

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C

WEDNESDAY, 03 FEBRUARY 2021 AT 10:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

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

A G E N D A

1 **NOTICE OF RECORDING/WEBCAST**

The Chairman to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 **DECLARATIONS OF INTERESTS**

Members are reminded 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**

1 - 38

4 **LICENSING ACT 2003 PREMISES LICENCE – GRANT PREMISES AT UNIT 2210, ACCESS SELF STORAGE, APPLEBERRY FOODS, 180 SHERLOCK STREET, BIRMINGHAM, B5 7EH**

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

5 **OTHER URGENT BUSINESS**

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

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

| | |
|-------------------------|---|
| Report to: | Licensing Sub Committee C |
| Report of: | Interim Assistant Director of Regulation & Enforcement |
| Date of Meeting: | Wednesday 3rd February 2021 |
| Subject: | Licensing Act 2003 Premises Licence – Grant |
| Premises: | Premises at Unit 2210, Access Self Storage, Appleberry Foods, 180 Sherlock Street, Birmingham, B5 7EH |
| Ward affected: | Bordesley and Highgate |
| Contact Officer: | David Kennedy, Principal Licensing Officer, licensing@birmingham.gov.uk |

1. Purpose of report:

To consider a representation that has been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption off the premises only) to operate from 24hours (Monday to Sunday).

Due to the nature of the application the public will not have access to the premises.

2. Recommendation:

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

3. Brief Summary of Report:

An application for a Premises Licence was received on 10th November 2020 in respect of the Premises at Unit 2210, Access Self Storage, Appleberry Foods, 180 Sherlock Street, Birmingham, B5 7EH.

A representation has been received from West Midlands Police as a responsible authority.

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:

Bhavinkumar Inamdar applied on 10th November 2020 for the grant of a Premises Licence for Premises at Unit 2210, Access Self Storage, Appleberry Foods, 180 Sherlock Street, Birmingham, B5 7EH.

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

The application is attached at Appendix 2.

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

The Hearing was initially scheduled before Licensing Sub-Committee C on Wednesday 6th January 2021. However, the applicants appointed agent requested that the hearing be adjourned due to extenuating circumstances. On Wednesday 6th January 2021, Licensing Sub-Committee C resolved to adjourn the hearing until Wednesday 3rd February 2021.

A copy of the determination is attached at Appendix 4.

Site Location Plans at Appendix 5.

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

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

6. List of background documents:

Copy of the representation as detailed in Appendix 1

Application Form, Appendix 2

Conditions agreed with Birmingham City Council Licensing Enforcement, Appendix 3

Licensing Sub-Committee determination of Wednesday 6th January 2021, 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.

From: Abdool Rohomon

Sent: 03 December 2020 11:52

To: Licensing

Subject: Grant - unit no 2210, Access Self Storage, Appleberry Foods, 180 Sherlock Street, Birmingham

Dear Licensing

With reference to the above application. This application seeks a 24 hour licence for internet, mobile sales from a warehouse, whilst using couriers (both employed and through contractors) to deliver the alcohol.

We have considered this application on the basis of the risk to additional crime and disorder, public safety, nuisance and protection of children, through on line sales, 24 hours a day, and with the added factor of the delivery being made by either employees or third parties.

To do so relies on solid robust policies and procedures to be in place, ones that all staff can be aware of, so that they can followed and responsible authorities can see, to assess that all the risks have been identified.

WMP have been in contact with the applicants agent, via email and the responses have not provided sufficient evidence to address any of the concerns raised.

