explain briefly why you cannot sell.** Try saying

- 'I'm sorry; if I serve you I might be breaking the law.' 'We have a policy of 'no proof of age, no sale.'

Training for Staff

MiniPrice Convenience Store

Staff member [Full name]	
DPS or Personal Licence Holder delivering training [Full name]	

A new checklist will be used to record when;

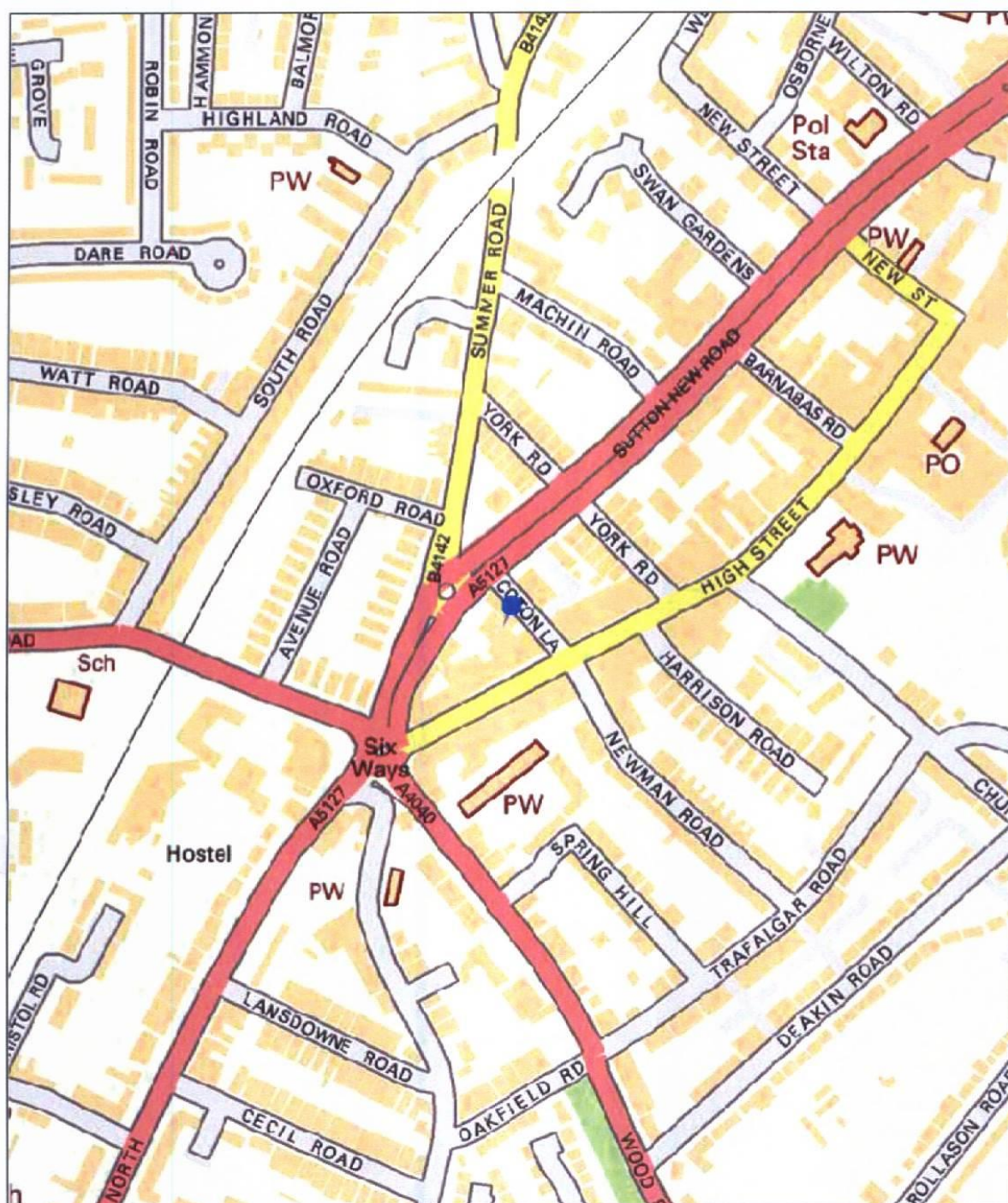
- a new staff member is appointed
- changes to the premises licence or policies have occurred
- when carrying out refresher training for existing staff.

This is paramount to our business and to demonstrate that we are showing our best endeavours to comply with the requirements of our premises licence and the licensing objectives of 2003 Licensing Act.

1. What the law says about selling alcohol & the penalty staff and the business can face if an underage sale occurs?	
2. That the premises must hold a premises licence to sell alcohol. In addition, must understand what the licence requires of them, and the consequences for them and the business should any person sell alcohol in breach of any aspect of the alcohol licence.	
3. What the alcohol licence and conditions of the operating schedule require. EG: [i] ensuring alcohol is only sold during licensing hours, [ii] mandatory conditions as well as any conditions that are set out in the Annexes to the alcohol licence that are specific to our individual premises,	
4. Why selling alcohol underage and underage drinking is a problem for local communities, as well as the harm caused to underage drinkers themselves.	
5. What our policy is for challenging customers for proof of age?	
6. What our shop policy is, for the types of proof of age (ID) staff should accept?	
7. How to operate any 'till prompt' system installed?	

Staff Training and Operations Manual – MiniPrice Convenience Store

8. The signs to look out for that the customer may be buying alcohol for others who are underage ('Proxy purchasing')?			
9. What staff should do if they suspect the person they are serving is a 'proxy purchaser'?			
10. Where and how to record any refusals to sell, challenges for proof of age, use of fake ID or any other incidents such as aggressive or abusive customers etc?			
11. Why it is important to record incidents/refusals to sell?			
12. The law that staff under the age of 18 are not allowed to sell alcohol to anyone and the consequences for breaking this law.			
13. What the policy is for an under 18-year-old to get authorisation for sales involving alcohol?			
Full name of person trained	Signature	Position in shop	Date dd/mm/yy
Full name(s) of trainer(s)			
Full name of Designated Premises Supervisor or personal licence holder, authorising person trained to sell alcohol. (NB Under 18's cannot be authorised to sell alcohol).			



Birmingham City Council

Map Created By:

Notes

Date of Map Creation: 11/02/2019



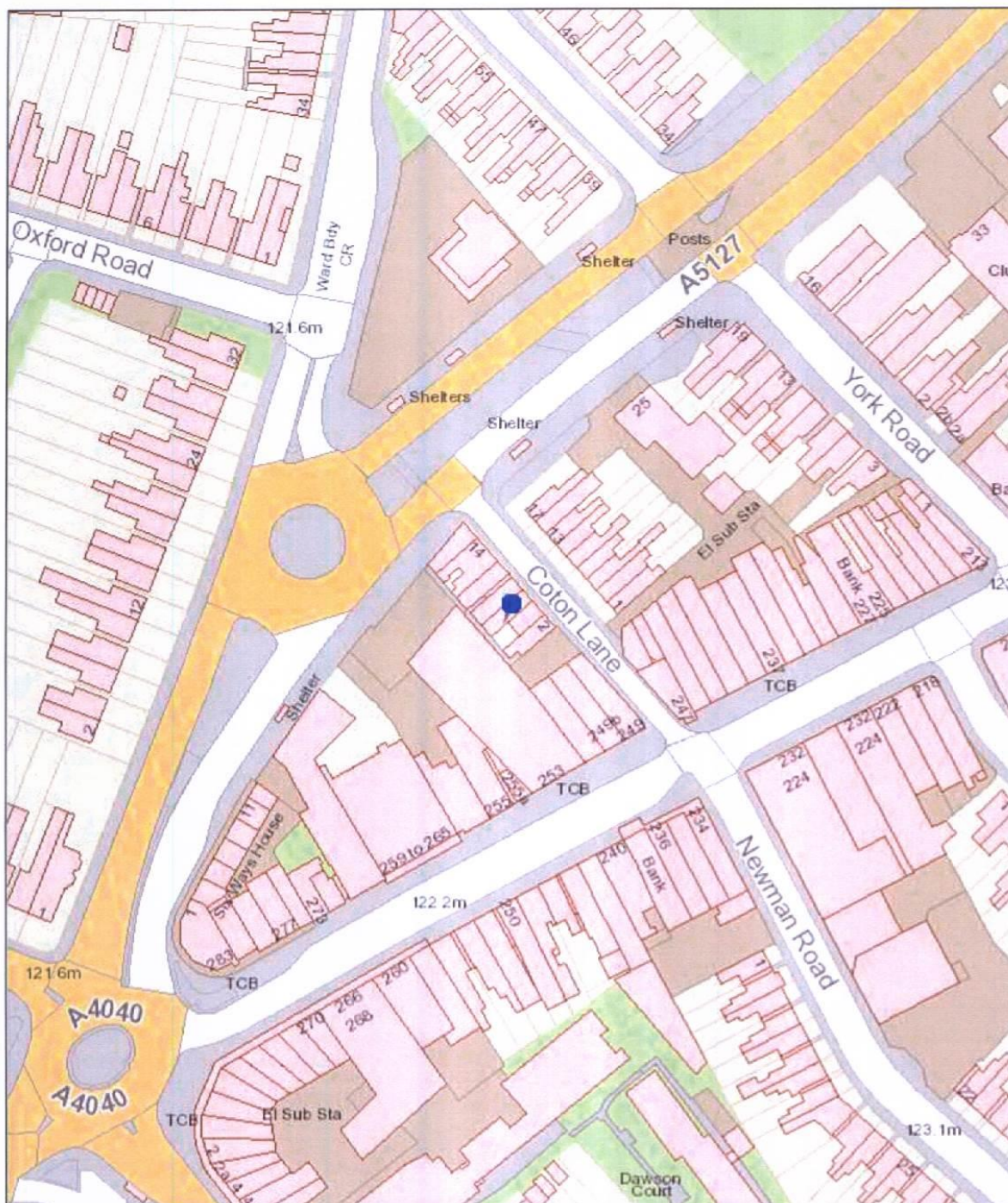
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Birmingham City Council Map Created By:

Notes

Date of Map Creation: 11/02/2019



Scale:
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MiniPrice

Premises Licence Application

**Birmingham City Council
Licensing Sub-Committee
0930 HRS - 26 March 2019**

Documents lodged on behalf of the applicant

Acting for the applicant, we have liaised extensively with those Responsible Authorities, and those who have objected to this application.

Understanding that the premises falls within the CIZ, we have offered a suite of conditions, in addition to a reduction of the original hours requested.

We do not believe that these premises will add to any cumulative impact of Public Noise/Nuisance or crime and disorder, given the conditions in place and measures taken by the applicant. There is a comprehensive suite of conditions to deter any undermining of the licensing objectives.

The following documents were used for both the application and mediation:

- Premises Licence and Site Operations Training Manual
- Challenge 25
- Incident log book
- Refusals register
- Staff Training documentation
- Signage for customers – be considerate to neighbours
- No single can/bottles sales
- Reduced hours, given the locality.
- References given to the applicant by previous employers in the licensed trade

During the mediation process, my client has offered the following, as evidence that he is very willing to work with those who have shown concerns for this application:

1. Reduction of hours from "The sale of alcohol for consumption "Off" the premises, between Monday- Sunday 0700 -0100 hrs
reduced to Monday- Sunday 0900 -2330 hrs

2. No single can sales above 6.5% of beer or cider {in order to deter "street drinkers" from frequenting the premises. {In addition to signage stating this placed in the shop window}
3. Comprehensive Training of staff in the Licensing Act 2003, prior to the store opening
4. No items of alcohol on display within the open windows of the shop front.

MiniPrice Convenience Store

Premises Licence and Site Operations Training Manual

This Premise Licence Operation and Training Manual contains instructions and guidance covering various policies and procedures for this premises.

The intention of this manual is to:

- Assist in staff training and awareness.
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- Staff are to undertake questionnaire - all questions to be answered correctly.
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3. Check that the date of birth is properly printed on the card and that you have calculated the date of birth correctly.
4. Check that the card has not been tampered with in any way.
5. Check the person. If you are unsure about any of the above you must, and have the right to, refuse the sale.

• Acceptable proof of age includes

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

There are fake proof of age cards about so if you are unhappy with a card for any reason, refuse the sale. Items such as birth certificates and national insurance cards are not good enough. They carry no photo so can be passed between friends. Legally you have the right to refuse to sell to anyone, whether over or under age, if you are unhappy with the sale in any way.

REMEMBER – If in doubt Refuse the sale

- Don't try to judge ages. Only accept approved proof of age cards with photos and date of birth.
- Follow either the 'Challenge 21 or Challenge 25 Rule' and ask for proof of age from anyone who does not look over 21 or over 25. Remember, if you guess wrong you could end up in court!
- Make sure notices (e.g. 'It is an offence to sell cigarettes to persons under 18') are on display.
- Know when dates of birth will be correct. Are they 18 yet? Just having today's date with the relevant year of birth will do!
- Fill in a 'refusals book' (at 4.11) each time a refusal takes place. The DPS should check entries regularly to make sure all staff are using the register.
- Be careful should young people wearing school uniforms request to purchase age related products.
- Do not sell to an adult you suspect of buying for under age young people. It is an offence for an adult to buy alcohol on behalf of someone under 18. This is called proxy selling.
- Support colleagues when they refuse sales. It can be difficult to say 'no.'

Alcohol

The age at which product alcohol can be legally served and bought is 18. Do not sell to over 18s who you think may be purchasing for under 18s. Both the owner of the business and the seller may commit a criminal offence if alcohol is sold to an under 18. If you are found guilty of selling alcohol to a person under 18 the premises licence to sell alcohol is at risk.

Under 18s cannot legally purchase alcohol. Always ask for proof of age before you serve and check the details. You can face prosecution and a criminal record or alternatively the police can issue on the spot fine of £90 if under age sales are made.

Checking Proof of age

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

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

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

Check that

i. Passport

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

ii. European style driving licence

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

iii. **PASS cards**

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

iv. **The customer**

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

If you are in any doubt about the validity of the identification offered or the age of the customer even with the identification **you MUST refuse the sale and record the details in the refusals book**

What to watch out for regarding the ID of a person who is possibly under the influence of alcohol.

Signs of Intoxication

There are many signs that a person may display as they become intoxicated. As blood alcohol levels rise; differences can be noticed in coordination, appearance, speech and behaviour.

An intoxicated person may typically show some of the following signs:

i. Behaviour and Physical Signs

Becoming loud, boisterous and disorderly Dropping possessions, rambling conversation, becoming argumentative Fumbling and difficulty in picking up change Loss of train of thought e.g. forgot to pay for goods Annoying other customers and staff Swaying and staggering Difficulty in paying attention Becoming incoherent, slurring or making mistakes in speech Difficulty walking straight Not hearing or understanding what is being said

Becoming physically violent Bumping into fixtures/other customers Drowsiness, dozing or sleeping while in premises becoming bad tempered or aggressive Glassy/bloodshot eyes and lack of focus Observe customers in difficulty lighting cigarettes whilst outside the premises using offensive language. Falling, Vomiting Exhibiting inappropriate sexual behaviour Flushed Face Dishevelled Clothing Person smells of alcohol

DUTY TO REFUSE SERVICE

It is your duty to refuse to serve under 18s and you must refuse to serve a person if they are or appear to be drunk.

How to refuse a sale

Sometimes refusing a sale will make the customer angry. Here are some tips to help you handle difficult refusals.

Ask for proof of age. This helps the situation, as it is not a direct refusal. It says that you will make the sale if they can produce valid proof of age. Only accept proof of age with a photo, and only if you are happy it is correct.

Refuse politely. If necessary repeat your refusal clearly.

Keep calm. Do not get into an argument.

Explain briefly, why you cannot sell. Try saying

- 'I'm sorry; if I serve you I might be breaking the law.'
- 'We have a policy of 'no proof of age, no sale.'
- 'Our company policy is not to sell these products to young people.'

Show customers notices, posters and stickers that indicate you will not serve alcohol to under 18s or sell other age-restricted products.

Be positive in your refusal. Have a firm tone of voice, be confident and use direct eye contact. The law is on your side and you are doing the right thing.

Call your supervisor or manager for support if necessary.

Record details in your premises' refusal register.

Report incidents where you have felt threatened and/or intimidated.

Remember, **you commit an offence** if:

- You sell alcohol to a person who is under 18
- You allow alcohol to be sold to someone who is under 18 when you could have prevented that sale
- You sell alcohol to a person who is drunk
- You sell alcohol to a companion of a person who is drunk for the drunken person's consumption
- You allow alcohol to be sold to someone who is drunk when you could have prevented that sale

On the spot fixed penalty, notices can be issued for serving alcohol to someone who is drunk or under age with prosecution also being a possibility.

If someone is drunk or disorderly they can be ejected from the premises and the Police must assist if requested to do so - if you think a customer should be ejected please ensure that you seek assistance from a colleague and follow your company procedures in order to deal with the incident properly and safely.

Keep calm. Do not get into an argument. **Explain briefly why you cannot sell.** Try saying

- 'I'm sorry; if I serve you I might be breaking the law.' 'We have a policy of 'no proof of age, no sale.'

www.licence-leader.co.uk
licence-leader@hotmail.com
Mob. 07982917819

Training for Staff

MiniPrice Convenience Store

Staff member [Full name]	
DPS or Personal Licence Holder delivering training [Full name]	

A new checklist will be used to record when;

- a new staff member is appointed
- changes to the premises licence or policies have occurred
- when carrying out refresher training for existing staff.

This is paramount to our business and to demonstrate that we are showing our best endeavours to comply with the requirements of our premises licence and the licensing objectives of 2003 Licensing Act.

1. What the law says about selling alcohol & the penalty staff and the business can face if an underage sale occurs?	
2. That the premises must hold a premises licence to sell alcohol. In addition, must understand what the licence requires of them, and the consequences for them and the business should any person sell alcohol in breach of any aspect of the alcohol licence.	
3. What the alcohol licence and conditions of the operating schedule require. EG: [i] ensuring alcohol is only sold during licensing hours, [ii] mandatory conditions as well as any conditions that are set out in the Annexes to the alcohol licence that are specific to our individual premises,	
4. Why selling alcohol underage and underage drinking is a problem for local communities, as well as the harm caused to underage drinkers themselves.	
5. What our policy is for challenging customers for proof of age?	
6. What our shop policy is, for the types of proof of age (ID) staff should accept?	
7. How to operate any 'till prompt' system installed?	

8. The signs to look out for that the customer may be buying alcohol for others who are underage ('Proxy purchasing')?			
9. What staff should do if they suspect the person they are serving is a 'proxy purchaser'?			
10. Where and how to record any refusals to sell, challenges for proof of age, use of fake ID or any other incidents such as aggressive or abusive customers etc?			
11. Why it is important to record incidents/refusals to sell?			
12. The law that staff under the age of 18 are not allowed to sell alcohol to anyone and the consequences for breaking this law.			
13. What the policy is for an under 18-year-old to get authorisation for sales involving alcohol?			
Full name of person trained	Signature	Position in shop	Date dd/mm/yy
Full name(s) of trainer(s)			
Full name of Designated Premises Supervisor or personal licence holder, authorising person trained to sell alcohol. (NB Under 18's cannot be authorised to sell alcohol).			

Mr John Sabharwal
Cheers Off License and Grocery Shop
2 Ashley Road. Erdington
Birmingham. B23 6BX

Mr M Osman has been working for me at my shop for just over 1 year long. He understands the groceries and the alcohol. He always uses the checking of identity of customers to make sure they are not underage.

Because he is a married man; he is very polite and gets on well with the customers. He will refuse to serve them if they are drunk or they do not look old enough to buy alcohol.

I know that he will always do the right thing at his new shop and will be considerate to everyone.

Yours faithfully
Mr John Sabharwal
9 MARCH 2019

Chandeep Singh
Sutton Drinkstore
22, Birmingham Road
Sutton Coldfield
B72 1QG

10 March 2019

Mr Mohammed Osman worked for me for 2 years and was always very conscientious, he ran the shop well and would always ask for ID if he was unsure of the customers age. He never serves those who are drunk or want to drink in the street.