These concerns equate to the supply of alcohol late at night, through third parties and their control measures to make sure they are sufficient to the requirements of the premise licence holder and also the training which is documented in the application

West Midlands Police therefore object to this application and request a hearing

Kind regards

Abs Rohomon. BEM

PC 4075 Rohomon. BEM

BW Licensing

Police headquarters

Lloyd House

Colmore Circus

Birmingham

B4 6NQ

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 **Bhavinkumar Inamdar**

(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 | | | |
| Unit No 2210 - Access Self Storage Appleberry Foods 180 Sherlock Street | | | |
| Post town | Birmingham | Postcode | B5 7EH |
| Telephone number at premises (if any) | | | |
| Non-domestic rateable value of premises | | £ 0 (None) | |

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- | | | |
|----|--|-----------------------------|
| a) | an individual or individuals (✓ Yes) | 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; (☒ YES) 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 | Miss | Ms | Other Title (for example, Rev) | |
| Surname INAMDAR | | | First names BHAVINKUMAR | | |
| Date of birth | | I am 18 years old or over | | Please tick yes <input checked="" type="checkbox"/> | |
| Nationality | | | | | |
| Current residential address if different from premises address | | | | | |
| Post town | | | | Postcode | |
| Daytime contact telephone number | | | | | |
| E-mail address (optional) | | | | | |
| 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 | Mrs | Miss | Ms | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| Date of birth | | I am 18 years old or over | | 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?

| | | |
|----------------------|----------------------|----------------------|
| 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)

This is an application for a premises licence for a storage unit within a modern purpose-built storage facility. The application is for 24 hours supply of alcohol for off sales via internet and mail order only. The premises is not open to general public and customers do not have access to the premises. All sale of alcohol is by online or mail order only. Every storage room is individually alarmed, only authorised personnel can access by PIN code to the storage areas and secure storage rooms. 24 hr CCTV, smoke and fire detectors, staff on site seven days a week and perimeter fencing add additional layers of security in place. The premises is also part of a national supply chain network.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

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|--|-------|--------|--|----------|--|
| Plays Standard days and timings (please read guidance note 7) | | | Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | |
| | | | | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | Please give further details here (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | State any seasonal variations for performing plays (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |

B

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|---|-------|--------|---|----------|--|
| 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 | |
| | | | | Outdoors | |
| | | | | Both | |
| 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 | | | <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) |
| | | | |
| Fri | | | |
| | | | |
| Sat | | | |
| Sun | | | |
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|--|-------|--------|---|----------|--|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 7) | | | Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
| | | | | Outdoors | |
| | | | | Both | |
| Day | Start | Finish | Please give further details here (please read guidance note 4) | | |
| Mon | | | | | |
| Tue | | | State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5) | | |
| Wed | | | | | |
| Thur | | | Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

E

| | | | | | | |
|--|-------|--------|---|--|----------|--|
| Live music Standard days and timings (please read guidance note 7) | | | Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3) | | Indoors | |
| | | | | | Outdoors | |
| | | | | | Both | |
| | | | | | | |
| Day | Start | Finish | | | | |
| Mon | | | Please give further details here (please read guidance note 4) | | | |
| | | | | | | |
| Tue | | | | | | |
| | | | | | | |
| Wed | | | State any seasonal variations for the performance of live music (please read guidance note 5) | | | |
| | | | | | | |
| Thur | | | | | | |
| | | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) | | | |
| Sat | | | | | | |
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| Sun | | | | | | |
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F

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|--|-------|--------|---|----------|--|
| Recorded music Standard days and timings (please read guidance note 7) | | | Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
| | | | | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | Please give further details here (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | State any seasonal variations for the playing of recorded music (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

G

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

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|--|-------|--------|--|----------|--|
| 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 | |
| Mon | | | | Outdoors | |
| | | | | Both | |
| Tue | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | <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) | | |
| Fri | | | | | |
| Sat | | | <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) | | |
| Sun | | | | | |

I

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|--|-------|--------|--|----------|--|
| 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 | |
| | | | | Outdoors | |
| | | | | Both | |
| Day | Start | Finish | Please give further details here (please read guidance note 4) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | | | State any seasonal variations for the provision of late night refreshment (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | 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 (please read guidance note 6) | | |
| | | | | | |
| | | | | | |
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J