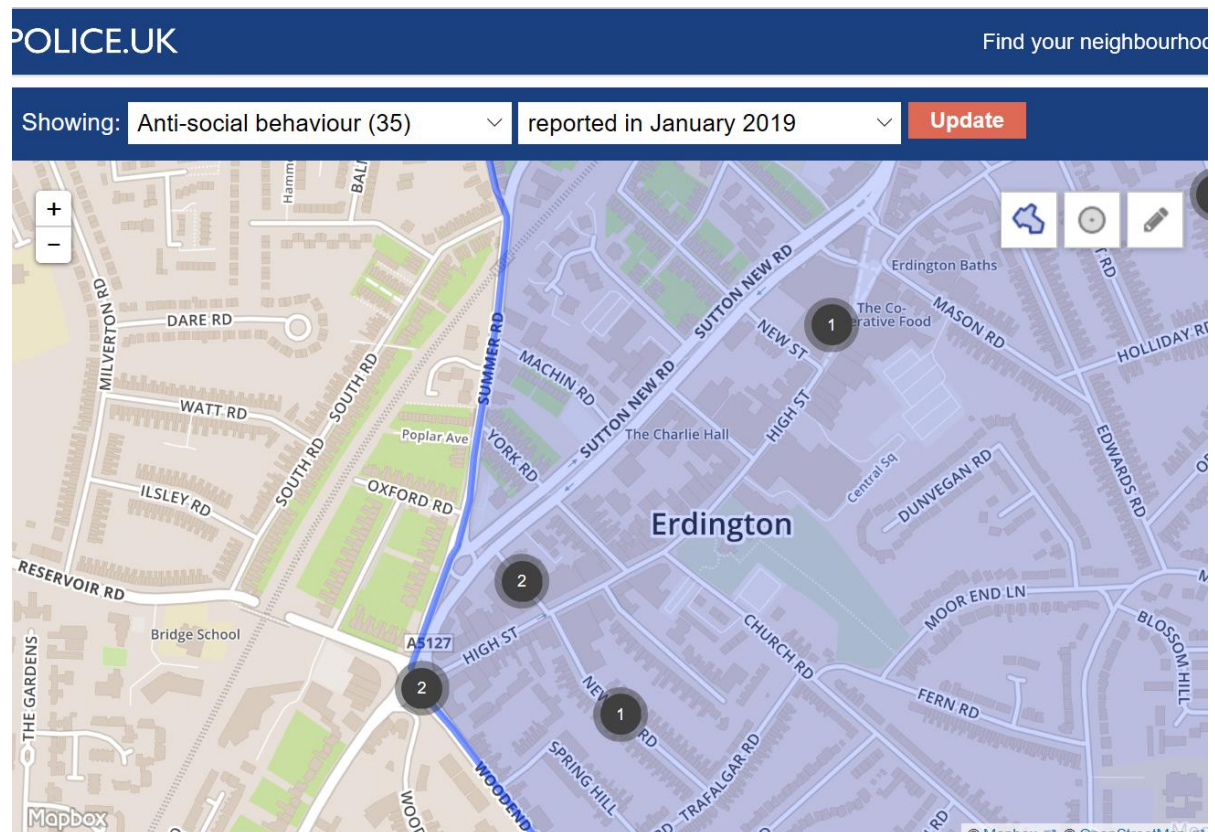
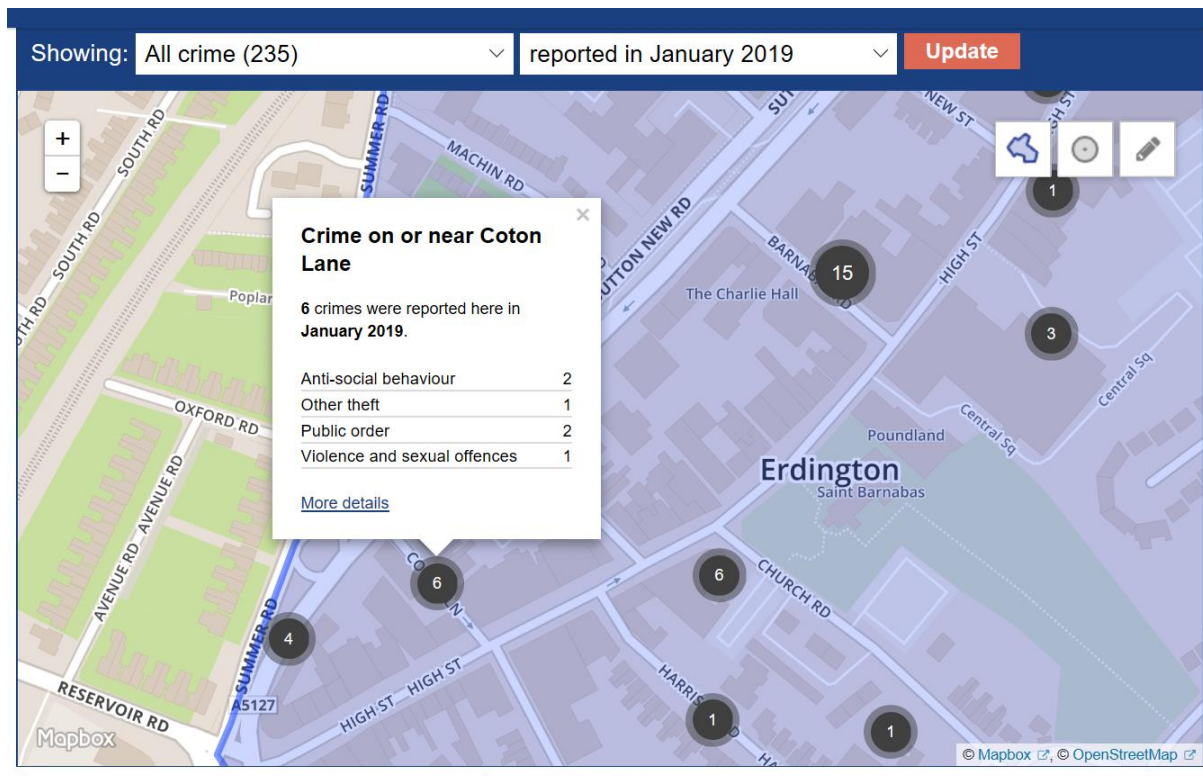
He is a polite, well-mannered man who always follows the letter of the law.

I was sorry to lose him as an employee, but happy for him that he will have his own business to run, which he will do in a highly professional way.

Yours sincerely

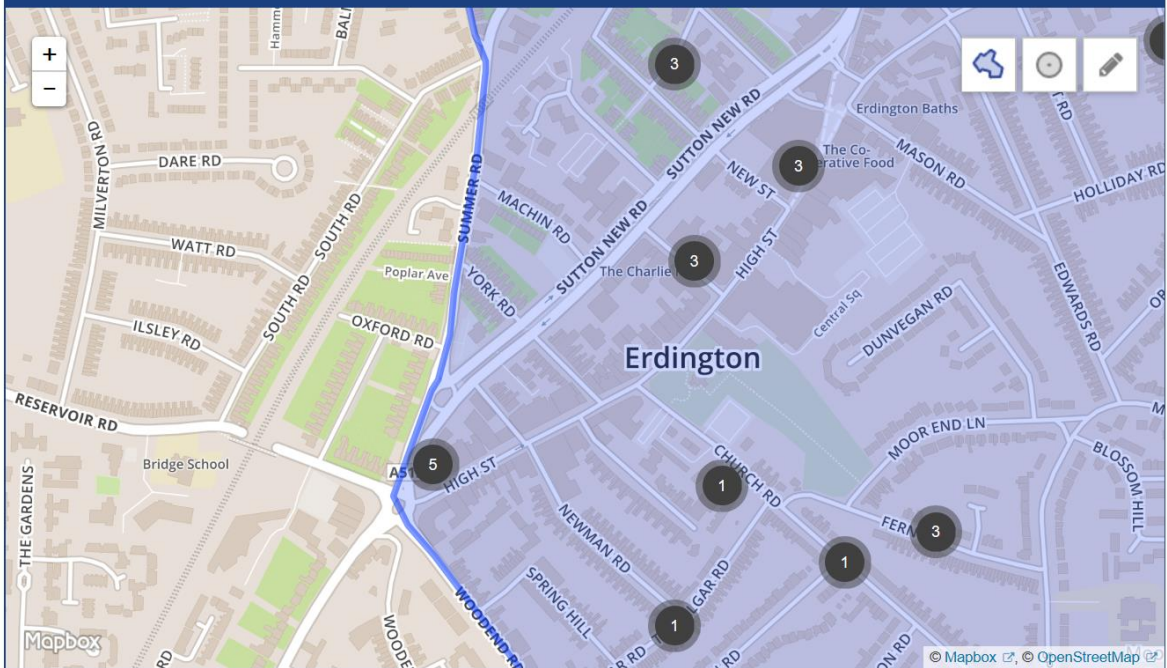
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Reported Crimes – Erdington Ward October 2018 to January 2019



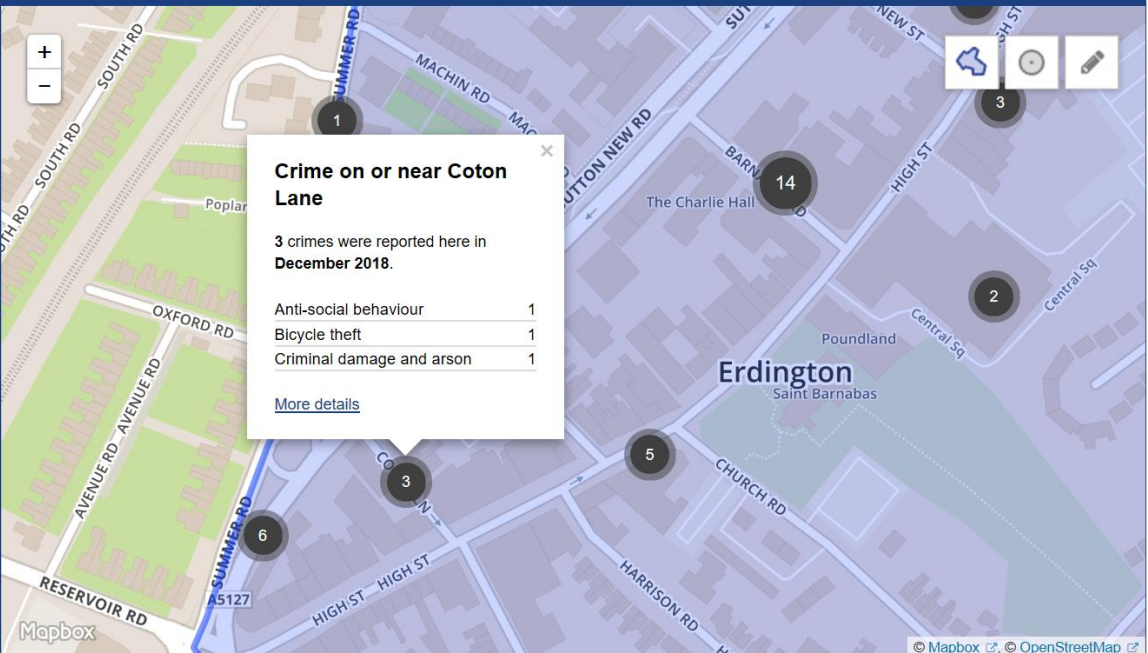
Showing: Violence and sexual offences (8) reported in January 2019

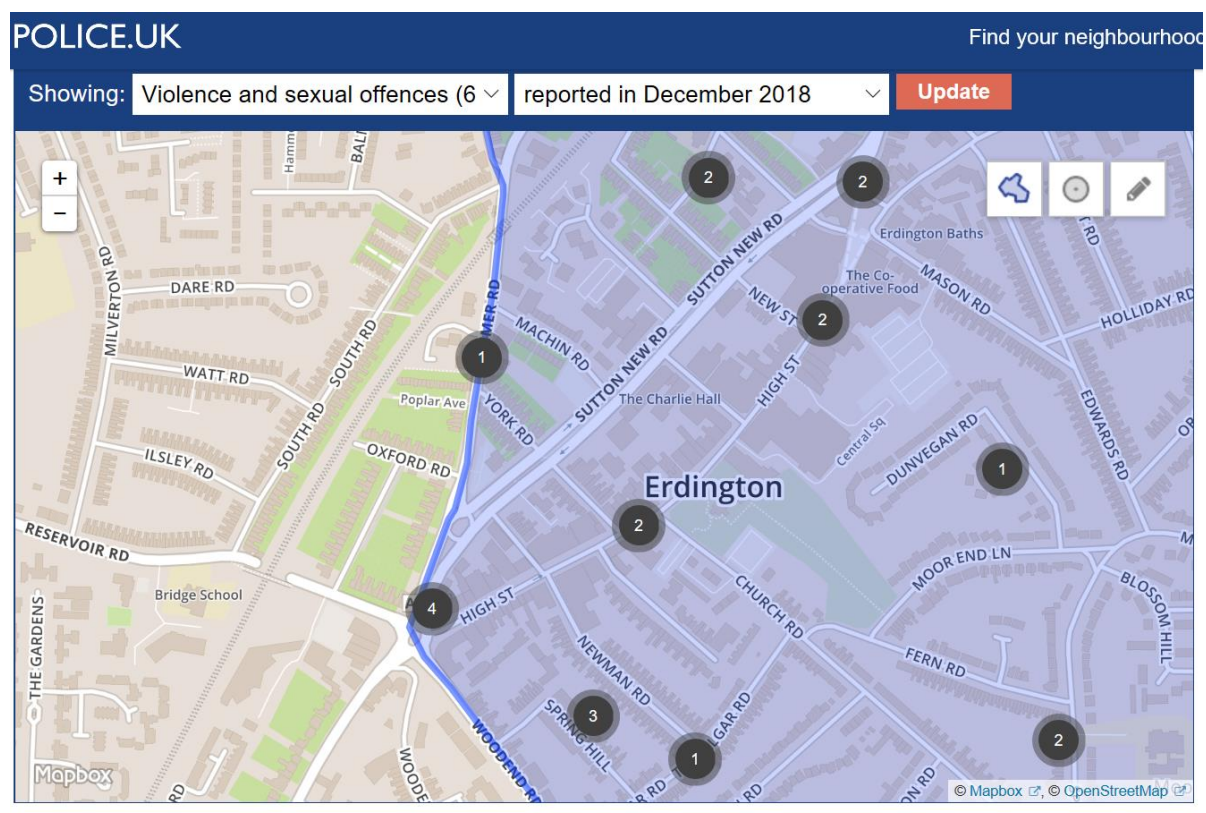
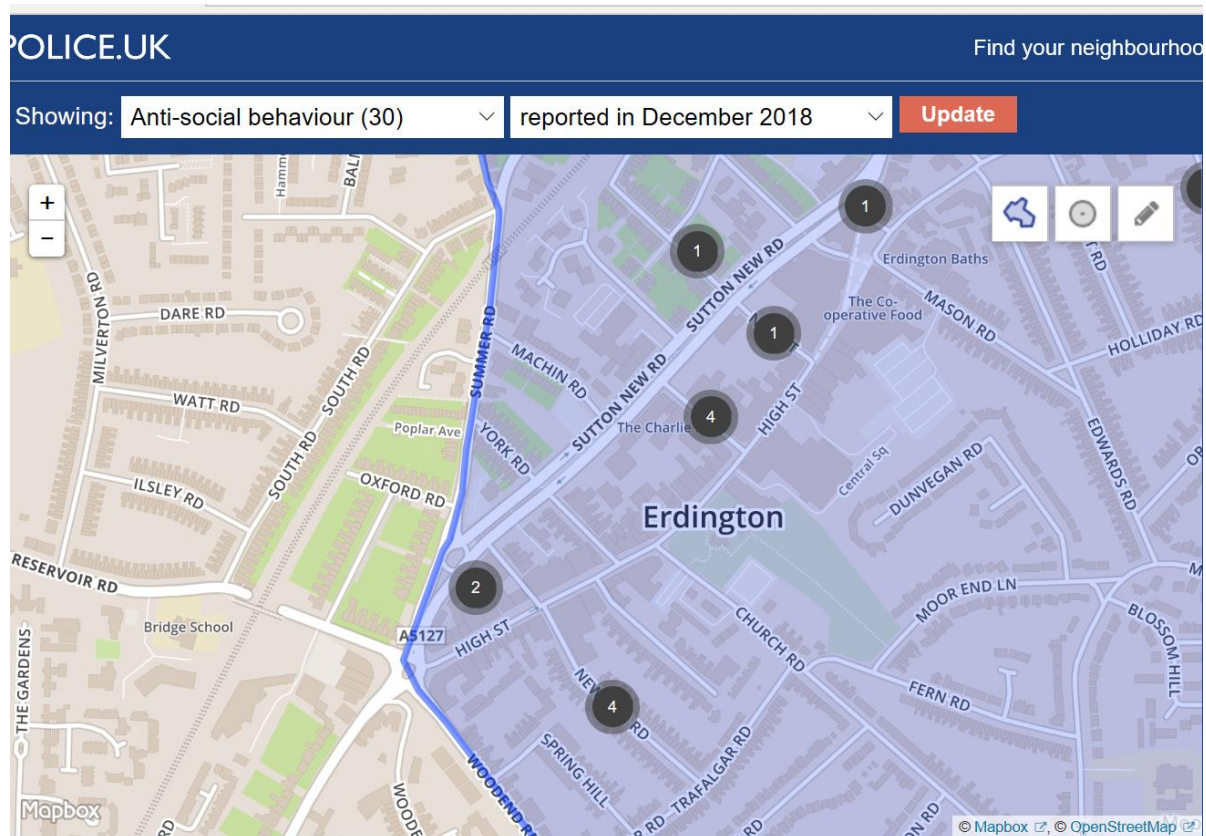
Update

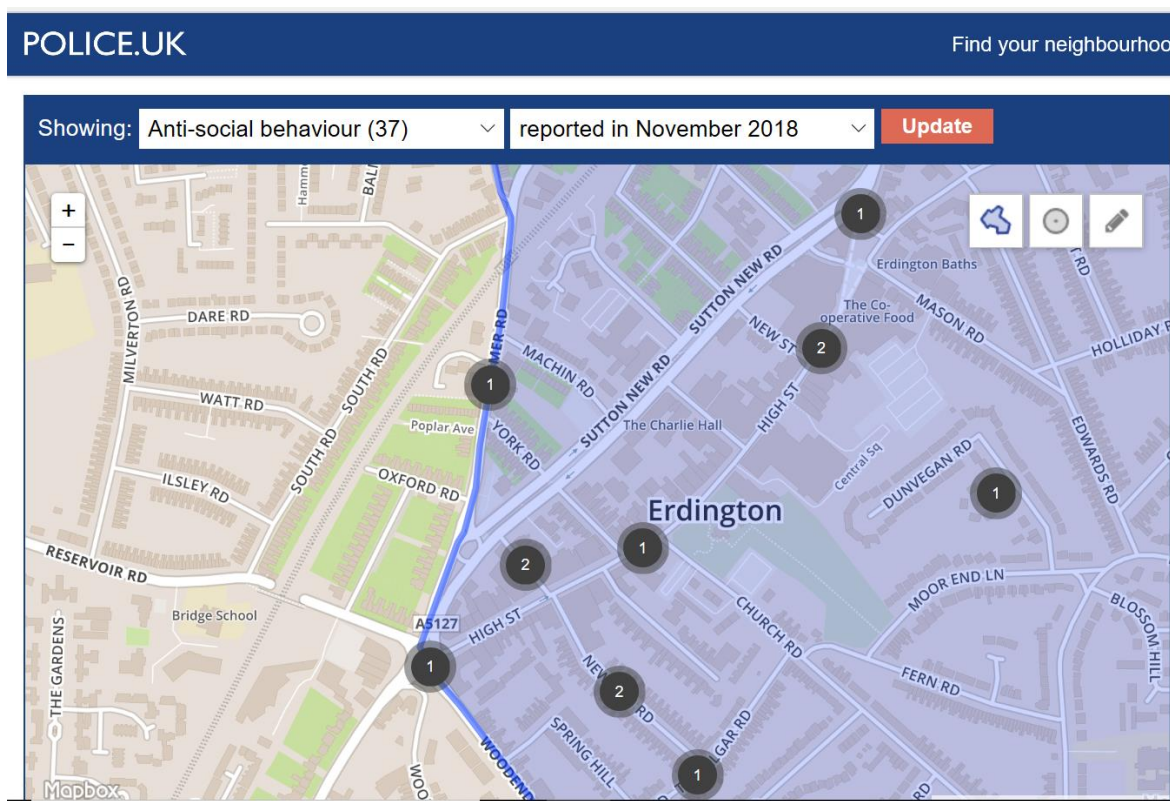
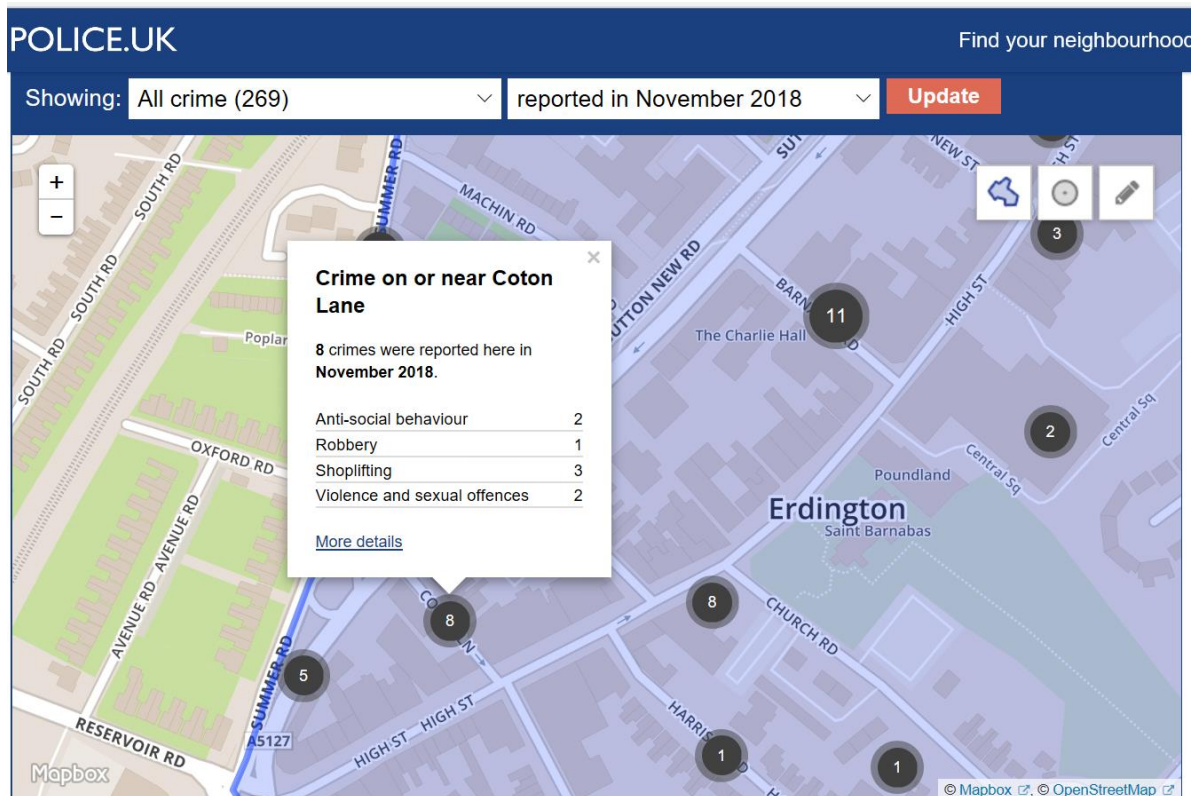