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|---|-------|--------|--|------------------|---|
| 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 | |
| | | | | Off the premises | ✓ |
| | | | | Both | |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 5) Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) No time restriction on supply of alcohol for off sales, alcohol can only be sold online or by mail order. The premises is not open to public. | | |
| Mon | 00:00 | 00:00 | | | |
| | | | | | |
| Tue | 00:00 | 00:00 | | | |
| | | | | | |
| Wed | 00:00 | 00:00 | | | |
| | | | | | |
| Thur | 00:00 | 00:00 | | | |
| | | | | | |
| Fri | 00:00 | 00:00 | | | |
| | | | | | |
| Sat | 00:00 | 00:00 | | | |
| | | | | | |
| Sun | 00:00 | 00:00 | | | |
| | | | | | |

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

| | |
|---|--|
| Name Bhavinkumar Inamdar | |
| Date of birth | |
| Address | |
| | |
| | |
| Postcode | |
| Personal licence number (if known) | |
| Issuing licensing authority (if known) | |

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).

None

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) The premises is not open to the public |
| 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) The premises is not open to the public |
| Mon | | | |
| Tue | | | |
| Wed | | | |
| Thur | | | |
| Fri | | | |
| Sat | | | |
| Sun | | | |

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)

1. The premises is not open to general public neither has access for customers of the business.
2. All sale of alcohol is by online or mail order delivery only. Every storage room is individually alarmed and can only be accessed by authorised personnel with PIN code to the storage areas and individual storage units.
3. 24 hr CCTV, smoke and fire detectors, staff on site seven days a week and perimeter fencing add additional layers of security in place.
4. Any sale of alcohol as a result of Internet purchase or mail order must be subject to age verification by verifying payment method.
5. Any delivery of alcohol as a result of Internet purchase or mail order must be subject to 'Challenge 21' age verification policy.
6. Any personnel involved in retail deliveries of alcohol are appropriately trained in licensing laws and age verification.

b) The prevention of crime and disorder

As Above

c) Public safety

As Above

d) The prevention of public nuisance

As Above

e) The protection of children from harm

As Above

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)

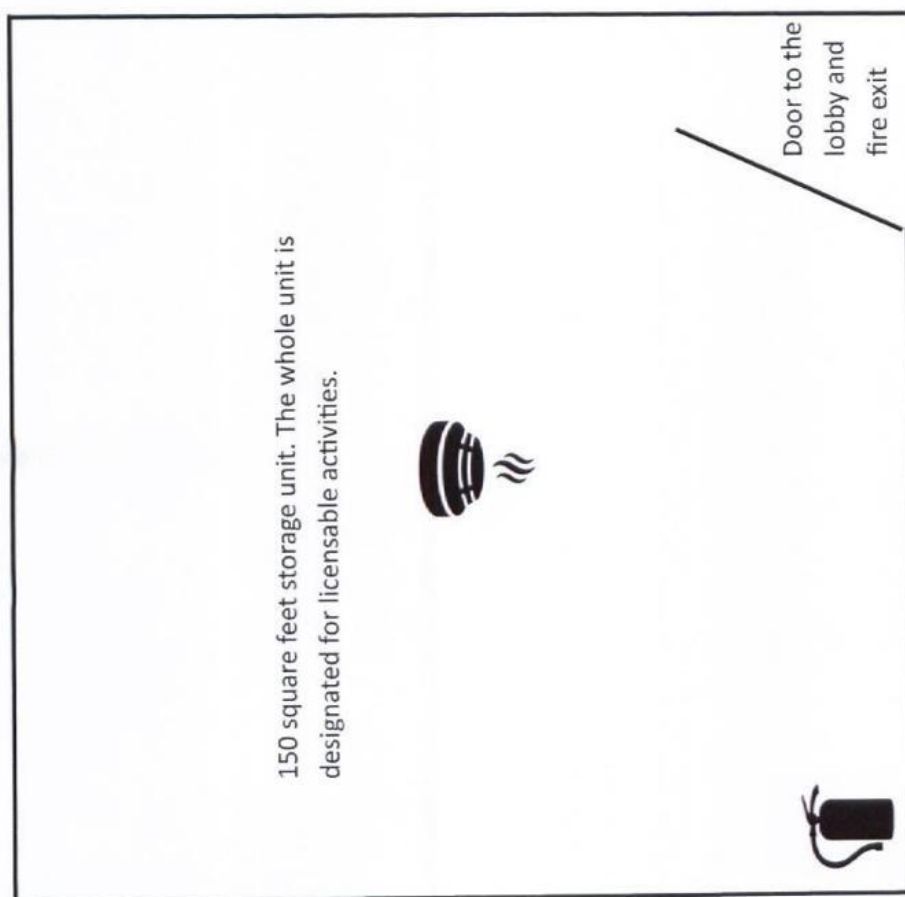
Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