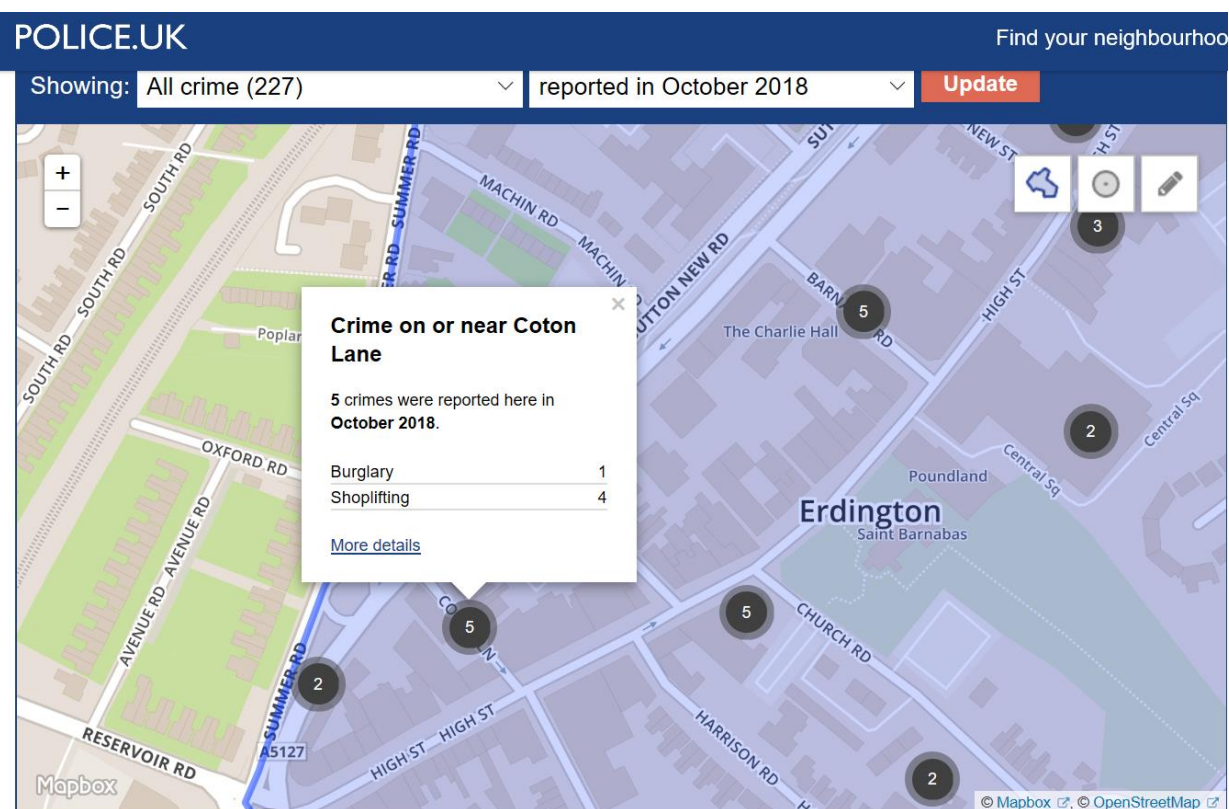
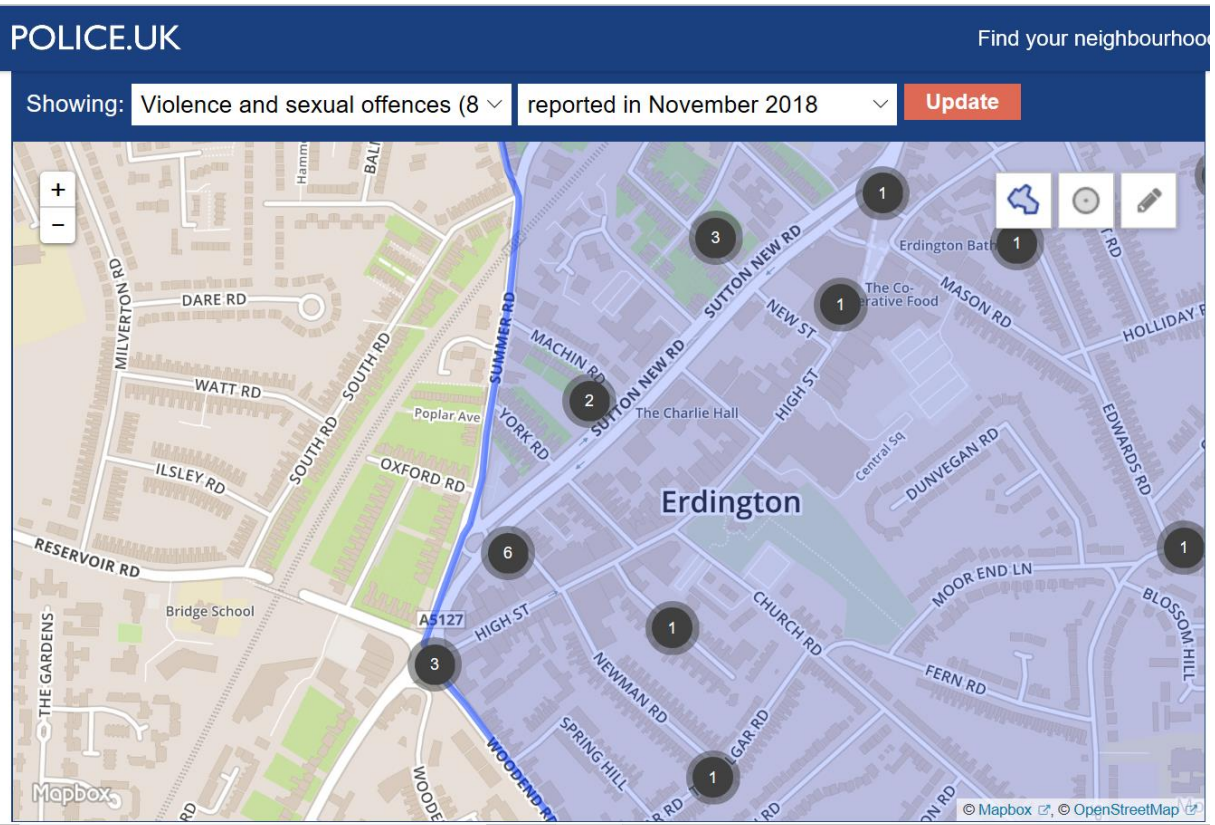
Showing: All crime (226) reported in December 2018

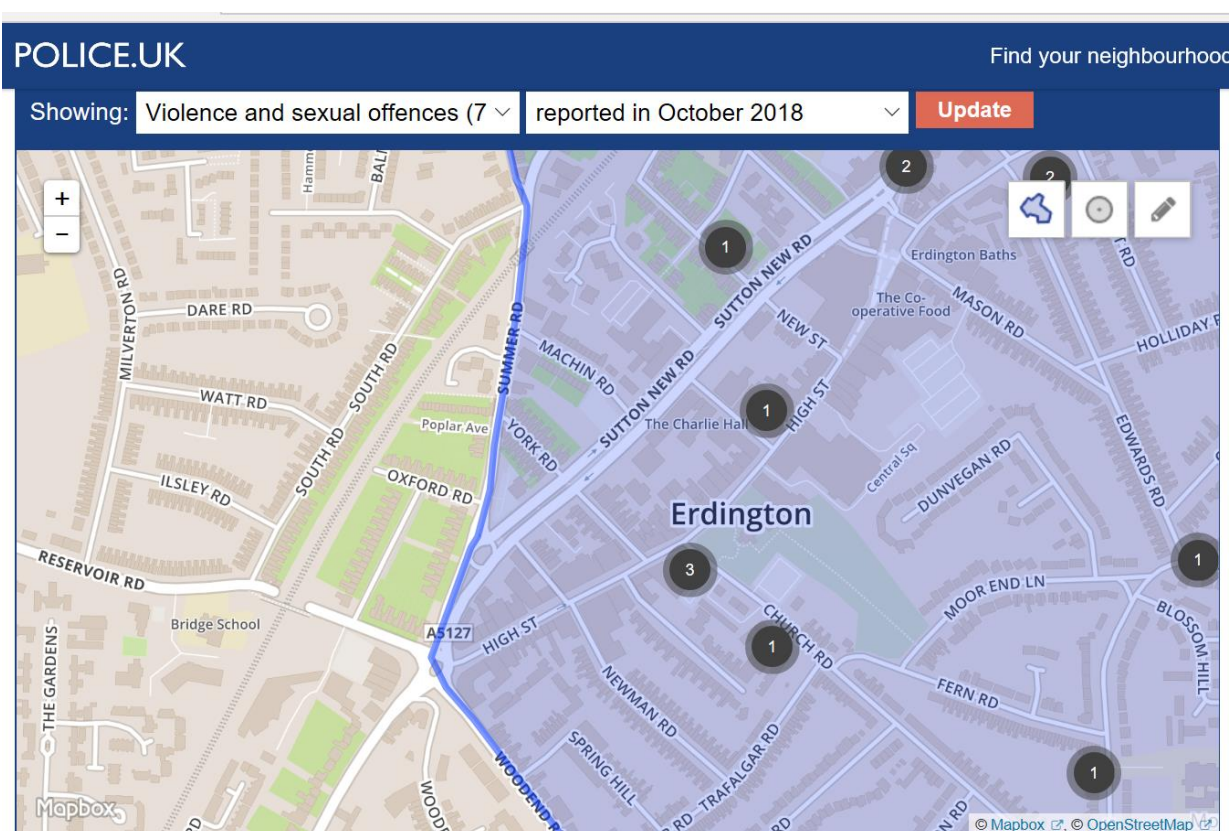
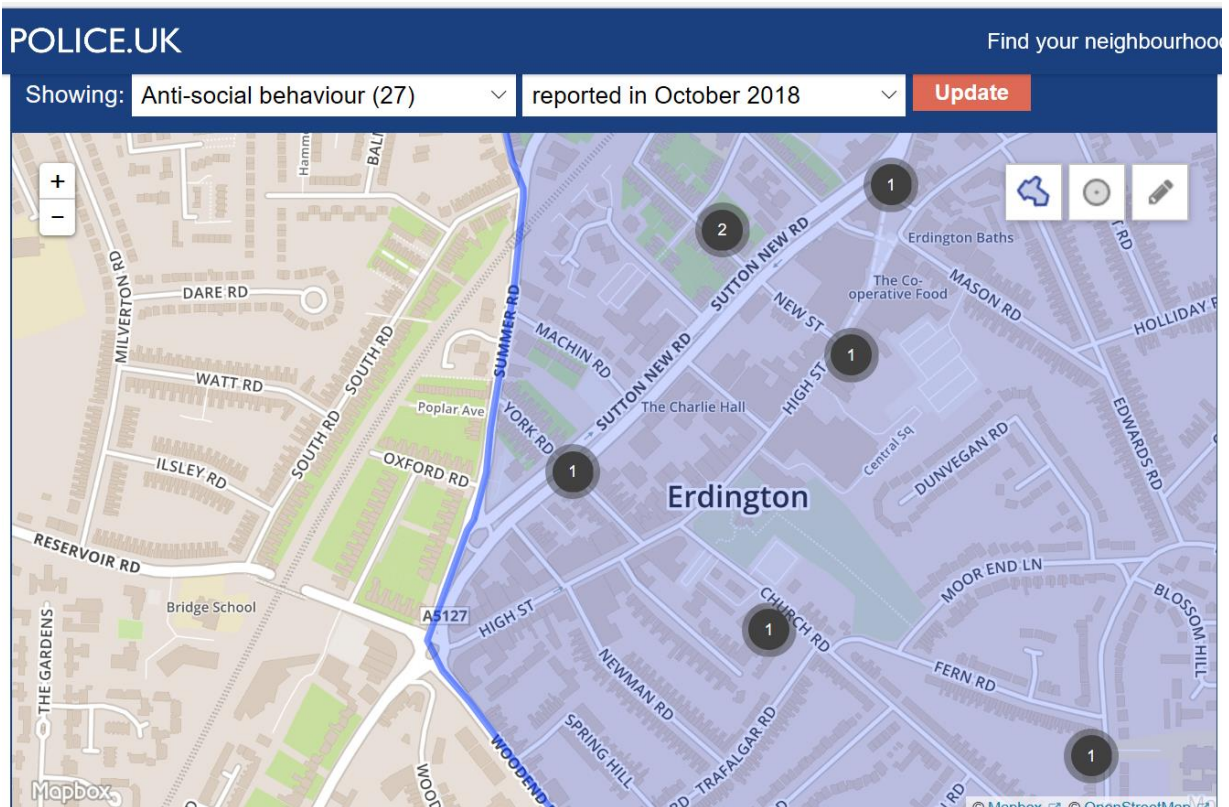
Update











Crime

In 2015/16 in England, victims believed the offender(s) to be under the influence of alcohol in 39% of all violent incidents.

- In 2016/17 in England and Wales, 12.4% of theft offences, 20.6% of criminal damage and 21.5% of hate crimes were alcohol-related [15].
- In England and Wales, alcohol-related violent incidents are more likely to be reported to the police than those which are not alcohol-related [15].
- In 2016/17 in England and Wales, in 35.8% of sexual assault cases the offender was under the influence of alcohol [15].
- In 2015/16 in England, victims believed the offender(s) to be under the influence of alcohol in 39% of all violent incidents, down from a peak of 55% in 2009/10. In Wales, the figure is higher, at 49% in 2015/16, down from a peak of 73% in 2006/07 [11].
- In 2014-2016 in England and Wales, alcohol-related violent incidents made up 67% of violent incidents which take place at the weekend and 68% of those which take place during the evening and night [12].
- In 2014-2016 in England and Wales, 91% of violent incidents which took place in or near a pub or club were alcohol-related, and 67% of those which took place in public spaces were alcohol-related [12].
- In 2016/17 in Scotland, in 42% of violent crime incidents the offender was under the influence of alcohol [20].
- In 2016 in Great Britain, there were 9,040 drink-drive casualties and 6,070 drink-drive accidents. In the long-term, these figures

have been falling since 1979 from a peak of around 31,000 casualties and 19,000 accidents, although have increased in recent years since 2013, when there were only 8,270 casualties and 5,690 accidents [13].

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Director of Regulation & Enforcement
Date of Meeting:	Tuesday 26th March 2019
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Extra Supermarket, 187 High Street, Erdington, Birmingham, B23 6SY
Ward affected:	Erdington
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption off the premises) to operate from 8:00am until 9:00pm (Monday to Sunday).

Premises to remain open to the public from 8:00am until 9:00pm (Monday to Sunday).

2. Recommendation:

To consider the representations that have been made and to determine the application.

3. Brief Summary of Report:

An application for a Premises Licence was received on 31st January 2019, in respect of Extra Supermarket, 187 High Street, Erdington, Birmingham, B23 6SY.

Representations have been received from two responsible authorities and from other persons.

4. Compliance Issues:**4.1 Consistency with relevant Council Policies, Plans or Strategies:**

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

5. Relevant background/chronology of key events:

Paromstor Ltd applied on 31st January 2019 for the grant of a Premises Licence for Extra Supermarket, 187 High Street, Erdington, Birmingham, B23 6SY.

Representations have been received from West Midlands Police and Trading Standards, as responsible authorities. See Appendices 1 and 2.

Representations have been received from other persons. See Appendices 3 and 4.

The application is attached at Appendix 5.

Site Location Plans at Appendix 6.

It should be noted that there is a special policy in force for the Erdington area. The effect of a special policy is to create a rebuttable presumption that applications for new licences or material variations to existing licences will normally be refused unless it can be shown that the premises concerned will not add to the cumulative impact on the licensing objectives being experienced.

The Council will expect the applicant to demonstrate the steps it will take to promote the licensing objectives. Where relevant representations are made, the Council will consider the application on its individual merits and decide whether to apply the special policy.

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

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

6. List of background documents:

Copies of the representations as detailed in Appendices 1 - 4
Application Form, Appendix 5
Site Location Plans, Appendix 6

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.

Entered 21

From: bw licensing <
Sent: 04 February 2019 14:43
To: Licensing Online;
Cc: Compliance Direct ,
Subject: RE: ON-LINE GRANT - EXTRA SUPERMARKET, 187 HIGH STREET, ERDINGTON, BIRMINGHAM, B23 6SY

Licensing,

- West Midlands Police formally make representation to the grant of this licence on the grounds that if granted the licensing objectives, the prevention of crime and disorder will not be promoted.
- West Midlands Police are aware that in 2018 Birmingham City Council Trading Standards Department conducted a visit on the premises where they found a quantity of illicit tobacco. The licence in place at the time was taken to review where the licensing committee saw fit revoked it.
- West Midlands Police are not satisfied that there has been a change of ownership at the shop and believe that the person(s) involved with the old revoked licence still have day to day control.
- Also, the area in which this shop is located is in the middle of a Cumulative Impact Zone (CIZ). This was created by the local council as the area of Erdington is saturated with both on and off alcohol sales. This has had a detrimental effect on the area with it being subject to a large amount of alcohol related crime, disorder and ASB.
- West Midlands Police are not satisfied that the applicant will be able to promote the licensing objectives.

Regards

PC 1978 Walker
 Birmingham Police Central Licensing Team
 Birmingham Partnerships
 Lloyd House

Entered
@

From: Martin Williams on behalf of Trading Standards
Sent: 05 February 2019 13:23
To: Licensing Online;

Subject: RE: ON-LINE GRANT - EXTRA SUPERMARKET, 187 HIGH STREET, ERDINGTON, BIRMINGHAM, B23 6SY - Trading Standards objection to new application

Dear Licensing,

I wish to object to the new licence application for Paromstor Ltd for Extra Supermarket 187 High St. Erdington for the reasons listed below;

The proposed PLH company is the same operating company for which the licence was revoked for on 14th August 2018.

This company was subject to criminal proceedings by Birmingham Environmental Health and is still undergoing investigation by Trading Standards for the items seized that formed the subject of the licence review.

The proposed DPS; Jiger Patel told us he was the manager of the shop on the day of the seizure on 24th May 2018 and was involved in purchasing alcohol. He is presently a director of Paromstor Ltd. He has been a director of the company previously and had given a 11 month backdated notification of cessation as a person with significant control of the company on 27th July 2017 - backdated to 31 August 2016.


(There are many other backdated activities listed against this company which give cause for concern)

During the licence review process the owners said that the business was being sold. This has not happened with one of the other directors at the time Mr Rashmikanth Patel still very much involved in the business after our action.

Given the above information I think this new application shows that the operating company and its officers/staff are too closely associated with the previous regime and there will be no significant change in the poor management of the shop resulting in similar breaches of legislation as before

Martin Williams
 Trading Standards Officer
 Birmingham Trading Standards
 P O Box 16586
 Birmingham
 B33 3EH

www.birmingham.gov.uk/tradingstandards

 Follow @bhamts

CAB Consumer Advice Line: 08454 04 05 06

CAB Website: <http://www.adviceguide.org.uk/>

Fair Regulation for all - achieving a safe, clean, green and fair trading city for residents, business and visitors

ENTERED
ON

From: Councillor Gareth Moore
Sent: 25 February 2019 15:13
To: Licensing
Cc: Councillor Robert Alden
Subject: Objection to Extra Supermarket, 187 High Street, Erdington Ref: 109782

Dear Licensing

Myself and Cllr Alden wish to object to the above licensing application on the grounds of Prevention of Crime & Disorder and Prevention of Public Nuisance.

Erdington High Street already has a large number of off-licences which causes problems of street drinking and anti-social behaviour. As a result, this attracts a number of street drinkers to the area on an evening who engage in anti-social behaviour. It is quite common for these drinkers to take advantage of the secluded areas to drink alcohol and cause a nuisance to nearby residents. The presence of cans and bottles is common place. This has led to the High Street area being covered by a Dispersal Order which was secured by West Midlands Police and is currently covered by a PSPO. The presence of another off-licence within the High Street area will encourage more street drinkers to gather in this area and drive down the price of alcohol due to competition.

The number of off-licences in this area has led to a cumulative impact policy being introduced. The need for a CIP in this area is based on the crime and disorder and public nuisance that already exists. The addition of another off-licence in this area will make this situation worse. It is also a problem that the existing off-licences have to advertise offers to attract business, driving down the price of alcohol and making it cheaper for the street drinkers who are attracted to this area.

Erdington High Street is the third largest local centre in Birmingham and attracts over a million visitors of the course of the year. It is a thriving part of Erdington which we, in partnership with the Erdington BID, have actively tried to improve. The area has suffered problems with street drinkers, who hang around on the High Street drinking all day and abusing those who pass by. This includes children. There has been much work from the Erdington Neighbourhood Police team to address these issues, and while there has been some success, there continues to be issues with street drinking and we are concerned about more off-licences opening up in the area and exacerbating this.

It is also worth noting that these premises were previously licenced but the licence was revoked following an investigation by Trading Standards. The premises had been found to be selling non-duty paid cigarettes and alcohol, and we are concerned that since these premises are known to have engaged in such activity, it will become associated with this again.

The addition of a further off-licence in this area is contrary to the Licensing Objectives and the Council's Cumulative Impact Policy and therefore should be refused.

Many thanks

Gareth

COUNCILLOR GARETH MOORE

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

Conservative Group Secretary
 The Council House, Victoria Square, Birmingham, B1 1BB }

ENTERED
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From:
Sent: 27 February 2019 16:53
To: Licensing
Subject: Ref: License Application - Extra Supermarket, 187 High Street, Erdington (Ref: 109782)

The Erdington BID wish to object to the above application.

Erdington High Street already has a large number of off-licences which causes problems of street drinking and anti-social behaviour. As a result, this attracts a number of street drinkers to the area on an evening who engage in anti-social behaviour. It is quite common for these drinkers to take advantage of the secluded areas to drink alcohol and cause a nuisance to nearby residents. The presence of cans and bottles is common place. This has led to the High Street area being covered by a Dispersal Order which was secured by West Midlands Police and is currently covered by a PSPO. The presence of another off-licence within the High Street area will encourage more street drinkers to gather in this area and drive down the price of alcohol due to competition.

The number of off-licences in this area has led to a cumulative impact policy being introduced. The need for a CIP in this area is based on the crime and disorder and public nuisance that already exists. The addition of another off-licence in this area will make this situation worse. It is also a problem that the existing off-licences have to advertise offers to attract business, driving down the price of alcohol and making it cheaper for the street drinkers who are attracted to this area.