| | |
|--------------------|---|
| 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 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, 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 | 10/11/2020 |
| Capacity | Authorised Agent |

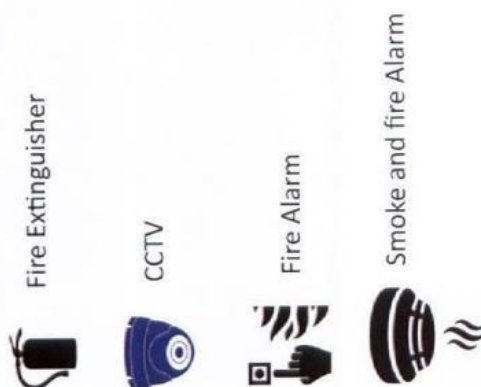
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

| | | | |
|---|--|----------|--|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) | | | |
| Bobby Nakum | | | |
| Post town | | Postcode | |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |



Lobby and fire exit. Lobby is equipped with fire alarm, CCTV and safety systems.



Unit No 2210
 Access Self Storage
 Appleberry Foods
 180 Sherlock Street
 Birmingham
 B5 7EH
 Scale 1:100

From: Sharon Watts
Sent: 18 November 2020 15:34
To: Licensing
Subject: FW: Grant - Premises Licence, 180 Sherlock Street, Birmingham, B5 7EH

Good afternoon licensing

Please find in attached email conditions and wording which I have agreed with agent.

Kind regards

Sharon Watts
Licensing Enforcement Officer

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

www.birmingham.gov.uk/licensing

Twitter: @BCCLicensing

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

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

IMPORTANT - Taxi and private hire drivers, please make sure you are wearing a mask when carrying passengers

From: Bobby Nakum
Sent: 12 November 2020 22:07
To: Sharon Watts
Subject: Re: Grant - Premises Licence, 180 Sherlock Street, Birmingham, B5 7EH

Hi Sharon,

We can accept amended condition 5. With regards to condition 6, all training records are kept at the company's head office in London so they cannot keep the training records on site however, they can produce these records anytime. Would you accept the following wordings?

Condition 6. Any personnel involved in retail deliveries of alcohol are appropriately trained in licensing laws and age verification. The training shall be documented, signed by the member of staff and produced to an authorised person upon request.

Kind regards

Bobby Nakum

On Thu, 12 Nov 2020 at 17:06, Sharon Watts wrote:

Good afternoon

I refer to the above application and have now reviewed the proposed conditions, should the application be successful.

I would suggest that 2 of the conditions are amended to read:-

Condition 5. Any delivery of alcohol as a result of internet purchase or mail order must be subject to a Challenge 25 age verification policy.

Condition 6. Any personnel involved in retail deliveries of alcohol are appropriately trained in licensing laws and age verification. The training shall be documented, signed by the member of staff, kept on site and produced to an authorised person upon request.

Please can you confirm by return email that you accept the above.

Kind regards

Sharon Watts

Licensing Enforcement Officer

Birmingham City Council,

Licensing Section,

P.O. Box 17831,

Birmingham,

B2 2HJ



BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE C

WEDNESDAY 6 JANUARY 2021

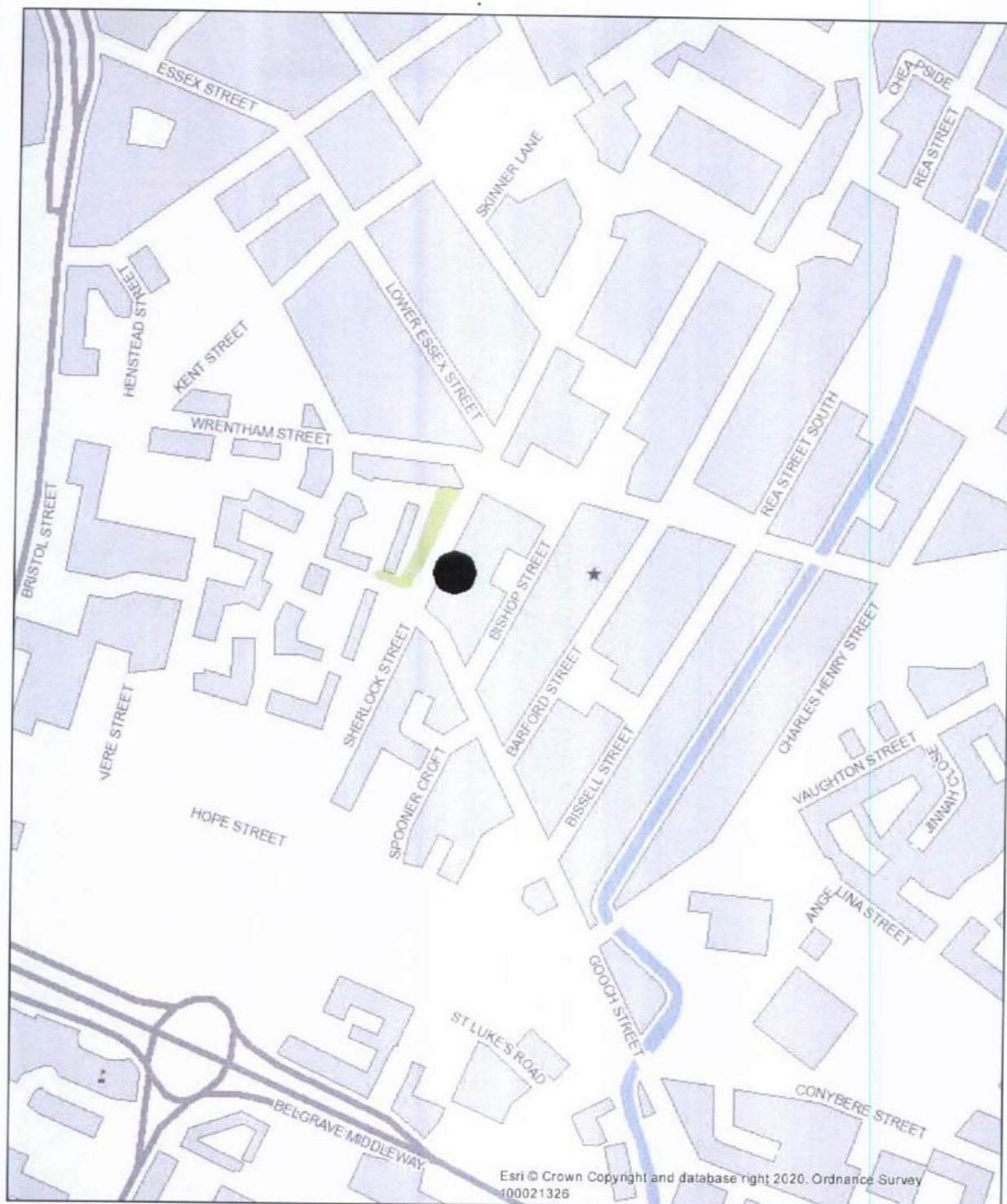
**UNIT 2210, APPLEBERRY FOODS, ACCESS SELF STORAGE, APPLEBERRY
FOODS, 180 SHERLOCK STREET, BIRMINGHAM
B5 7EH**

That the application by Bhavinkumar Inamdar for a premises licence in respect of Unit 2210, Appleberry Foods, Access Self Storage, Appleberry Foods, 180 Sherlock Street, Birmingham B5 7EH, be adjourned.