Erdington High Street is the third largest local centre in Birmingham and attracts over a million visitors of the course of the year. It is a thriving part of Erdington which we, in partnership with the Erdington BID, have actively tried to improve. The area has suffered problems with street drinkers, who hang around on the High Street drinking all day and abusing those who pass by. This includes children. There has been much work from the Erdington Neighbourhood Police team to address these issues, and while there has been some success, there continues to be issues with street drinking and we are concerned about more off-licences opening up in the area and exacerbating this.

Erdington Business Improvement District
Arion Business Centre,
Harriet House
Rear of 114-118 High Street,
Erdington, B23 6BG



Birmingham
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

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

Your reference

187/CDL/2019

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

Jiger Rashmikan

* Family name

Patel

* E-mail

Main telephone number

Other telephone number

Include country code.

☒ 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

09701520

Business name

PAROMSTOR LIMITED

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

Private Limited Company

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 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

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

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /

* Nationality Documents that demonstrate entitlement to work in the UK

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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 smaller super-market style operation. It serves fresh meats, general grocery and alcohol (if the licence is granted). The premises is situated in ground floor and in a busy shopping area. The premises do not sell tobacco products. The first floor is used for storage only.

<p>Continued from previous page...</p> <p>If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend</p> <div style="border: 1px solid black; width: 100px; height: 20px; margin-left: 100px;"></div>
Section 6 of 21
PROVISION OF PLAYS
<p>See guidance on regulated entertainment</p> <p>Will you be providing plays?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
Section 7 of 21
PROVISION OF FILMS
<p>See guidance on regulated entertainment</p> <p>Will you be providing films?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
Section 8 of 21
PROVISION OF INDOOR SPORTING EVENTS
<p>See guidance on regulated entertainment</p> <p>Will you be providing indoor sporting events?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
Section 9 of 21
PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS
<p>See guidance on regulated entertainment</p> <p>Will you be providing boxing or wrestling entertainments?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
Section 10 of 21
PROVISION OF LIVE MUSIC
<p>See guidance on regulated entertainment</p> <p>Will you be providing live music?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
Section 11 of 21
PROVISION OF RECORDED MUSIC
<p>See guidance on regulated entertainment</p> <p>Will you be providing recorded music?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
Section 12 of 21
PROVISION OF PERFORMANCES OF DANCE
<p>See guidance on regulated entertainment</p> <p>Will you be providing performances of dance?</p>

Continued from previous page...

Section 13 of 21

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

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes

☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises ☒ Off the premises ☐ Both

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

State any seasonal variations

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

None

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

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

None

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth

dd mm yyyy

Continued from previous page...

Enter the contact's 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"/>
Personal Licence number (if known)	<input type="text" value="LN/000013616"/>
Issuing licensing authority (if known)	<input type="text" value="LB Islington"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

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

Give 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.

not applicable

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

none

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

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

none

Section 18 of 21

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)

Continued from previous page...

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

Staff

1. There shall be a personal licensee on the premises at all times that alcohol is offered for sale.
 2. The Designated Premises Supervisor shall be a full-time member of staff at the premises.
 3. All staff working at the premises shall receive documented training from an accredited licensing course provider:
 - a. in the conditions of this licence, including mandatory conditions
 - b. in the contents of the Challenge 25 scheme
 - c. in the restrictions on selling alcohol to persons under 18 years of age and how to deal with under age requests
 - d. in the contents of Home Office guidance on recognition of fake ID
 - e. in the contents of the premises age verification policy.
 4. The training shall be refreshed at least quarterly.
 5. Training records, including the dates of training of each members of staff shall be available to any responsible authority within one hour on request by a Police Officer or an authorised officer of the Licensing Authority.
- Product restriction and display**
6. No beers, ciders or lagers above 5.6% ABV will be sold or offered for sale.
 7. No white cider will be sold or offered for sale.
 8. No cider in bottles of 1 litres or above will be sold or offered for sale.
 9. No single cans of beer, cider or lager will be sold or offered for sale.
 10. All spirits shall be kept on a shelf behind the sales counter
 11. All alcohol that is displayed for sale shall be located within the view of the cashier.
 12. There will be no "end of aisle" alcohol display or promotion.
 13. No alcohol shall be consumed on the premises.

b) The prevention of crime and disorder

14. CCTV

- a. Installed CCTV systems that meet the standard to be approved in writing by the Chief Community Safety Officer shall operate and record video images at all times that the premises are open to the public.
- b. The system shall capture head and shoulders images of persons entering the premises and monitor the alcohol display areas and sales points.
- c. The system shall operate and record video images at all times that the premises are open to the public.
- d. The system shall display on any recording the correct date and time of the recording.
- e. All CCTV shall be kept for not less than 31 days and be made available to a police officer or an authorised officer of any responsible authority within one hour of any request. A member of staff capable of operating the CCTV will be present during the opening hours of the premises.

Incident book

15. An incident book shall be kept and maintained at the premises, which shall be made available to a police officer or an authorised officer of any responsible authority within one hour of any request. The incident book shall be used to record the date and time of any incident, the name of the staff member and a brief description of the customer concerned. All incidences of the following shall be recorded in the incident book within 24 hours and retained for a minimum of 12 months:

- a. Any attempted underage alcohol purchase.
- b. Any attempted purchase of alcohol by a person who appears to be under 25 years of age and who fails to produce proof of age.
- c. Any theft or attempted theft of alcoholic drinks.
- d. Any acts of violence or criminal damage
- e. Any refusal of sale to a person who is or appears to be drunk.
- f. Any other incidents involving crime or disorder
- g. Any attempted purchase of alcohol by a street drinker.

Excluded persons

16. Any person found to be responsible for violence, disorder or other criminal activity on the premises or immediately outside shall be permanently excluded from the premises.
17. The Police may provide a photograph and description of any person to be excluded, in which case that person shall be excluded from the premises.

Continued from previous page...

18. The identity and description of any excluded person shall be entered into the incident book.
19. All reasonable steps shall be taken to ensure that the excluded persons are prevented from entering the premises.
20. All reasonable steps shall be taken to ensure that the identity and description of excluded persons are known to all relevant staff members.

c) Public safety

Covered in General

d) The prevention of public nuisance

Litter

21. At least one receptacle for the disposal of used packaging shall be provided on the premises. The receptacle shall be emptied and cleaned on a daily basis.
22. A prominent sign shall be displayed at all exit points to the premises requesting that customers dispose of their litter in the bin provided.
23. Refuse shall be cleared from the front of the premises at least once during the course of the licensable activity.

e) The protection of children from harm

Age verification

24. The premises will operate a Challenge 25 policy that ensures that any person attempting to purchase alcohol that is, or appears to be, under the age of 25 shall provide documented proof that he/she is over 18 years of age.
25. Proof of age shall only comprise of a passport, a photo card driving licence, Proof of Age Standards Scheme (PASS) proof of age identity card or a Ministry of Defence identity card.
26. A copy of a written age verification policy shall be kept on the premises and made available for inspection by a police officer or authorised officer of the Council.
27. All reasonable steps shall be taken to verify that any documents produced by persons attempting to purchase alcohol are genuine and relate to the person producing them.
28. The premises shall install and maintain a till prompt system to prompt the seller to check age and ask for ID whenever an age-restricted product is sold.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

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 21 of 21

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

DECLARATION

1

Continued from previous page...

[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).

☒ 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
* Capacity
* Date / /
dd mm yyyy

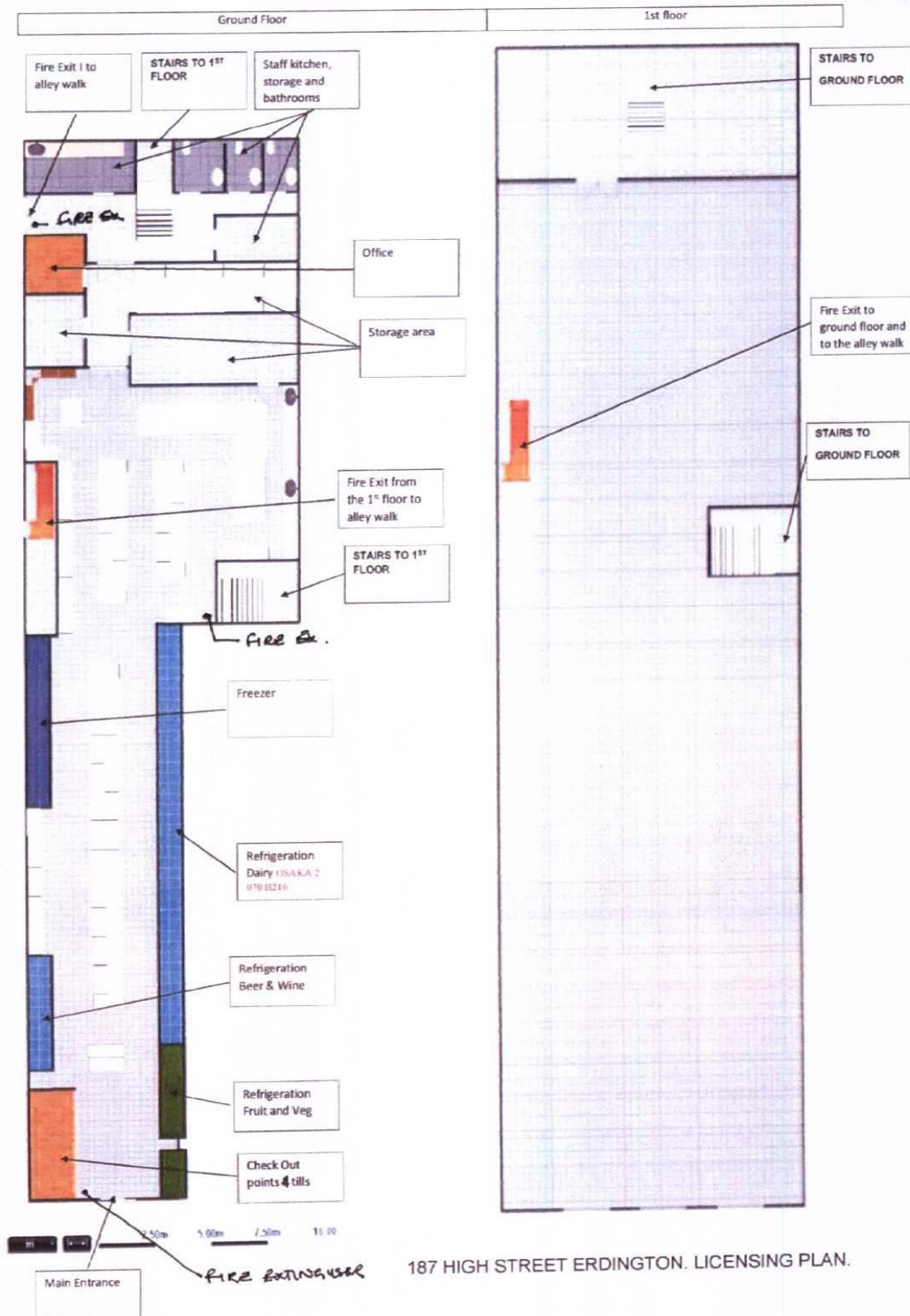
Once you're finished you need to do the following:

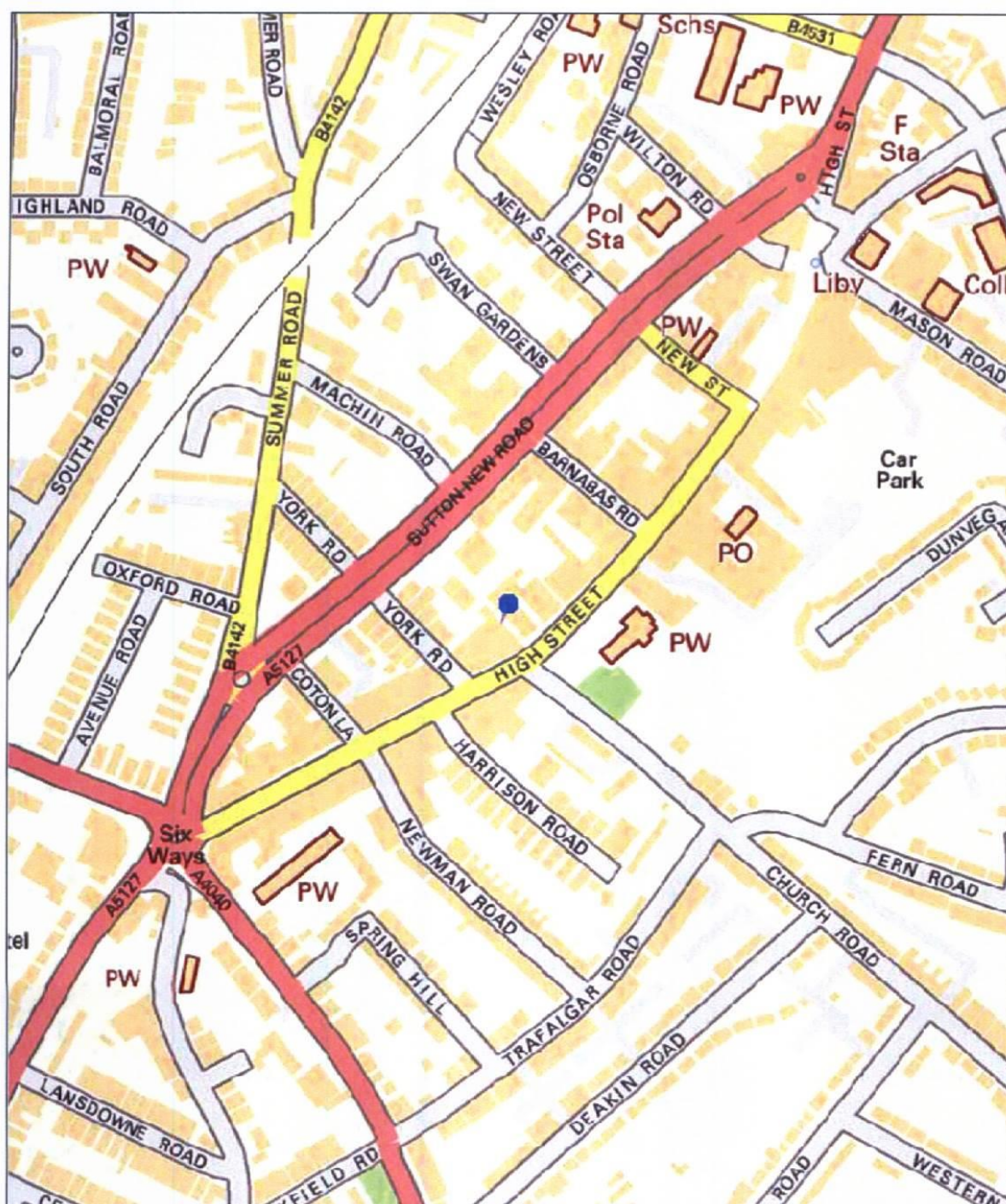
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/birmingham/apply-1> to upload this file and continue with your application.

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

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

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





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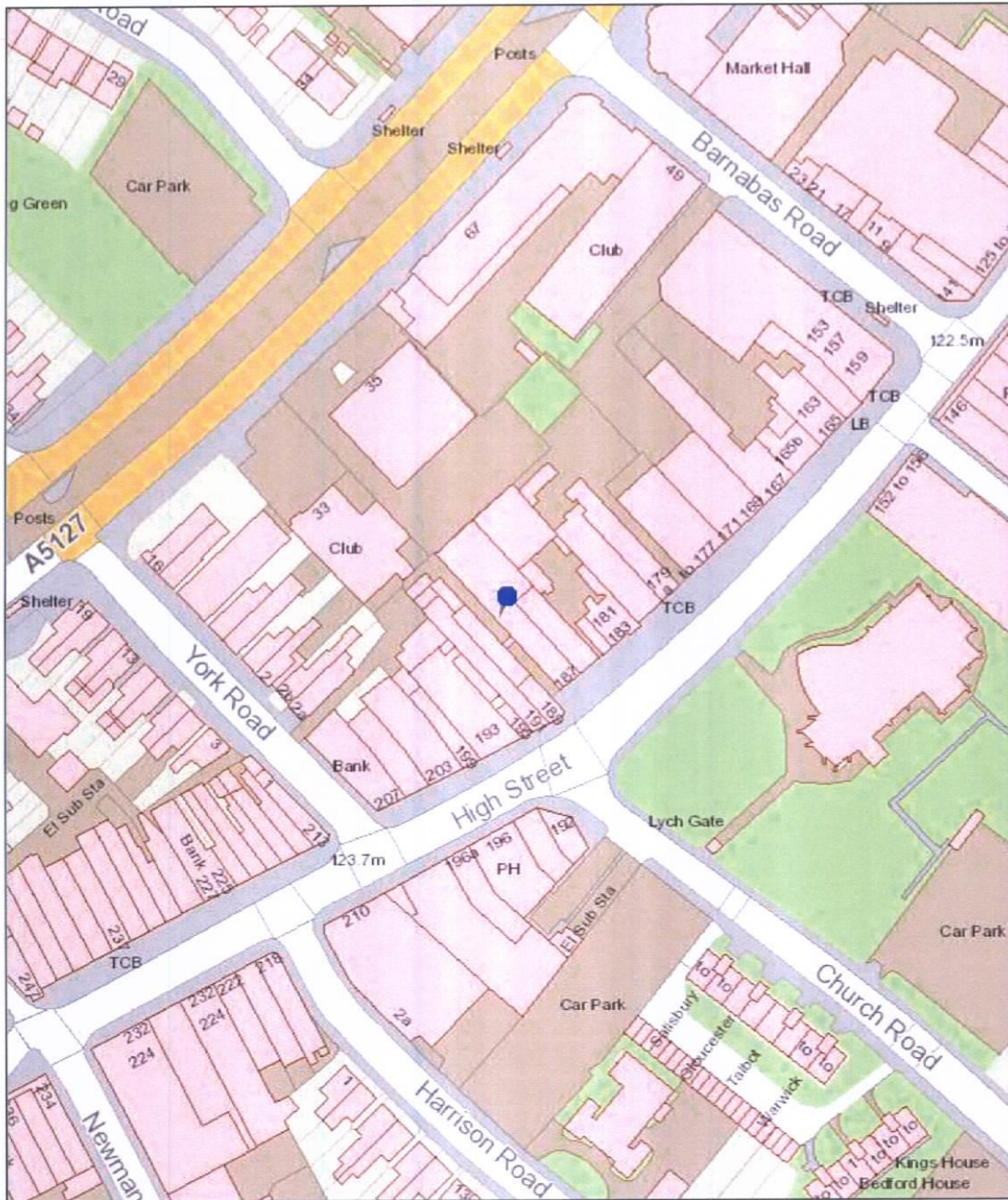
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HEARING ON 26TH MARCH 2019
TO DETERMINE AN APPLICATION
FOR
A NEW PREMISES LICENCE
UNDER THE LICENSING ACT 2003



Extra Supermarket

Background
documents to be
used at hearing

This bundle comprises a statement of truth by Mr Jiger Patel, Director of Paromstor Ltd and documents supporting the statements.

JP1 Comaponys House record and timeline of changes to officers at the company

JP2 Letter to Statutory body from Licensing Agent and attachment to that letter/email

JP3 Premises Licence issued to Extra Supermarket

JP4 Letter of confirmation of grant of Premises Licence to Mr Jiger Patel by Waltham Forest Council.

JP5 Premises Licence issued to premises in High Street, Erdington and conditions.

EXTRA SUPERMARKET
187 HIGH STREET ERDINGTON
LICENSING SUB-COMMITTEE B
26th March 2019

WITNESS STATEMENT OF JIGER PATEL

1. I, Jiger Patel, am a Director of the applicant company Paromstor Limited. There is produced and shown to me marked "JP1" an extract from the Companies Register showing that I was appointed as such on 1st August 2018. I am duly authorized to make this statement on behalf of the applicant company.
2. I am making this statement in order to respond to the representations which have been made by West Midlands Police, the Trading Standards Officer, Councillor Gareth Moore and the Erdington Business Improvement District. The representations fall into two parts:
 - (1) An allegation that the management of the business has not changed from that in place when the licence was revoked on 14th August 2018 following the discovery of illicit alcohol and tobacco on the premises.
 - (2) An objection based on the premises' location within a cumulative impact area.
3. Anticipating that there may be one or more objections on either or both of these grounds, on 21st January 2019 my licensing consultant wrote to (amongst others) the Police and trading standards pointing out a number of facts relevant to these potential objections. I am disappointed to note that no reference has been made to this letter by those parties. I produce the letter as "JP2" and respectfully refer the Sub-Committee to its contents.

Management

4. As was pointed out in the said letter, at the time of the events the subject of the review, the directors of the applicant were my father Rashmikanth Patel and Roman Koloda. However, during

the course of 2017 and 2018 my father was very ill, and the premises were being managed by Mr Koloda. Mr Koloda was also the DPS, as is shown by the licensing register for the premises produced as "JP3". As a director, manager and DPS, Mr Koloda took care of all purchases including alcohol, cigarettes, meat and grocery.

5. For my part, in 2016 I opened a new off-licence at 244 Chingford Mount Road, London, E4 8JL. Consequently, on 31st August 2016 I sold my shares in the applicant company, and at about this time moved to London to run my store, of which I was the DPS from then until 31 December 2018.
6. In March 2017 my father underwent colorectal surgery for cancer. Following that, I visited him on a regular basis and also took over the ordering of meat and general grocery at 187 High Street from Roman Koloda. I never got involved in any of the alcohol and cigarettes ordering or sales matters as these were completely under the control of Mr Koloda.
7. On 24th May 2018, I was in Birmingham. My father called me and asked to go to the shop which was being inspected by officers. I did so straight away and recall speaking to the officers. I also called Mr Kodala to attend. I was deeply shocked at what they had discovered. I had no idea that illicit products were being kept or sold on the premises. I neither said nor would have said that I was responsible for the purchase of alcohol or cigarettes at the premises, because I wasn't. This was the responsibility of Mr Koloda.
8. On 14th August 2018, the Licensing Sub-Committee held a hearing at which it determined to revoke the premises licence. I did not attend the hearing. It was attended by Mr Koloda, who as I have said was responsible for the management of the premises.
9. As I have stated above, I had become a director of the company on 1st August 2018. This was because of the serious mismanagement of the business by Mr Koloda and my father's continuing illness. During that month, I also applied to become the DPS of the premises. This was granted without any objection.
10. On 9th August 2018, Mr Koloda resigned as a director, and following the licence review, left the business altogether.