The applicant's agent was unable to attend the online meeting due to unforeseen circumstances and it was therefore decided, having sought the views of West Midlands Police, that the hearing shall be adjourned to:

Wednesday 3rd February 2021, at 10.00 hours. This will be an online meeting conducted via Microsoft Teams.

West Midlands Police did not object to the application for an adjournment.



Birmingham
City Council

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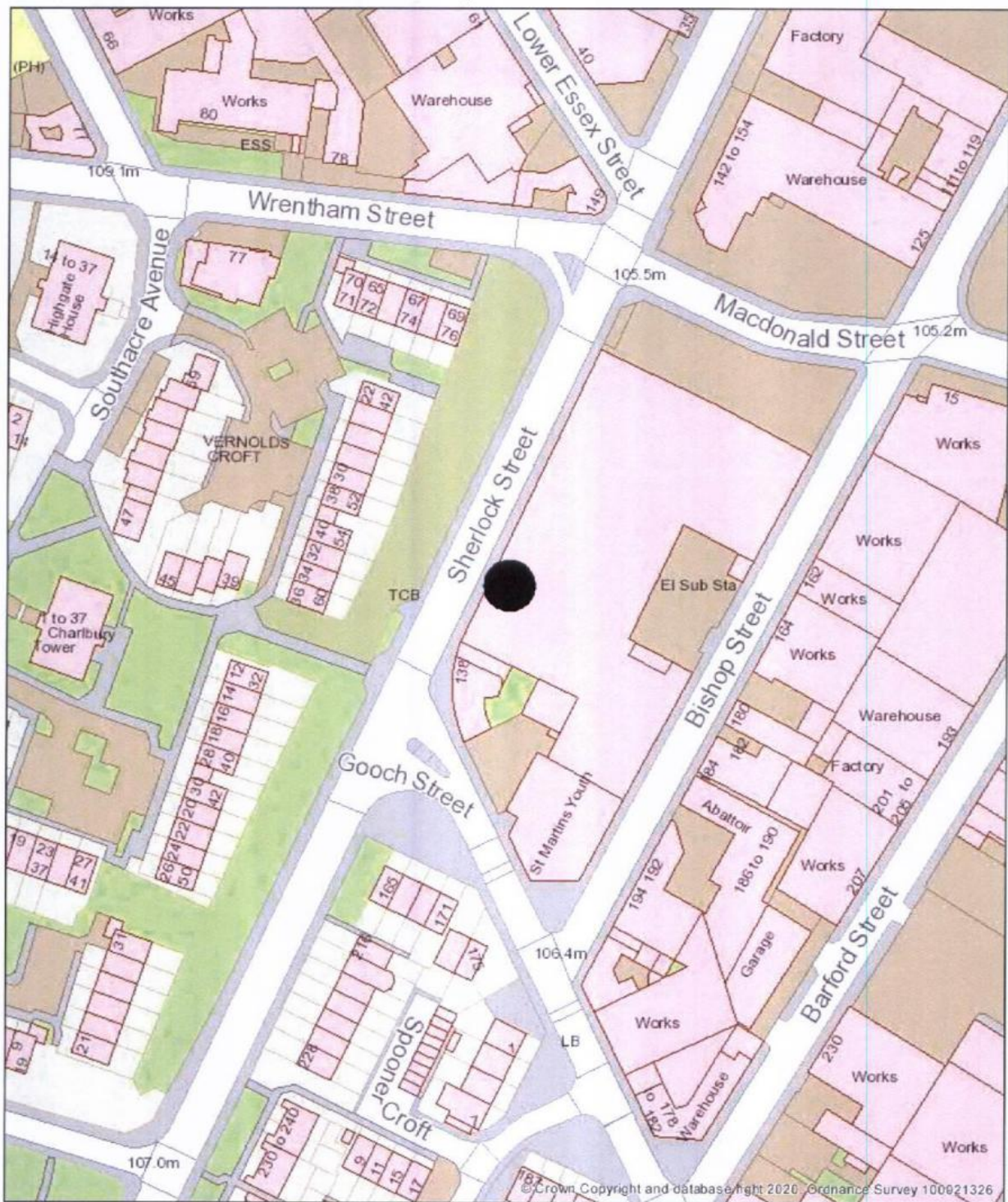
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Date of Map Creation: 11/12/2020

Map Created By:

Scale: 1:4,000

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Birmingham
City Council

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Date of Map Creation: 11/12/2020

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Scale: 1:1,250



**Appleberry Foods Limited
Temple Bar
London
WC2R 2PH**

Our policy on responsible retailing of alcohol

Last updated: 01/02/2020

Our approach

We recognise that some products we sell, such as alcohol, tobacco, energy drinks, knives, and products containing corrosive substances can be harmful if misused or unhealthy if consumed too often. It is an issue our customers care about and we take our responsibility as a retailer of these products seriously.

To support our customers and the communities we serve there are products that are age restricted, which means that customers may be required to verify their age when making a purchase in store or online. Some of these restrictions are required by law, such as alcohol and tobacco, whereas in other areas we have taken a voluntary approach to achieve this aim, for example on energy drinks and painkillers.

We also want to ensure customers are informed about the effects of these products and our approach to tackling potential misuse. We have outlined our approach to the responsible retail of age restricted products below, which is driven through our partnerships with local communities, government, health bodies and the wider industry.

Providing information

We are committed to providing clear information to customers. All our labels on branded alcoholic products have on-pack information that include unit and calorie content, portion guidelines, NHS guidelines, and a warning about drinking when pregnant. We support colleagues and customers through providing information on responsible drinking in-store and online.

We do not position adverts containing alcoholic products in outdoor spaces within 100m of schools. As part of our responsible approach to advertising where appropriate we will include non-alcoholic drinks in visuals as well as alcoholic drinks.

Preventing under-age sales

We clearly communicate to our customers that alcohol is a product for adults. We have strong systems in place to ensure we do not sell to underage customers, including our 'Challenge 25' policy to help staff know when to ask for ID and refuse a sale where appropriate. We also use checkout prompts, including a date of birth, to support our colleagues when checking ID on alcoholic and low alcoholic and alcohol-



free variants of alcoholic brands. Our colleagues are trained to understand their responsibilities and this training is reviewed regularly. We also use mystery shoppers to test whether our cashiers and delivery drivers are correctly challenging customers to prove their age.

Partnership

While we recognise our responsibility as a retailer to encourage responsible drinking, we cannot do this alone and so we engage in several industry-wide initiatives. This includes abiding by the Portman Code, participating in the Campaign for Smarter Drinking, working with our retail and product brand partners.

Working with communities

We understand the need to be responsible retailers in the communities we operate in and play an active role in tackling problem underage drinking in local communities. We work with local authorities and police forces to address issues of alcohol-related anti-social behaviour in and around our stores and facilities.

Third party contract monitoring and due diligence

We work with a number of third parties to source, transport and deliver alcohol. Our policy requirements are embedded in our contracts with the third parties. We have a robust contract monitoring system in place to ensure all our trade partners demonstrate the same level of commitment towards responsible sale or supply of alcohol when their employees are working in our stores or providing transportation and delivery services.

Abdool Rohomon

From: Bobby Nakum [REDACTED]
Sent: 06 December 2020 20:06
To: Abdool Rohomon
Subject: Re: [External]: Re: Licence application - Sherlock Street, Birmingham
Attachments: Responsible retailing of alcohol policy.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Abdool,

Please see the attached policy on responsible retailing of alcohol.