11. Our original intention had been to sell the business, and we maintained an appeal against the revocation to keep the licence alive pending sale.
12. However, in due course, we decided to retain the business. I resigned my position as DPS in Chingford on 31st December 2018, moved to Birmingham and took over management of the premises.
13. We thought it would be more transparent to withdraw the appeal against revocation and engage in a completely new application to the licensing authority. We therefore withdrew the appeal and removed all the alcohol from the business. We have also stopped selling cigarettes.
14. In my consultant's letter of 21st January 2019, he set out the steps we are taking to ensure that there will be no repetition of the serious breaches of the law which occurred before. We have systems in place to ensure that every purchase is fully documented, and made through established wholesale premises, so that there is a full audit trail of all age-restricted products. There are also licensed staff on site to ensure that all alcohol purchased is checked by more than one pair of eyes, to introduce a further check and balance into the system. I am more than content to accept conditions to secure these obligations.
15. I have no intention whatsoever of selling illicit products at the premises. I can assure the Sub-Committee that I am fully aware of my responsibility to comply with the licence and the law. I will ensure that there is full compliance in the future.
16. I also make it clear that none of the personnel involved in buying alcohol or cigarettes under Mr Koloda's management are involved in the business any more, and nor they will ever be part of this business.

Cumulative impact

17. I am advised that the cumulative impact policy is not a bar to a new licence being granted. I understand that the policy says:

14.9 For any application in these areas the Council will expect the applicant to demonstrate the steps it will take to promote the licensing objectives. Where relevant representations are made the Council will consider the application on its individual

merits and decide whether to apply the special policy. Where it is of the view that the application is unlikely to add to the cumulative impact on the licensing objectives the application will be granted.

18. Before we made this application, we consulted experienced licensing lawyers so as to present a large number of conditions to respond to the cumulative impact area.

19. I respectfully refer the Licensing Sub-Committee to our proposals at page 17 of the agenda papers, which are incorporated in 28 conditions. It is an extensive list. I do not repeat the conditions here. I am advised that they incorporate best practice in relation to off-licences in areas where off-sales are causing difficulties, particularly relating to crime and disorder and street drinking.

20. Having regard to the representations which have been made, I would be willing to add further conditions to that list:

(1) Preventing any exterior advertising of alcohol (whether in window displays or 'A' boards.

(2) Preventing discounted multi-buys. This supplements the ban on sales of single cans of beer, cider or lager. It effectively prevents selling at a discount to those who buy multiple units.

21. I ask the Sub-Committee to take the view that, if this licence is granted, the licence conditions will help to enhance the general standard of licensing in the area and will not exacerbate the existing problems.

22. I would therefore earnestly ask the Sub-Committee to grant this licence accordingly.

23. The contents of this statement are true to the best of my knowledge and belief.

.....
Jiger Patel
20th March 2019

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JP1

Companies House

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BETA This is a trial service — your [feedback \(https://www.research.net/r/chbeta\)](https://www.research.net/r/chbeta) will help us to improve it.

Search for companies or officers

PAROMSTOR LIMITED

Company number **09701520**

- [Officers](#)
- [Persons with significant control \(https://beta.companieshouse.gov.uk/company/09701520/persons-with-significant-control\)](https://beta.companieshouse.gov.uk/company/09701520/persons-with-significant-control)

Filter officers

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Current officers

[Apply filter](#)

4 officers / 2 resignations

PATEL, Jiger Rashmikant

Correspondence address **Victoria House, 18 Dalston Gardens, Stanmore, England, HA7 1BU**

Role Active **Director**

Date of birth **August 1987**

Appointed on **1 August 2018**

Nationality **British**

Country of residence **England**

Occupation **Director**

PATEL, Rashmikant

Correspondence address **Victoria House, 18 Dalston Gardens, Stanmore, England, HA7 1BU**

Role Active **Director**

Date of birth **December 1961**

Appointed on **31 August 2016**

Nationality **British**

Country of residence **England**

Occupation **Director**

KOLODA, Roman

Correspondence address **187 High Street, Erdington, Birmingham, England, B23 6SY**

Role Resigned **Director**

Date of birth **December 1973**

Appointed on **20 May 2016**

Resigned on **9 August 2018**

Nationality **British**

Country of residence **England**

Occupation **Company Director**

PATEL, Ashish

Correspondence address **Victoria House, 18 Dalston Gardens, Stanmore, England, HA7 1BU**

Role Resigned **Director**

Date of birth **March 1984**

Appointed on **24 July 2015**

Resigned on **3 January 2017**

Nationality **British**

Country of residence **United Kingdom**

Occupation **Director**

Is there anything wrong with this page?

Paromstor Limited

Timeline of Events:

24/07/2015 : Company Formed

24/06/2016 : Roman Koloda appointed as director

01/08/2016 : Shareholding confirmation as:
~ Rashmikanth Patel 30 shares
~ Jiger Patel 30 shares
~ Rila Patel 20 shares
~ Olga Zhyvoluga 20 shares

31/08/2016 : Rashmikanth Patel appointed as director
: Jiger Patel transfers entire shareholding at par value to Rashmikanth Patel.
: As a result - Jiger Patel ceases to be a Person of Significant Control (PSC)
: New shareholding structure as follows:
~ Rashmikanth Patel 60 shares
~ Rila Patel 20 shares
~ Olga Zhyvoluga 20 shares

03/01/2017 : Ashish Patel terminates as a director

01/09/2017 : Rila Patel transfers entire shareholding at par value to Jiger Patel.
: New shareholding structure as follows:
~ Rashmikanth Patel 60 shares
~ Jiger Patel 20 shares
~ Olga Zhyvoluga 20 shares

01/08/2018 : Jiger Patel appointed as director.
: Olga Zhyvoluga transfers entire shareholding at par value to Jiger Patel.
: New shareholding structure as follows:
~ Rashmikanth Patel 60 shares
~ Jiger Patel 40 shares

09/08/2018 : Roman Koloda is terminated as director

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JP2

Compliance Direct

From: Compliance Direct <office@compliancedirectltd.com>
Sent: 21 January 2019 09:45
To: 'Licensing'; 'tradingstandards@birmingham.gov.uk'; 'bw_licensing@west-midlands.pnn.police.uk'; 'publichealth@birmingham.gov.uk'
Subject: 187 HIGH STREET ERDINGTON
Attachments: FABIAN CERTY PERSONAL LICENCE.pdf; RAJNISH LICENCE.pdf

Dear Sirs,

I act on behalf of Paromstor Limited, which operates a grocery store at the above address. As you are aware, it was also the holder of a premises licence, until the licence was revoked following serious issues relating to sale of illicit tobacco and alcohol products.

We are writing to notify you of a change of management at the company, and our client's desire to engage with you prior to submission of a new premises licence application.

At the time of the matters giving rise to concern, the directors of the business were Roman Koloda and Rashmikan Patel. However, in 2017, Mr Patel was diagnosed with cancer and underwent surgery in 2018. From that time, Mr Koloda was effectively in charge of the business.

As you know, Mr Koloda alone came to the Sub-Committee to seek to justify what had occurred. On 9th August 2018, he gave up his directorship and his shareholding. He no longer has anything whatsoever to do with the business.

On 1st August 2018, Mr Patel's son Jiger became a director and a 40% shareholder, with his father holding the remaining 60%. Mr Patel junior is now in charge.
 Mr Patel junior is 31 years of age. He studied accounting and finance at Westminster University since when he has worked in the grocery trade in licensed premises.

In 2016 he started to work for his father at the Erdington store. He was in charge of meat and dairy. He was not the DPS and had nothing to do with alcohol or tobacco sales at the premises.
 As stated above, Mr Koloda resigned because of the matters set out in the review application. The Patels took over. The employee seen stuffing cigarettes into a rucksack was sacked, together with another manager of the business. It is fair to say that the Patels are horrified at what occurred. They dissociate themselves from Mr Koloda. They want nothing other than to run a compliant business.
 In the meantime, in August 2018, Mr Patel, applied to go onto the licence as DPS, which was granted without any objection.

In addition to his personal licence, Mr Patel is booking to attend a BII-accredited responsible alcohol retailing course. Mr Patel has ensured that the business can account with documentation for every item of alcohol purchased. Documentation is retained in the store which can be readily checked by trading standards on demand. All alcohol is purchased through bank transactions. There are no cash purchases, to provide an extra level of assurance. There are no purchases except from established wholesale premises.
 He is not selling cigarettes or other age restricted products.
 He has employed two new staff who have qualified as personal licensees. The documentation is attached.

All alcohol Mr Patel buys is checked by them, to ensure a further check and balance into the process. Following the revocation and the resignation of Mr Koloda, an appeal was lodged to the Court. During the appeal period, the Patels discussed selling the business and the purchasers applied for a licence, but that application did not proceed.

The Patels have, however, decided to retain the business. They considered it fairer and more transparent to withdraw the appeal and simply re-apply for the licence, given the new personnel, arrangements and controls. Our

client would be more than happy to include all of the above controls as conditions on any new licence applied for. We would be most grateful for your views.

We are also aware that the premises are in a cumulative impact area. However, we do not consider that a licence will add to cumulative impact, given that the store only trades from 8 a.m. to 8 p.m. Moreover, our client would be pleased to suggest conditions a) preventing sales to street drinkers b) implementing Challenge 25; c) having CCTV both on and off the premises, with full facial recognition and 90 days retention; d) not to sell single cans, bottled cider of 1 litre or more, beers or ciders over 5.5% ABV except speciality beers; e) requiring a till prompt and electronic refusals log. We believe these conditions ameliorate any concerns regarding cumulative impact, and in fact will raise standards locally, for the benefit of the area in general.

We would be most grateful if you would meet us so that we can go over these proposals and discuss your views. We have written in similar terms to police, Public health, licensing and trading standards, and would be more than happy to meet with you individually or collectively, with or without the client, to discuss them.

We look forward to hearing from you.

Yours sincerely

Shankar P Sivashankar BSc
44(0)7879473696

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FABIAN PIOTR OSZLZEDA

has been awarded the

**BIIAB Level 2 Award for Personal Licence
Holders**

Qualification Accreditation Number: 603/2468/5
Certificate Number: 224746

Date Achieved: 30/07/2018
Learner Number: 223180

D Thomson

Denise Thomson
Responsible Officer





BIIAB



cpltraining

This is to certify that

RAJNISH KUMAR

has been awarded the

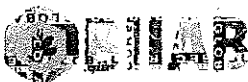
**BIIAB Level 2 Award for Personal Licence
Holders**

Qualification Accreditation Number: 603/2468/5
Certificate Number: 224739

Date Achieved: 30/07/2018
Learner Number: 223214

D Thomson

Denise Thomson
Responsible Officer



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PROTECT



Sandwell
Metropolitan Borough Council

LICENSING ACT 2003
PERSONAL LICENCE

Licence Number: **18/001076/LAPER**

This licence authorises:

Name: Mr Rajnish Kumar

Address:

to supply alcohol or authorise the supply of alcohol in accordance with a premises licence.

Date of issue: 20 September 2018

In accordance with Section 125(3) of the Licensing Act 2003, the following relevant or foreign offences are disclosed.

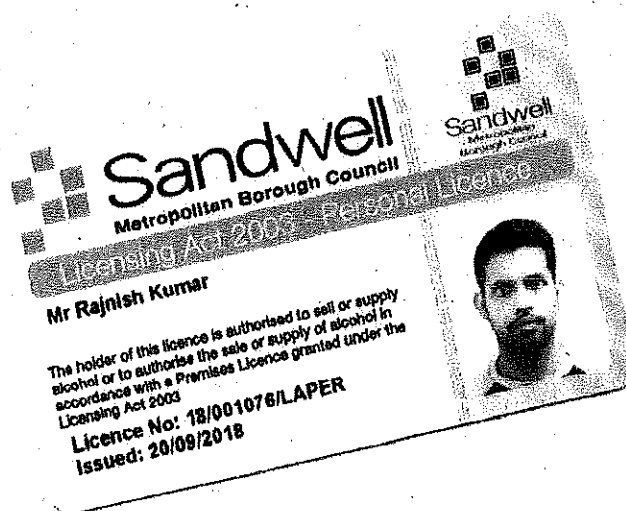
Conviction Date	Offence	Sentence

Trading Standards & Licensing

Adult Social care, Health and wellbeing
Sandwell Council House, PO Box 2372, Oldbury B69 3BS

N.B. PLEASE RETAIN THIS DOCUMENT FOR THE DURATION OF THE LICENCE
PLEASE SEE OVER FOR IMPORTANT INFORMATION

P.T.O.



HEARING ON 26TH MARCH 2019
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Extra Supermarket

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JP3

Public Register: Licence Report

Table of Contents

1. Licence
2. Current Designated Premises Supervisor
3. Premises Details
 - 3.1 Licensable Activities
 - 3.2 Activity Times
 - 3.3 Operating Hours
4. Conditions
 - 4.1 Mandatory Conditions
 - 4.2 Operating Conditions
 - 4.3 Committee Conditions
5. Licence History
6. Designated Premises Supervisor History
7. Events

1. Licence

Summary of the licence certificate.

Application Reference	96173
Licence Holder Name	Paromstor Limited
Registered Company Number	09701520
Licence Number	4553
Time Limited Start Date	N/A
Time Limited End Date	N/A
Issue Number	1
Issue Date	26/07/2016
Grant Date	20/07/2016
Granted By	SHAID YASSER
Status	Revoked
Representation Start Date	25/05/2016
	22/06/2016

14

Representation End Date

2. Current Designated Premises Supervisor

A DPS is required wherever there is a licenced activity for the sale of alcohol for consumption on or off the premises.

Status	Assigned
Name	Mr Jiger Patel
Licence Number	LN/000013616
Issuing Authority	Other
Start Date	31/08/2018

3. Premises Details

Details of the premises, the licensed activities and hours of operation.

Premises Name	Extra Supermarket
Premises Type	Retail Outlet
Premises Address	187 High Street, Erdington, Birmingham, B23 6SY
Ward Name	ERDINGTON

3.1 Licensable Activities

A list of activities for which this premises is licensed.

Code	Description
M2	Sale of alcohol by retail (off the premises)

3.2 Activity Times

The times of day during which the activities listed in 3.1 are permitted. Where the start time is later than the end time, the period of activity spans mid-night. Where the start time is equal to the end time, the period licensed is 24 hours.

Days	Start Time	End Time	Licensed Activity Codes
Monday-Sunday	09:00	22:00	M2

3.3 Operating Hours

The hours of operation of the premises during the day. Where the start time is later than the end time, the period of operation spans mid-night. Where the start time is equal to the end time, the period of allowed operation is 24 hours.

Days	Start Time	End Time
Monday-Saturday	08:00	23:00

Days	Start Time	End Time
Sunday	09:00	23:00

4. Conditions

4.1 Mandatory Conditions

Mandatory conditions attached to the licence.

Objective	Condition
N/A	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.
N/A	Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
N/A	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.
N/A	(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

Objective	Condition
	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.

4.2 Operating Conditions

Operating conditions attached to the licence and classified by objective:

General

General conditions consistent with the operating schedule.

Crime

Conditions consistent with, and to promote the prevention of crime and disorder.

Safety

Conditions consistent with, and to promote public safety.

Nuisance

Conditions consistent with, and to promote the prevention of public nuisance.

Child

Conditions consistent with, and to promote the protection of children from harm.

Objective	Condition
GENERAL	No enforceable conditions identified from operating schedule.
CRIME	The Premises Licence Holder will ensure that the premises will operate a Challenge 25 policy. All staff will be trained on the requirements of this policy and the Licensing Act 2003.
CRIME	The Premises Licence Holder will ensure that staff will receive refresher training for the Licensing Act and the Challenge 25 policy every six months. A training record will be kept and will be signed by the DPS and the member of staff receiving the training.
CRIME	The Premises Licence Holder will ensure that C.C.T.V. cameras are to be operational and recording at the premises at all times when the premises are open. CCTV images and recordings are to be kept/stored for a period of no less than 28 days. CCTV recordings and images to be instantly downloadable and made immediately available on request of any of the responsible authorities.
CRIME	The Premises Licence Holder will ensure that signage stating that the CCTV system is in operation shall be displayed throughout the premises.

Objective	Condition
CRIME	The Premises Licence Holder shall ensure that adequate lighting is outside the premises.
SAFETY	No enforceable conditions identified from operating schedule.
NUISANCE	The Premises Licence Holder shall ensure that they apply "No sale of alcohol" rule to individuals who are already clearly intoxicated by alcohol. Any refusal will be recorded in the refusal log.
NUISANCE	The Premises Licence holder will ensure that the area in the close proximity to the premises well illuminated to prevent possible damage to the public property by by-passers.
CHILD	The Premises Licence Holder will ensure to operate a Challenge 25 policy in relation to all age restricted products.
CHILD	To display posters indicating that the Challenge 25 procedures are in place.
CHILD	The Premises Licence Holder will ensure to display signage clarifying that it is illegal to buy or attempt to buy alcohol for anybody under the age of 18.
CHILD	The Premises Licence Holder will ensure that a refusals log is to be maintained to record all sales of alcohol that are refused for any reason, including intoxication and age related. The refusals register to be signed off on a weekly basis by the DPS and made available to Officers of any of the responsible Authority on request.
CHILD	The Premises Licence Holder will ensure that all shelving displaying the alcohol must be within a clear sight of the staff behind the serving counter.

4.3 Committee Conditions

Conditions attached to the licence after a hearing by the licensing authority and classified by objective:

General

General conditions consistent with the operating schedule.

Crime

Conditions consistent with, and to promote the prevention of crime and disorder.

Safety

Conditions consistent with, and to promote public safety.

Nuisance

Conditions consistent with, and to promote the prevention of public nuisance.

Child

Conditions consistent with, and to promote the protection of children from harm.

Objective	Condition
GENERAL	N/A

Objective	Condition
CRIME	N/A
SAFETY	N/A
NUISANCE	N/A
CHILD	N/A

5. Licence History

The history of variation and transfer applications since the initial application for grant or conversion.

No Information available

6. Designated Premises Supervisor History

A list of all Designated Premises Supervisors that have been responsible for sale of alcohol from the premises.

Start Date	Finish Date	Name	Licence	Issuing Authority
26/05/2016	31/08/2018	Mr Roman Koloda	LN/000007829/2014/1	Other

7. Events

Other significant events recorded for this licence.

Date	Reference	Event Name
31/08/2018	96173	Designated Premises Supervisor Nominated
26/07/2016	96173	Issue
20/07/2016	96173	Licence Approval
20/07/2016	96173	Licensable Activities Added/Changed
20/07/2016	96173	Licensable Activities Added/Changed
26/05/2016	96173	Licensable Activities Added/Changed
26/05/2016	96173	Licensable Activities Added/Changed
26/05/2016	96173	Application Received (New Application)

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© Birmingham City Council Licensing Section, P.O. Box
17013, Birmingham, B6 9ES
Tel: 0121 303 9896
Email: licensing@birmingham.gov.uk

[Top](#)

HEARING ON 26TH MARCH 2019
TO DETERMINE AN APPLICATION
FOR
A NEW PREMISES LICENCE
UNDER THE LICENSING ACT 2003

Extra Supermarket

Background
documents to be
used at hearing

This bundle comprises a statement
of truth by Mr Jiger Patel, Director
of Paromstor Ltd and documents
supporting the statements.

JP1 Comaponys House record
and timeline of changes to officers
at the company

JP2 Letter to Statutory body
from Licensing Agent and
attachment to that letter/email

JP3 Premises Licence issued to
Extra Supermarket

JP4 Letter of confirmation of
grant of Premises Licence to Mr
Jiger Patel by Waltham Forest
Council.

JP5 Premises Licence issued to
premises in High Street, Erdington
and conditions.

JP 4

Neighbourhoods & Commercial Services

Director: Michele Moloney



Sycamore House, Town Hall Complex, Forest Road, London E17 4JF

Mr Jiger Patel

ask for: Licensing
Phone: 0208 496 3000
Fax:
our ref: Lic/PER/sl/040034
Email: Licensing@walthamforest.gov.uk
date: Thursday, 16 March 2017

Dear Mr Patel

**RE: Licensing Act 2003
Application for a Premises Licence to be Granted -
244 Chingford Mount Road Chingford London E4 8JP**

I am pleased to inform you that your premise licence application with respect to the above legislation has been **granted** subject to your acceptance of the terms and conditions to be outlined and forwarded to you along with your licence.

Your **premises licence** number is **R08504244C/1** and is valid for the duration of the business.

The actual licence will be forwarded to you in due course. Until then, with this letter you may operate either

- as per the activities and hours accepted on your application form, or
- as per the activities and hours last agreed in writing between the responsible authorities and yourselves and accepted by the licensing authority,

whichever is applicable.

You are reminded that should there be a change in premises supervisor, you are required to apply for a variation for the DPS. Similarly, should you wish to make any alterations to the operation of your licence, you will be required to apply for a variation to the premises licence.

If you have any queries with any of the above, please do not hesitate to contact this office.

Yours sincerely

Sherman Xavier

Licensing Section – Neighbourhoods Directorate

walthamforest.gov.uk

HEARING ON 26TH MARCH 2019
TO DETERMINE AN APPLICATION
FOR

A NEW PREMISES LICENCE
UNDER THE LICENSING ACT 2003



Extra Supermarket

Background
documents to be
used at hearing

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of truth by Mr Jiger Patel, Director
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Jiger Patel by Waltham Forest
Council.

JP5 Premises Licence issued to
premises in High Street, Erdington
and conditions.

JP5

Representation End Date

2. Current Designated Premises Supervisor

A DPS is required wherever there is a licenced activity for the sale of alcohol for consumption on or off the premises.

Status	Assigned
Name	Miss Monika Duda
Licence Number	3167
Issuing Authority	Birmingham
Start Date	14/09/2006

3. Premises Details

Details of the premises, the licensed activities and hours of operation.

Premises Name	The Polish Shop
Premises Type	Retail Outlet
Premises Address	6 Wood End Road, Birmingham, B24 8AD
Ward Name	ERDINGTON

3.1 Licensable Activities

A list of activities for which this premises is licensed.

Code	Description
M2	Sale of alcohol by retail (off the premises)

3.2 Activity Times

The times of day during which the activities listed in 3.1 are permitted. Where the start time is later than the end time, the period of activity spans mid-night. Where the start time is equal to the end time, the period licensed is 24 hours.

Days	Start Time	End Time	Licensed Activity Codes
Monday - Sunday	09:00	00:00	ALL

3.3 Operating Hours

The hours of operation of the premises during the day. Where the start time is later than the end time, the period of operation spans mid-night. Where the start time is equal to the end time, the period of allowed operation is 24 hours.

Days	Start Time	End Time
Monday - Sunday	07:00	00:00

Objective	Condition
	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.

4.2 Operating Conditions

Operating conditions attached to the licence and classified by objective:

General

General conditions consistent with the operating schedule.

Crime

Conditions consistent with, and to promote the prevention of crime and disorder.

Safety

Conditions consistent with, and to promote public safety.

Nuisance

Conditions consistent with, and to promote the prevention of public nuisance.

Child

Conditions consistent with, and to promote the protection of children from harm.

Objective	Condition
GENERAL	No adult entertainment or services to be provided under the authority of this licence.
GENERAL	All staff are to be trained with regard to the Licensing Act 2003 so as to promote the four licensing objectives.
GENERAL	A record is to be kept of all attempts made by persons under the age of 16 to purchase alcohol.
GENERAL	The Licence Holder is to liaise with the local Police Licensing Officer on a regular basis, so as to promote the four licensing objectives.
CRIME	Prominent signs are to be displayed detailing regulations in force with regard to alcohol and tobacco sales.
CRIME	A C.C.T.V. system is to be operational at the premises.
CRIME	A refusals log is to be kept at the premises.
SAFETY	All emergency lighting is to be checked weekly.
SAFETY	Entrances, exits and passageways are to be kept clear.
NUISANCE	Adequate bins are to be available for customers to dispose of litter.
NUISANCE	Prominent signs are to be displayed requesting customers to have regard for local residents when leaving the premises.
CHILD	No one under the age of 16 years is to be allowed in the premises after 20:00 unless accompanied by an adult.

**Representation
End Date**

2. Current Designated Premises Supervisor

A DPS is required wherever there is a licenced activity for the sale of alcohol for consumption on or off the premises.

Status	Assigned
Name	Miss Jordan Wade
Licence Number	1700471LAPERN
Issuing Authority	Lichfield
Start Date	07/01/2019

3. Premises Details

Details of the premises, the licensed activities and hours of operation.

Premises Name	Savers
Premises Type	Retail Outlet
Premises Address	173-177 High Street, Erdington, Birmingham, B23 6SY
Ward Name	ERDINGTON

3.1 Licensable Activities

A list of activities for which this premises is licensed.

Code	Description
M2	Sale of alcohol by retail (off the premises)

3.2 Activity Times

The times of day during which the activities listed in 3.1 are permitted. Where the start time is later than the end time, the period of activity spans mid-night. Where the start time is equal to the end time, the period licensed is 24 hours.

Days	Start Time	End Time	Licensed Activity Codes
Monday - Saturday	08:30	18:00	M2
Sunday	10:00	17:00	M2
On the 14 days prior to 25th December, finish time for licensable activity shall be 20:00 hours Monday to Saturday	08:30	20:00	M2

Objective	Condition
	<p>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.</p>

4.2 Operating Conditions

Operating conditions attached to the licence and classified by objective:

General

General conditions consistent with the operating schedule.

Crime

Conditions consistent with, and to promote the prevention of crime and disorder.

Safety

Conditions consistent with, and to promote public safety.

Nuisance

Conditions consistent with, and to promote the prevention of public nuisance.

Child

Conditions consistent with, and to promote the protection of children from harm.

Objective	Condition
GENERAL	<p>Conditions as stated below under the appropriate licensing objective.</p> <p>A CCTV system shall be installed at the Premises and it shall be capable of recording for a period of not less than 31 days. The CCTV shall be recording at all times the Premises are trading and the system will have the facility to produce recordings on site.</p>
CRIME	<p>Copies of recordings from the CCTV shall be provided on request to an officer under the direction and control of the Police or an officer of the Licensing Authority.</p>

Objective	Condition
SAFETY	No enforceable conditions identified from operating schedule.
NUISANCE	No enforceable conditions identified from operating schedule.
CHILD	A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is properly maintained and this shall involve, but is not limited to, nominating in writing a responsible person to check and sign it on a weekly basis.
CHILD	The Premises shall operate a Challenge 25 Policy and Challenge 25 posters shall be displayed in prominent positions at the Premises.
CHILD	All staff at the Premises shall be trained on the Challenge 25 Policy and such training shall be provided not less than every six months and written records shall be kept of all training and refresher training.

4.3 Committee Conditions

Conditions attached to the licence after a hearing by the licensing authority and classified by objective:

No Information available

5. Licence History

The history of variation and transfer applications since the initial application for grant or conversion.

No Information available

6. Designated Premises Supervisor History

A list of all Designated Premises Supervisors that have been responsible for sale of alcohol from the premises.

Start Date	Finish Date	Name	Licence	Issuing Authority
17/05/2018	07/01/2019	Mr Rajan Tuli	WN/PER3007	Wolverhampton
30/11/2017	17/05/2018	Mr Daniel Stanyer	10156	Birmingham
01/08/2016	30/11/2017	Mr Shaun Haywood	WS/PEL/2434	Walsall
19/02/2015	01/08/2016	Ms Angela Fidoe	036881	Sandwell
13/09/2011	19/02/2015		6138	Birmingham

3. Premises Details

Details of the premises, the licensed activities and hours of operation.

Premises Name	Tanioska
Premises Type	SUPERMARKET
Premises Address	235 High Street, Erdington, Birmingham, B23 6SS
Ward Name	ERDINGTON

3.1 Licensable Activities

A list of activities for which this premises is licensed.

Code	Description
M2	Sale of alcohol by retail (off the premises)

3.2 Activity Times

The times of day during which the activities listed in 3.1 are permitted. Where the start time is later than the end time, the period of activity spans mid-night. Where the start time is equal to the end time, the period licensed is 24 hours.

Days	Start Time	End Time	Licensed Activity Codes
Monday - Saturday	08:00	21:00	M2
Sunday	09:00	20:00	M2

3.3 Operating Hours

The hours of operation of the premises during the day. Where the start time is later than the end time, the period of operation spans mid-night. Where the start time is equal to the end time, the period of allowed operation is 24 hours.

Days	Start Time	End Time
Monday - Saturday	08:00	21:00
Sunday	09:00	20:00

4. Conditions

4.1 Mandatory Conditions

Mandatory conditions attached to the licence.

Objective	Condition
N/A	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.
N/A	Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
N/A	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) a holographic mark, or (b) an ultraviolet feature.
N/A	(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

Objective	Condition
	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.

4.2 Operating Conditions

Operating conditions attached to the licence and classified by objective:

General

General conditions consistent with the operating schedule.

Crime

Conditions consistent with, and to promote the prevention of crime and disorder.

Safety

Conditions consistent with, and to promote public safety.

Nuisance

Conditions consistent with, and to promote the prevention of public nuisance.

Child

Conditions consistent with, and to promote the protection of children from harm.

Objective	Condition
GENERAL	All staff will be trained and training records will be maintained on site and available for inspection at all times.
GENERAL	The DPS shall play an active role in any local pub, shop, bar watch and will attend meetings when able to do so.
CRIME	The Licence Holder shall install and maintain a CCTV system at the premises. The CCTV system will include 8 cameras, 6 shall be located outside and 2 inside, one to the front and one to the rear of the premises. All staff will be fully trained in the use of this system.
CRIME	The premises licence holder shall ensure all staff will be trained in the use of the CCTV system.
CRIME	All incidents of crime and disorder will be recorded and reported to the police at the earliest opportunity. Records will be made available for inspection.
CRIME	Staff will follow any reasonable instruction issued by a police officer.
SAFETY	The premises will be maintained in a safe manner at all times for customers, staff and visitors.
NUISANCE	No enforceable conditions identified from operating schedule.
CHILD	The challenge 25 policy will be operated at all times. Only a passport, photographic driving licence or passcard will be accepted as appropriate ID.
CHILD	A "No ID, No Sale" policy will operate at all times, with notices displayed at the point of sale and on the entrance to the premises to such effect.
CHILD	A refusals log will be maintained and available for inspection at all times.

3. Premises Details

Details of the premises, the licensed activities and hours of operation.

Premises Name	Janosik
Premises Type	CONVENIENCE STORE/OFF LICENCE
Premises Address	201 - 203 High Street, Erdington, Birmingham, B23 6SY
Ward Name	ERDINGTON

3.1 Licensable Activities

A list of activities for which this premises is licensed.

Code	Description
M2	Sale of alcohol by retail (off the premises)

3.2 Activity Times

The times of day during which the activities listed in 3.1 are permitted. Where the start time is later than the end time, the period of activity spans mid-night. Where the start time is equal to the end time, the period licensed is 24 hours.

Days	Start Time	End Time	Licensed Activity Codes
Monday - Sunday	08:00	22:00	ALL

3.3 Operating Hours

The hours of operation of the premises during the day. Where the start time is later than the end time, the period of operation spans mid-night. Where the start time is equal to the end time, the period of allowed operation is 24 hours.

Days	Start Time	End Time
Monday - Sunday	08:00	22:00

4. Conditions

4.1 Mandatory Conditions

Mandatory conditions attached to the licence.

Objective	Condition
N/A	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.
N/A	Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
N/A	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.
N/A	(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

Objective	Condition
	<p>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.</p>

4.2 Operating Conditions

Operating conditions attached to the licence and classified by objective:

- General
 - General conditions consistent with the operating schedule.
- Crime
 - Conditions consistent with, and to promote the prevention of crime and disorder.
- Safety
 - Conditions consistent with, and to promote public safety.
- Nuisance
 - Conditions consistent with, and to promote the prevention of public nuisance.
- Child
 - Conditions consistent with, and to promote the protection of children from harm.

Objective	Condition
GENERAL	The Designated Premises Supervisor shall ensure that all staff are trained in respect of the Licensing Act 2003. Auditable training records will be maintained and refresher training will be provided every six months.
CRIME	The premises licence holder shall operate a CCTV system at the premises that shall cover all licensable areas and record at all times the premises are open for licensable activity. The recorded images will be retained for 28 days and made available to the police and or any other authorised officer upon request.
SAFETY	No enforceable conditions identified from operating schedule.
NUISANCE	No enforceable conditions identified from operating schedule.
CHILD	The premises shall operate a challenge 25 policy.

4.3 Committee Conditions

Conditions attached to the licence after a hearing by the licensing authority and classified by objective:

- General
 - General conditions consistent with the operating schedule.
- Crime
 - Conditions consistent with, and to promote the prevention of crime and disorder.
- Safety

From: Martin Williams
Sent: 21 March 2019 12:12
To: Compliance Direct; Councillor Gareth Moore; bw_licensing@west-midlands.pnn.police.uk
Cc: Licensing
Subject: TRADING STANDARDS : Supporting Evidence - Extra Supermarket, 187 High Street, Erdington -
Attachments: supportingEvidence- Paromstor.pdf

Dear All,

Please see attached evidence to support Trading Standards objections to grant of new licence to Extra Supermarket 187 High St Birmingham.

(please treat the items as confidential and do not disclose to third parties)

1. Companies House extract – Paromstor Ltd
2. Court extract – Paromstor Ltd
3. Licence review extract – Paromstor Ltd
4. Licensing sub-committee decision – Extra Supermarket
5. Officers notebook extract – M.Williams 24/05/18

Kind regards,

Martin Williams
Trading Standards Officer
Birmingham Trading Standards
P O Box 16586
Birmingham
B33 3EH

0121 303 9144

www.birmingham.gov.uk/tradingstandards

 Follow @bhamts

CAB Consumer Advice Line: 08454 04 05 06

CAB Website: <http://www.adviceguide.org.uk/>

Fair Regulation for all - achieving a safe, clean, green and fair trading city for residents, business and visitors

Companies House

Companies House does not verify the accuracy of the information displayed
(<http://resources.companieshouse.gov.uk/serviceinformation.shtml#compinfo>)

BETA This is a trial service — your [feedback \(https://www.research.net/r/chbeta\)](https://www.research.net/r/chbeta) will help us to improve it.

Search for companies or officers

PAROMSTOR LIMITED

Company number **09701520**

Date	Type	Description	View / Download
27 Sep 2018	AA	Total exemption full accounts made up to 31 December 2017	(4 pages) Download iXBRL (https://beta.companieshouse.gov.uk/company/09701520/filing-history/MzlxNTYwNzY3NGFkaXF6a2N4/document?format=xhtml&download=1)
27 Sep 2018	CS01	Confirmation statement made on 23 July 2018 with updates	(4 pages)
10 Sep 2018	AP01	Appointment of Mr Jiger Rashmilkant Patel as a director on 1 August 2018	(2 pages)
16 Aug 2018	TM01	Termination of appointment of Roman Koloda as a director on 9 August 2018	(1 page)
03 Jul 2018	TM01	Termination of appointment of Ashish Patel as a director on 3 January 2017	(1 page)
21 Dec 2017	AD01	Registered office address changed from 68-69 Shireland Road Extra Supermarket Smethwick West Midlands B66 4RQ United Kingdom to Victoria House 18 Dalston	(1 page)

1BU on 21 December
2017

21 Sep 2017	AA	Total exemption full accounts made up to 31 December 2016	(4 pages) Download XBRL (https://beta.companieshouse.gov.uk/company/09701520/filing-history/MzE4NTkxOTcxNmFkaXF6a2N4/document?format=xhtml&download=1)
14 Sep 2017	AP01	Appointment of Rashmikanth Patel as a director on 31 August 2016	(2 pages)
31 Jul 2017	CS01	Confirmation statement made on 23 July 2017 with updates	(4 pages)
27 Jul 2017	PSC04	Change of details for Mr Rasmikanth Patel as a person with significant control on 31 August 2016	(2 pages)
27 Jul 2017	PSC07	Cessation of Jiger Rashmikanth Patel as a person with significant control on 31 August 2016	(1 page)
23 Sep 2016	AA	Accounts for a dormant company made up to 31 December 2015	(2 pages) Download XBRL (https://beta.companieshouse.gov.uk/company/09701520/filing-history/MzE1ODMzMzY5M2FkaXF6a2N4/document?format=xhtml&download=1)
22 Sep 2016	AA01	Previous accounting period shortened from 31 July 2016 to 31 December 2015	(1 page)
01 Aug 2016	CS01	Confirmation statement made on 23 July 2016 with updates	(7 pages)
24 May 2016	SH01	Statement of capital following an allotment of shares on 22 May 2016	(3 pages)

• GBP 100



Companies House

PSC07 (ef)

**Notice of ceasing to be a person
with significant control (PSC)**

Company Name: **PAROMSTOR LIMITED**

Company Number: **09701520**



Received for filing in Electronic Format on the: **27/07/2017**

X6BKXXWQ

Cessation Details

Date ceased: **31/08/2016**

Name: **JIGER PATEL**

Authorisation

Authenticated

This form was authorised by one of the following:

Director, Secretary, Person Authorised, Liquidator, Administrator, Administrative Receiver, Receiver, Receiver manager, Charity Commission Receiver and Manager, CIC Manager, Judicial Factor.

PAROMSTOR LTD

10 offences of placing food on the market which was unsafe, namely packs of bacon, salami, Parowski Szkolne, Krasno Parky, Majka Mandlova, Pastika S Husim Jatty, Paktariska, Spilua provansas majonese, Zottarella Basilikum and Mullmilch, were on display for sale at Extra Supermarket, 187 High Street, Erdington, Birmingham which were past their "use by" dates
Food Safety and Hygiene (England) Regs 2013

H Carrington 8773490

1st Hearing
AI served with summonses
LPT have endorsed copies

Officer Costs £406

Please state the ground(s) for review (please read guidance note 2)

Birmingham Trading Standards were informed by the local neighbourhood police team that they had received intelligence from a member of the public that a shop known as Extra Supermarket, 187 High Street, Erdington, Birmingham, B23 6SY was selling illicit cigarettes for £3.50 for a pack of 20 from under the counter. (This is in addition to a similar anonymous complaint received by Trading Standards earlier in the year)

On 24th May 2018 officers from Trading Standards and West Midlands Police visited the shop to follow up this complaint.

On inspection of the counter area Trading Standards Officer Martin Williams found 6 bottles of Soplica, 2 bottles of Krupnik and 6 bottles Zubrowka vodka under the counter that did not have customs stamps attached as required by law. All alcohol over 30% ABV must have a duty stamp and the duty duly paid.

On display amongst other products Officer Williams also found the following items on offer for sale; these items also didn't have the required duty paid stamp;

- 14 bottles of Zoladkowa vodka
- 5 bottles of Wyborowa vodka
- 5 bottles of Zubrowka vodka
- 8 bottles of Soplica vodka
- 5 bottles of Krupnik vodka

It appeared to be no coincidence that all of these brands had special offer price stickers attached to the shelf edge.

During the inspection a police officer went into the office at the back of the shop and disturbed a member of staff stuffing a rucksack with illicit cigarettes from a desk drawer; all of these cigarettes were illegal as they did not comply with the tobacco legislation and were also non-duty smuggled cigarettes.

The rucksack had 80 x 20 packs of illegal L&M cigarettes and 50 x 20 packs of illegal Marlboro cigarettes inside.

The open drawer had a further 10 x 20 packs of L&M cigarettes, 20 x 20 packs of illegal Pect cigarettes and 10 x 20 packs of illegal Rothman cigarettes. On the floor in a white bag were a further 13 x 20 packs of Pect cigarettes.

Also stored in this office were a further 90 bottles of various illicit non-duty paid vodka of the above brands. In another store room a further 43 similar bottles were found

Please provide as much information as possible to support the application (please read guidance note 3)

In total 183 x 20 packs of illegal cigarettes and 184 bottles of illicit alcohol were found in the shop. These were seized for further investigation as they are illegal for sale in this country.

Also under the counter were 4 bottles of 95% spirit, whilst bearing customs stamps, officers were concerned that it was such high strength alcohol; the explanation that it was for cooking purposes seemed implausible.

A major concern is that this shop has only been open for 2 years but already appears to be on a course of illicit trading.

The shop management clearly knew they were selling illegal produce and went to lengths to hide the tobacco. They cannot have any concern for those they are selling to and contribute little to making Erdington High Street a better place. Their activities not only contribute to health issues around alcohol and tobacco misuse which is a problem in the Erdington area but also undermine legitimate traders who operate within the law.

The only conclusion is that they are only concerned with making an excessive profit by selling smuggled items.

The person who was serving on first entry did little to assist officers and had no personal licence to sell alcohol. There was clearly no sense of accountability or understanding of the obligations in serving alcohol or assisting responsible bodies.

Officers had little confidence with the staff and particularly management they met at the shop and together with the items seized feel that this premise should have its licenced revoked.

It is also noteworthy that during the visit the police officer in charge called out the fire service as there were serious concerns with fire escapes being blocked and issues with the fire alarm system.



BIRMINGHAM CITY COUNCIL
LICENSING SUB-COMMITTEE - B

TUESDAY 14 AUGUST 2018

EXTRA SUPERMARKET, 187 HIGH STREET, ERDINGTON, BIRMINGHAM, B23 6SY

That, having reviewed the premises licence held under the Licensing Act 2003 by Paromstor Ltd, in respect of EXTRA SUPERMARKET, 187 HIGH STREET, ERDINGTON, BIRMINGHAM B23 6SY, upon the application of the Chief Officer of Weights and Measures, this Sub-Committee hereby determines that the Licence be revoked, and that Mr Roman Koloda be removed as Designated Premises Supervisor, in order to promote the prevention of crime and disorder and public safety objectives in the Act.

The Sub-Committee's reasons for revoking the licence are due to concerns expressed by the Chief Inspector of Weights and Measures. A Trading Standards Officer attended the meeting and told the Members of the Sub-Committee about the bottles of illicit alcohol, and packets of illicit tobacco products, which had been discovered during an inspection of the premises carried out by Trading Standards Officers and West Midlands Police. The Sub-Committee was given full details of the illicit stock, which was found behind the counter and on the shop shelves. The details were as per the Report submitted. The alcohol products did not bear the 'duty paid' stamp as required by law, and were of entirely unknown provenance. The illicit cigarettes were being sold under the counter for £3.50 for a pack of 20.

Whilst Trading Standards Officers dealt with the discovery of items in the front of the shop, a Police Officer went to the back of the premises (as per the standard procedure), where he found a member of the shop staff stuffing further packets of illicit cigarettes into a rucksack. All in all, 183 packets of illicit cigarettes were discovered, and 184 bottles of illicit alcohol.

The Trading Standards officer observed that the shop had only been licensed to sell alcohol since 2016, yet in a very short time had slipped into entirely unlawful and unsafe practices. It was his recommendation that the licence should be revoked as the premises was incapable of upholding the licensing objectives.

West Midlands Police and Public Health made written representations supporting this proposed course, confirming that the sale of these illicit products was in direct contravention of the licensing objectives - in particular, it undermined the prevention of crime and disorder objective, but there were also general safety concerns about the consumption of illicit products by consumers.

The Sub-Committee had grave concerns about the manner in which this relatively new premises had been operating, and therefore paid close attention to the

submissions of Mr Roman Koloda, who attended the meeting and addressed the Sub-Committee. Mr Koloda was both the Designated Premises Supervisor, and a Director of the company which held the Premises Licence.

Mr Koloda stated that he had not been aware of what was being sold in the shop, yet he was the Designated Premises Supervisor. He stated that there had been an inability to keep control of the staff; as a result of the inspection, those staff had been given notice and told to leave. The shop had employed eleven members of staff in total. Mr Koloda stated that he was at the shop for about two hours a week. He stated that he did walk around the shop when he visited, but that he had 'missed' the illicit stock due to 'negligence'.

When the business started in 2016, Mr Koloda had been responsible for buying the alcohol stock, and had bought it from a legitimate cash & carry premises. However, over time, the responsibility for dealing with the alcohol stock had been passed to a member of the staff. Mr Koloda stated that following the inspection by Trading Standards, he had called a meeting to ask how the illicit stock had come to be on the shelves; the staff had 'all blamed each other'.

After hearing all the evidence, Members of the Sub-Committee determined that the sale and storage of illicit alcohol and tobacco was indeed so serious that it could not be tolerated, and therefore resolved to revoke the licence as recommended by the Chief Officer of Weights & Measures. The Sub-Committee agreed with Trading Standards that the operation had been managed in a way that was not merely irresponsible, but also illegal. A determination to revoke would follow the Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. There were no compelling reasons to depart from the Guidance on this occasion.

Mr Koloda's explanations did not inspire any confidence whatsoever that the management at the premises understood the licensing objectives. This warranted the removal of the Designated Premises Supervisor.

The Members of the Sub-Committee gave consideration as to whether they could modify the conditions of the licence, or suspend the licence for a specified period of not more than 3 months, but were not satisfied given the evidence submitted that the licensing objectives would be properly promoted following any such determination, for the reasons set out above.

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 application for review, the written representations received and the submissions made at the hearing by the Chief Inspector of Weights & Measures, West Midlands Police, Birmingham City Council Public Health, and the Designated Premises Supervisor.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision. The determination of the Sub-Committee does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the determination of the appeal.

21/5/18

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



24/5/18 Me Rept
 Met Phil Quinn
 went to Ealing Police St
 for briefing days job -
 PCSO Sue Haskins 30886
 said she had recent info
 a person she knows that Extra
 Supermarket 187 High St BZ
 sells illicit cigarettes.
 She went into shop and PCSO
 said do you know more and
 asked if shop they are
 either 75.50 or 100.00
 but she did not buy any on
 this occasion. Also mentioned
 they had had anti social
 issues outside the shop.
 Phil Quinn and I. Handled
 to Extra Supermarket
 187 High St along with Phil
 Quinn PC Ellis 5152
 PC 1913 Sample.

At 9.33 am there was only one Asian woman behind the counter at Front Wing of shop. I explained to her we were there to inspect shop for tobacco, alcohol and Potash. Filled out Premix Search Book N° 136 with details of shop - gave her name as Bindi Patel dob 25/8/61 but refused to sign with husband said she was only a shop worker but transpired she was the owners mother - she called for an Asian Man who gave name Rashmi Patel 16/12/61 said was her husband, both gave their addresses

There were also several 141
 Eastern European people working at back of shop on meat counter etc. They were both not very helpful. I gave Bindi Patel a copy of the Notice of Powers Form and went behind the counter. Ms Patel said they did not sell cigarettes but I looked in places behind the counter. Under the counter I found 6 bottles Toplica Vodka w/o customs stamps 2 bottles Krupnik also w/o stamps and 2 bottles Zubrovka Vodka also without customs stamps that should have had and so were non-duty smuggled items.

When the called
 is the hotel shop where
 a police officer said he
 stopped an employee
 loading cigarettes from
 the desk drawer into a
 suitcase that was open
 on the desk.

The cigarettes were all
 foreign labelled mostly
 non standard packs
 and were:

80 x (20) L&M in bag
 50 x (20) Marlboro " "
 20 x (20) Peck in drawer
 10 x (20) Rothmans in drawer
 10 (20) L&M in bag drawer
 and in other bags on floor
 13 x (20) loose pack Peck
 cigarettes these were
 listed on seized warrant sheet
 and sealed in bag as follows
 06053422

Also in this office
 at the rear side were a
 lot of boxes of alcohol
 I inspected looking for
 three bottles 30% Abv
 and see which need custom
 stamps

There was selected to be
 seized:

Box 12 Zubrowka Vodka
 40% - handth desk

Box 12 Krupnik Vodka
 40% bricko corner

9 x Soplira Vodka 40%

2 x Zoladkova Vodka

1 x Zubrowka Vodka

Case 12 Krupnik Vodka
 32% abv

These were all listed in warrant

Also

Case 12 Krupnik Vodka

11 Zoladkova vodka

~~14 x Zoladkova Vodka~~

Also

46 x Wyborowa Vodka

11 x Sopliza Vodka

From which I will take some

Then we went back to
the front of the shop and
I examined the bottles
and display on the shelf
and took some photos
with my work phone.
And I removed the
following items that
were full size bottles
but greater than 30% abv
which should have had
customs stamps. I also
noticed many of these had
special OCC prices
attached to the
bottles.

14 x Zoladkova Vodka

5 x Wyborowa vodka¹⁴⁵

5 x Zubrowka vodka

8 x Sopliza Vodka

5 x Krupnik Vodka

~~8 x Wyborowa vodka~~

11 x Sopliza vodka

These were all sold in
bags as per noted in search book
just before 10:00 am. Mr
Tiger Patel arrived who
said he was the manager
and his details as 27/6/85
address

He said he had a personal
license to sell alcohol but not
his father & mother. A few
minutes later another man
came who said he was the
company secretary of the
business. Mr Roman Kolod
he said he had a personal

licence but would go
and get it to show us
his phone.

We then went to the
cupster's store room but
did not find any illicit
items at all. Mr Patel
came up to us and then
we got Mr Patel to sign
for all the items that we
had listed on the seized
property record and he took
them. He also said he
could provide invoices and
said we would need to sign
and reconcile this with the seized
items list. Then the police
officers advised us to
search storage area
P2 unit and I went in

and found

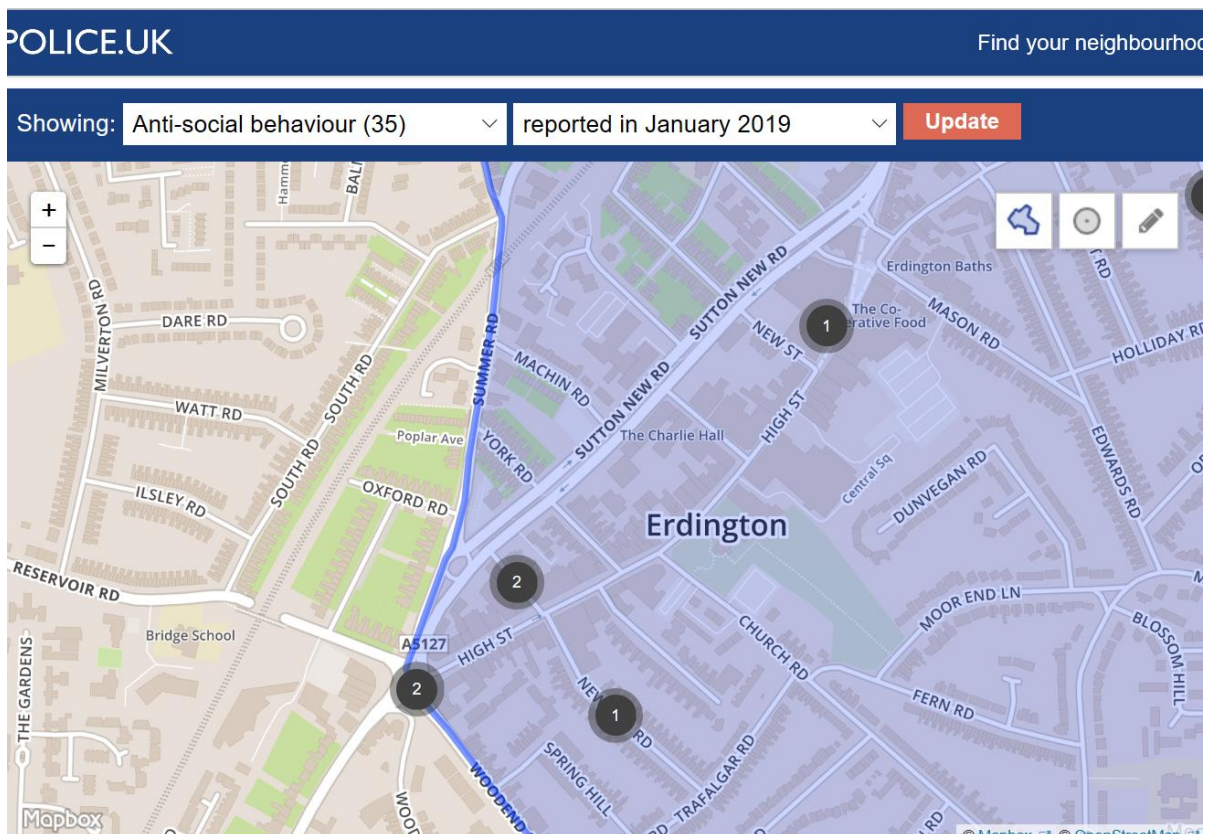
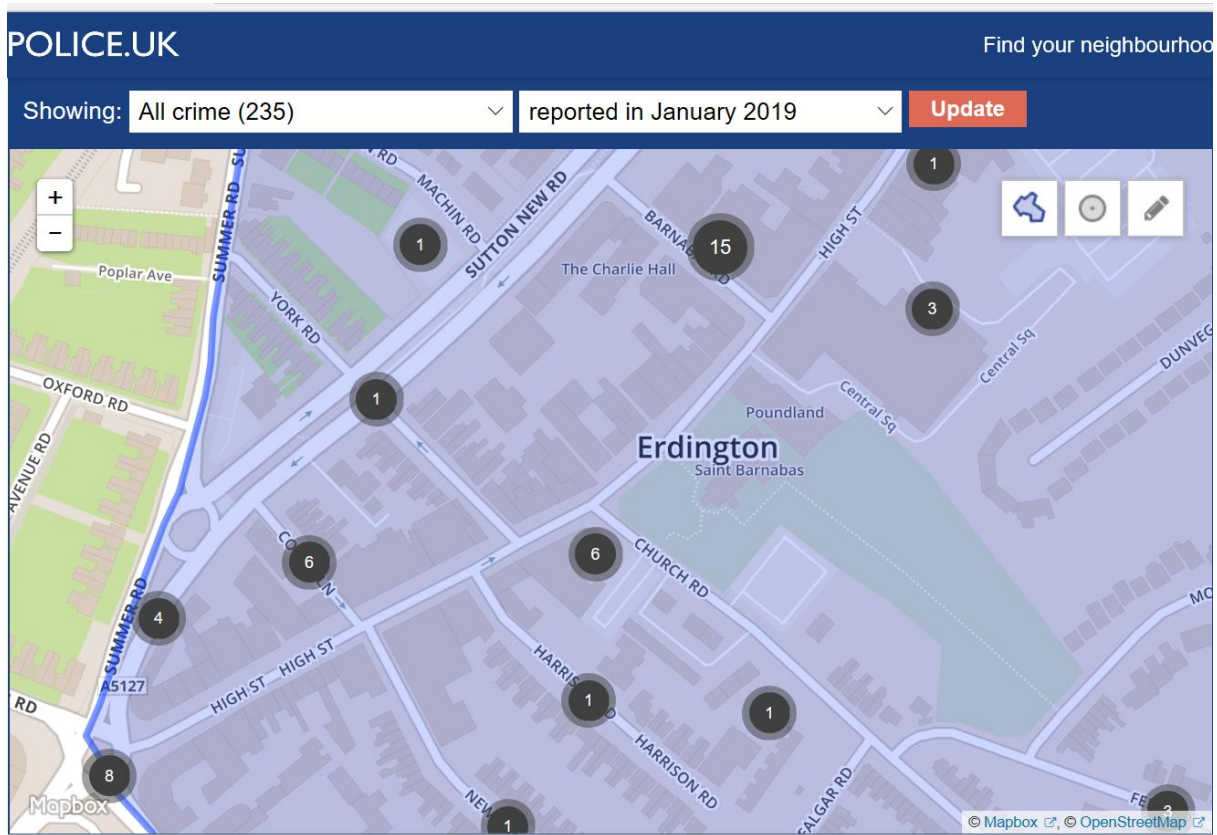
147

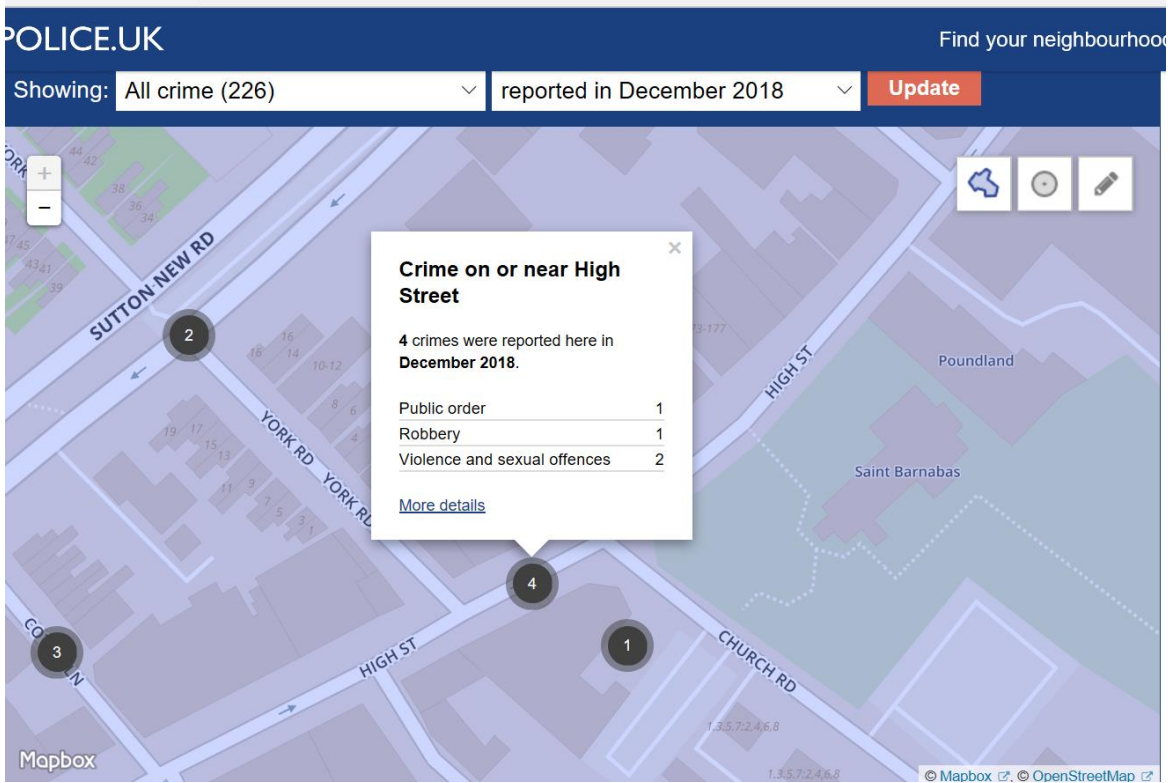
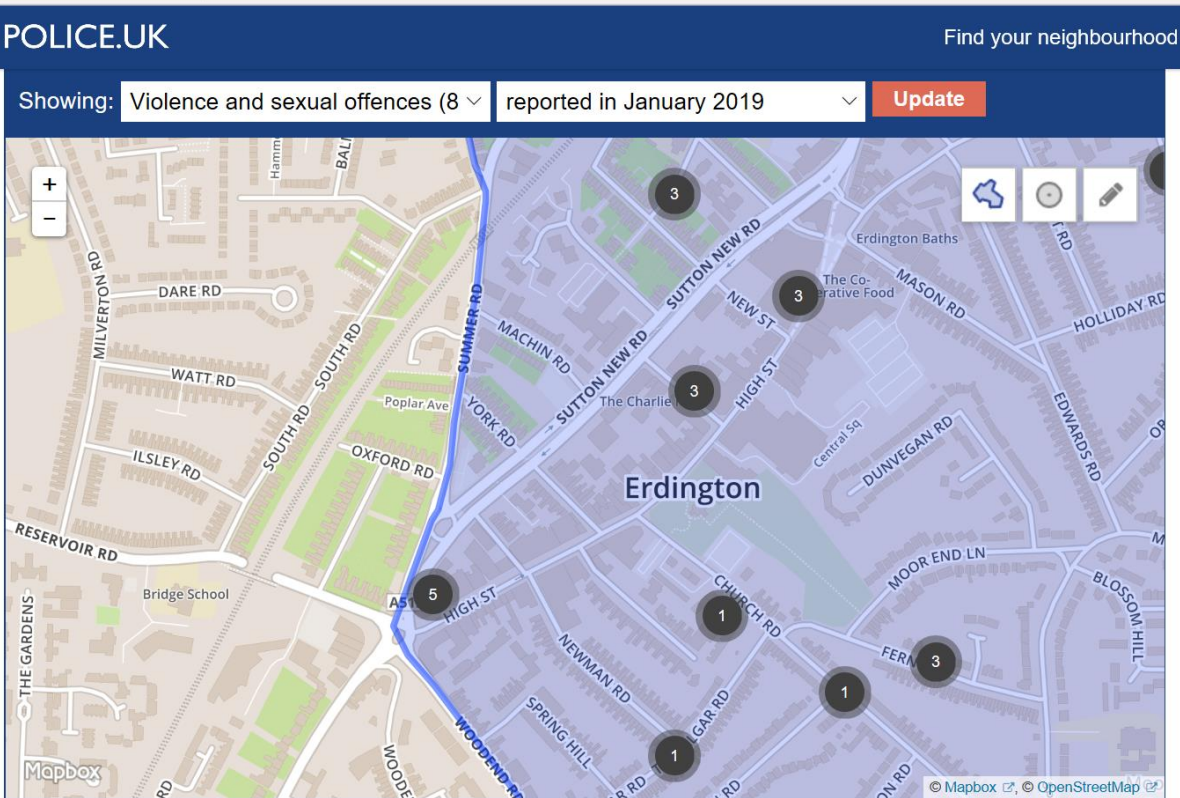
Whites Zolachova Vodka
G. bottle Krupnik vodka
12 " Sopolica vodka
11 more Sopolica vodka
and another bottle Zubrovka
Vodka.

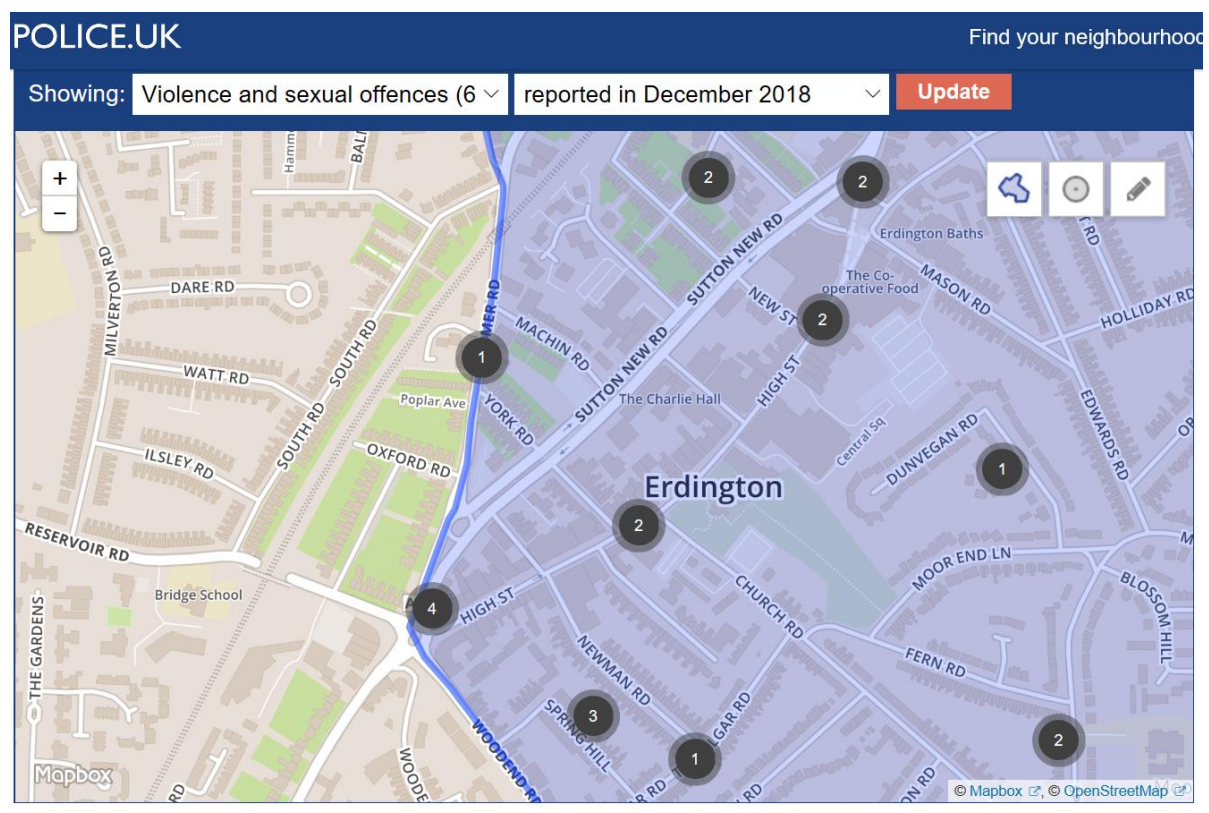
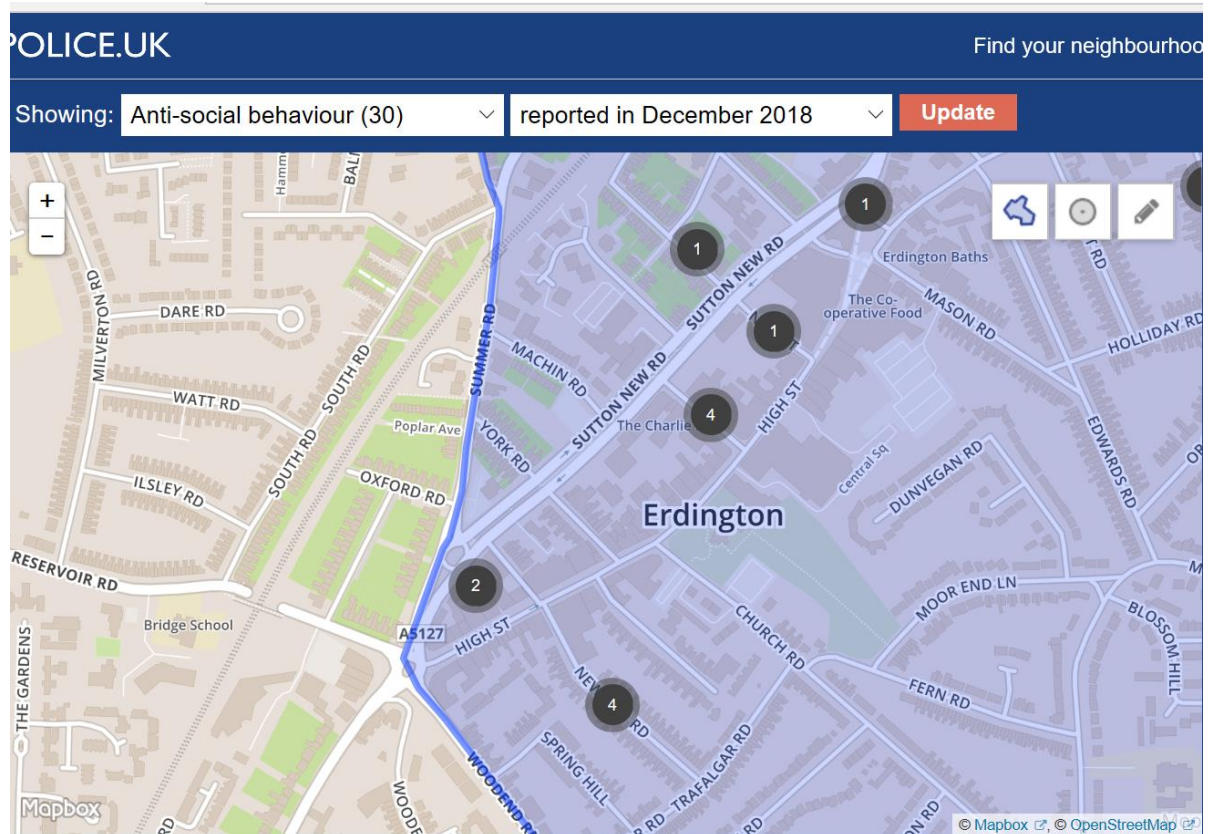
Another page of the search
register was filled in with
these items which was signed
in bags as per record and
Mr Patel signed and was
given this third page as
accept for items seized.

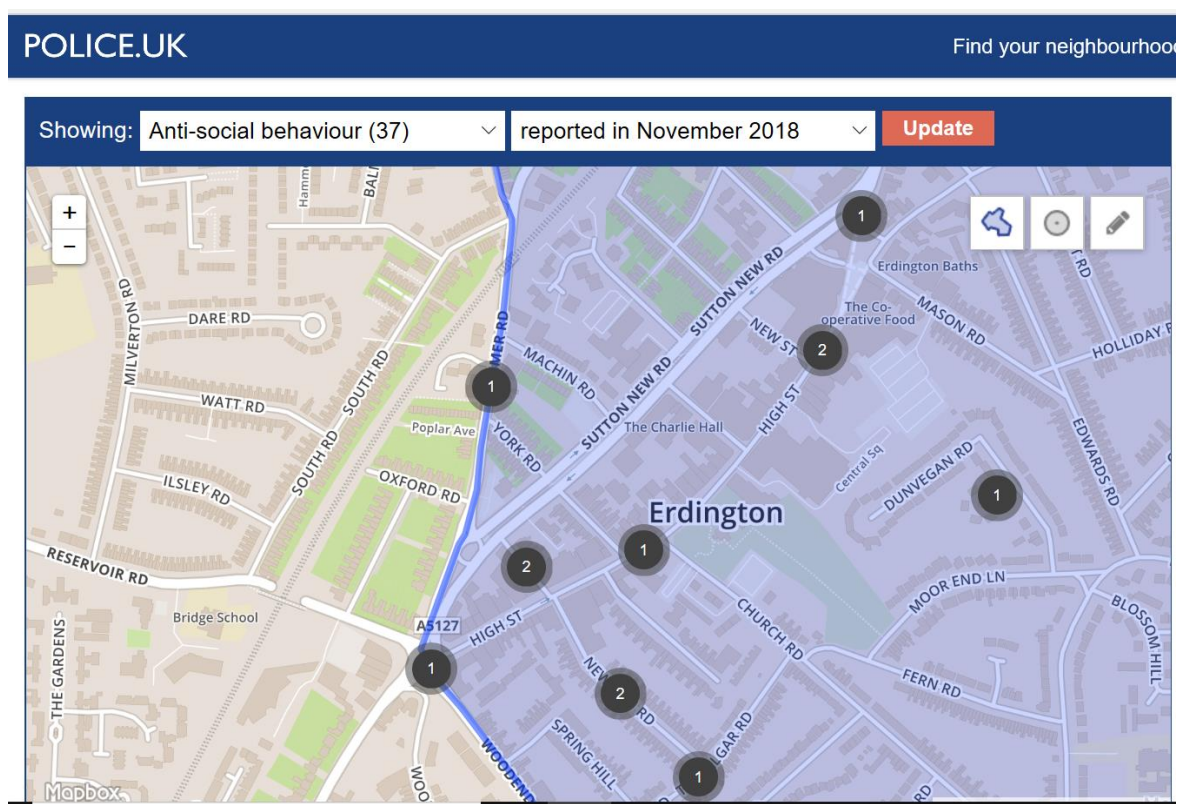
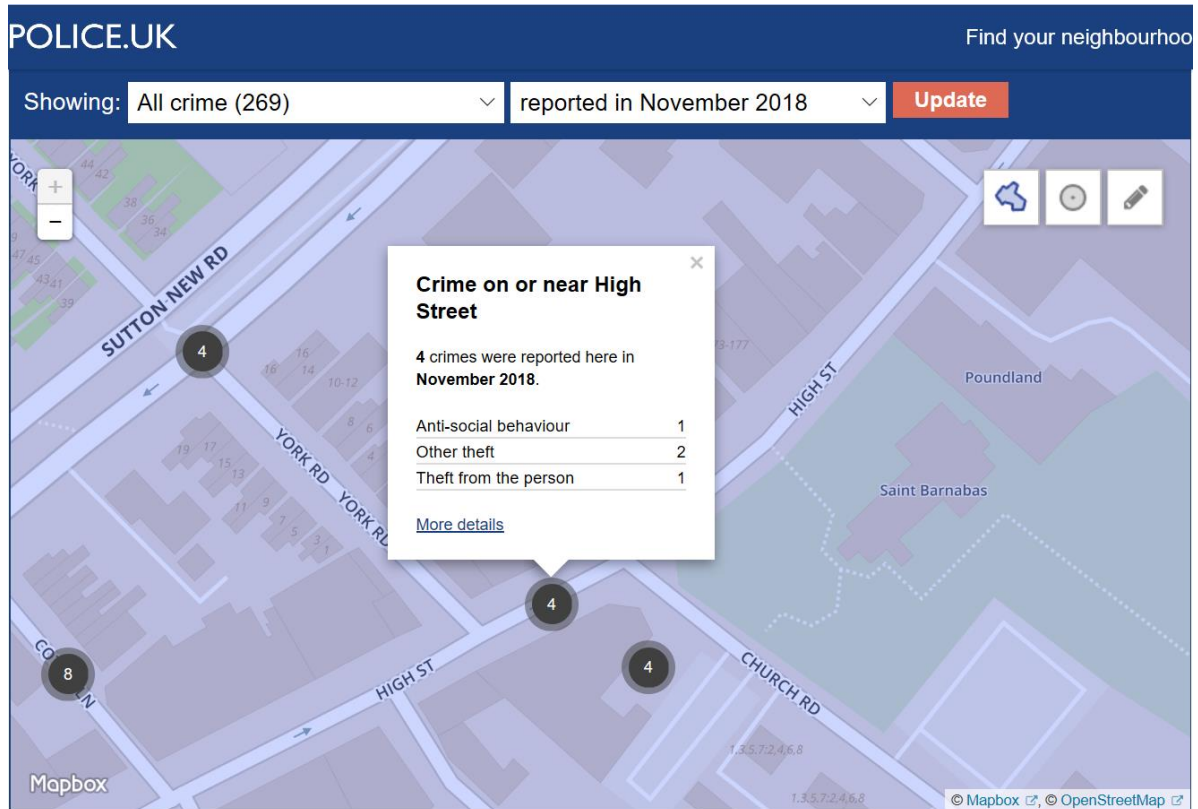
The Police Officer then helped
us load all the seized bags
into Police van outside shop.
Mr Kolodex then returned
and showed his press licence
and I explained to him that
Mr Patel had accepted

Reported Crimes – Erdington Ward October 2018 to January 2019





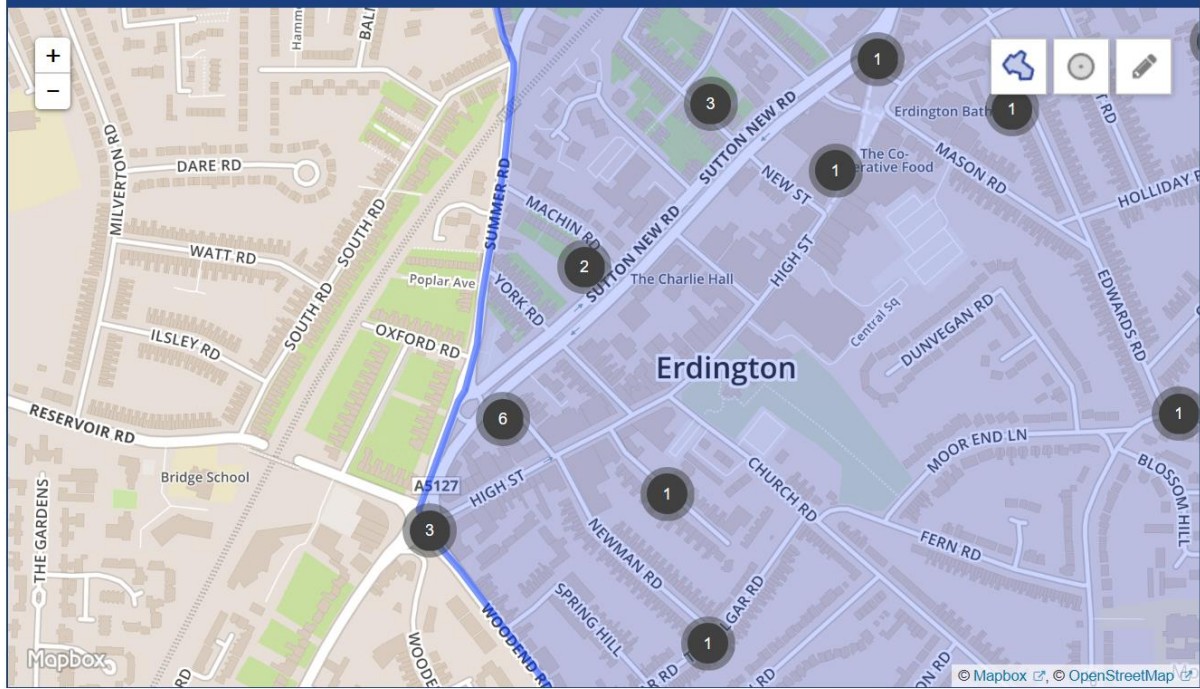




Showing: Violence and sexual offences (8)

reported in November 2018

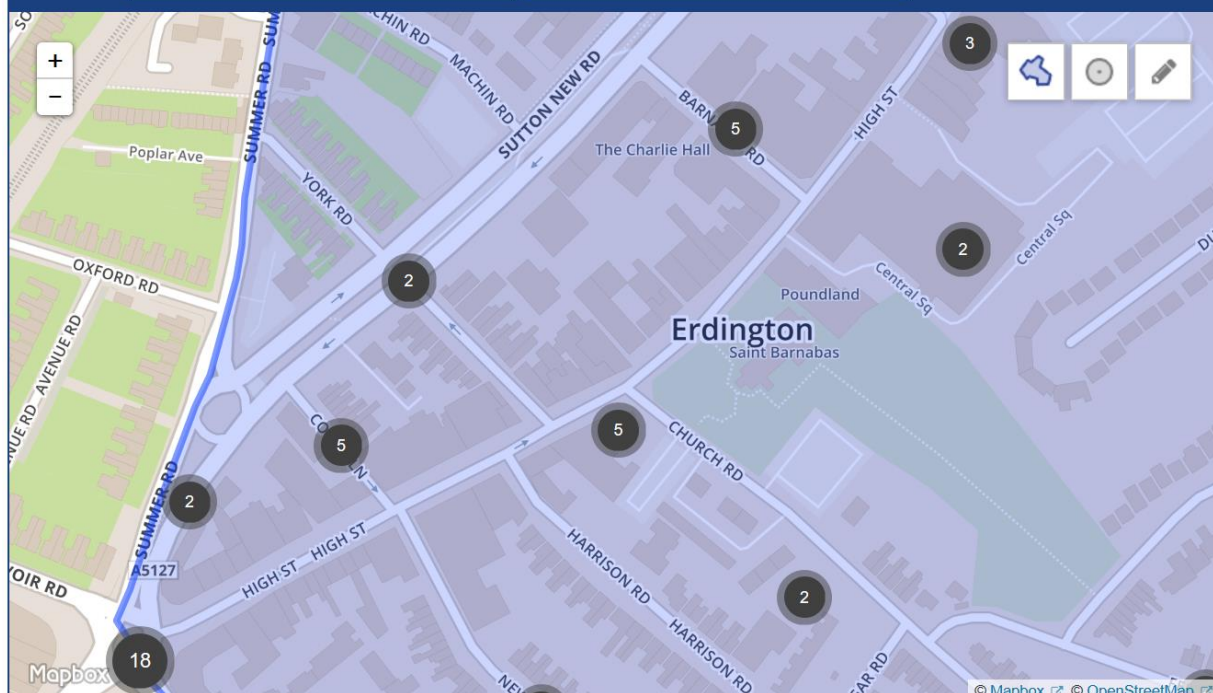
Update

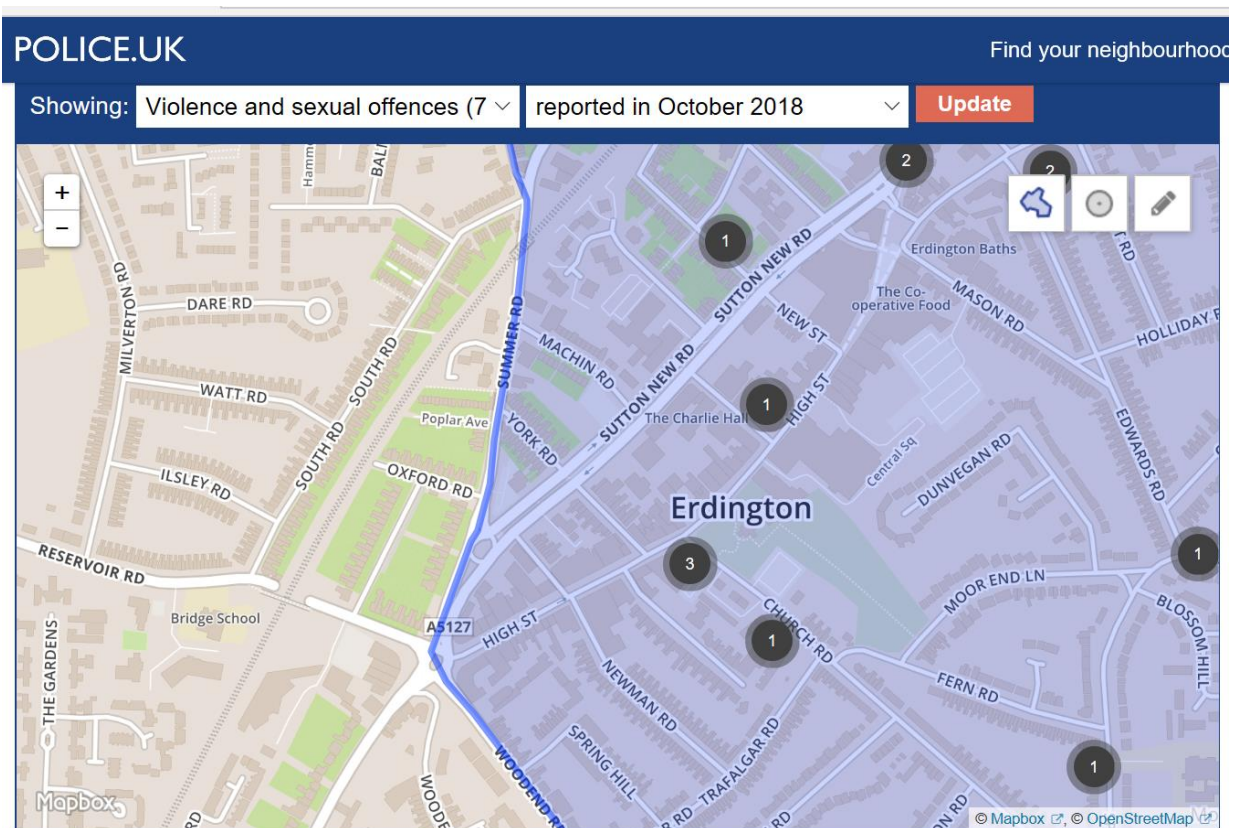
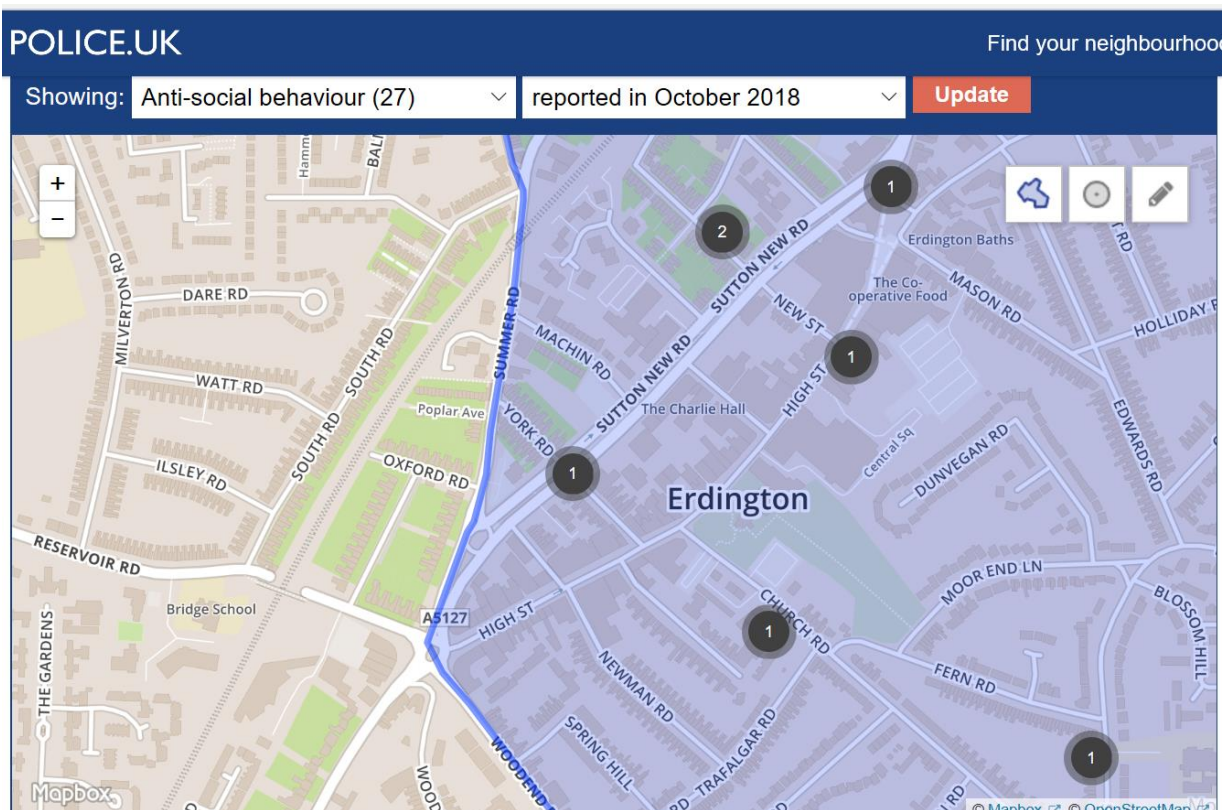


Showing: All crime (227)

reported in October 2018

Update





Crime

In 2015/16 in England, victims believed the offender(s) to be under the influence of alcohol in 39% of all violent incidents.

- In 2016/17 in England and Wales, 12.4% of theft offences, 20.6% of criminal damage and 21.5% of hate crimes were alcohol-related [15].
- In England and Wales, alcohol-related violent incidents are more likely to be reported to the police than those which are not alcohol-related [15].
- In 2016/17 in England and Wales, in 35.8% of sexual assault cases the offender was under the influence of alcohol [15].
- In 2015/16 in England, victims believed the offender(s) to be under the influence of alcohol in 39% of all violent incidents, down from a peak of 55% in 2009/10. In Wales, the figure is higher, at 49% in 2015/16, down from a peak of 73% in 2006/07 [11].
- In 2014-2016 in England and Wales, alcohol-related violent incidents made up 67% of violent incidents which take place at the weekend and 68% of those which take place during the evening and night [12].
- In 2014-2016 in England and Wales, 91% of violent incidents which took place in or near a pub or club were alcohol-related, and 67% of those which took place in public spaces were alcohol-related [12].
- In 2016/17 in Scotland, in 42% of violent crime incidents the offender was under the influence of alcohol [20].
- In 2016 in Great Britain, there were 9,040 drink-drive casualties and 6,070 drink-drive accidents. In the long-term, these figures

have been falling since 1979 from a peak of around 31,000 casualties and 19,000 accidents, although have increased in recent years since 2013, when there were only 8,270 casualties and 5,690 accidents [13].