Bobby Nakum
Mobile: [REDACTED]

On Mon, 30 Nov 2020 at 14:23, Abdool Rohomon <a.rohomon@west-midlands.pnn.police.uk> wrote:

Bobby,

I am rather amazed that me asking you questions about this application has led to such a stark response from you.

If you are going to make allegations that we are taking a prejudicial stance, maybe you should back this serious claim up with some evidence.

We do trust licenses we have many thousands and having done this for a long time I know what to look for. You are supposed to look at the operation and consider the implications and then propose conditions. This has not been done against the basic questions I have asked, to which you have not provided any answers. Company policies around such things can be disclosed to us, as we see many of them, so I do not accept what you say.

When you provide such information then conditions can be looked at, or we can get the licensing committee to consider it.

Abs Rohomon. BEM

PC 4075 Rohomon. BEM

BW Licensing

Police headquarters

Lloyd House

Colmore Circus

Birmingham

B4 6NQ

Internal : 801 1631

External : 0121 626 6099

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West Midlands Police

Tel. 101 Ext 8011627

Email: a.rohomon@west-midlands.pnn.police.uk

Website: www.west-midlands.police.uk

Twitter: www.twitter.com/brumpolice

Facebook: www.facebook.com/westmidlandspolice

YouTube: www.youtube.com/westmidlandspolice

Vision statement - Serving our communities, protecting them from harm

From: Bobby Nakum [mailto:████████████████████]

Sent: 30 November 2020 13:55


To: Abdool Rohomon

Subject: Re: [External]: Re: Licence application - Sherlock Street, Birmingham

Dear Abdool,

Should you wish to put forward conditions on the licence, we will be happy to accept them. We cannot go in to the company's day to day operations and business administration. The authorities need to trust their licensees and allow them to do business in a competitive manner without prejudicing and in the event of non compliance, you have the option to review the premises. Therefore, I am happy to accept conditions you may propose but I feel that the Police is taking prejudicial stand against my client.

Kind regards

Bobby Nakum


On Mon, 30 Nov 2020, 1:45 pm Abdool Rohomon, <a.rohomon@west-midlands.pnn.police.uk> wrote:

Thank you Bobby,

Your actual application in very light on any such detail, and we need to make sure the conditions are appropriate and promote the objectives especially as the alcohol is out of their control.

I get that the public will not be allowed to the premise, so that does not concern me

You say all deliveries are actively tracked and monitored – what does this mean, by whom, by what means, it needs details, what is the company policy (can we have a copy)

You then say contingency plans for night time, again what are they, what is the company policy.

How are you going to ensure this is the same for third party delivery companies – who will you use, do you have their policies, are you only using ones you have signed contracts with?

What training do the in house staff have, what is it, when is it done, when is it refreshed.

How will you know a refusal to deliver has happened?, where will this be documented?

How will you know and detail the drivers collecting the alcohol, and if this information is needed by a responsible authority how will that be achieved and in what time frame

These need to be considered and then conditions offered to us, so can I ask you do this and come back to me please

Regards

Abs Rohomon. BEM

PC 4075 Rohomon. BEM

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Twitter: www.twitter.com/brumpolice

Facebook: www.facebook.com/westmidlandspolice
YouTube: www.youtube.com/westmidlandspolice

Vision statement - Serving our communities, protecting them from harm

From: Bobby Nakum [mailto:████████████████████]
Sent: 29 November 2020 17:30
To: Abdool Rohomon
Subject: Re: [External]: Re: Licence application - Sherlock Street, Birmingham

Dear PC Rohomon,

Immediate deliveries will be done by both in house and third party. I am also the company's consultant for compliance, training, and contract monitoring, I am a legally qualified licensing practitioner and trainer.

All deliveries are actively tracked and monitored. There are contingency procedures for nighttime deliveries. Furthermore, no members of the public will be allowed on the premises. No alcohol will be supplied directly to members of the public at the premises. There will be a clear warning at the point of order that alcohol will only be delivered to someone over the age of 18 and that appropriate identification is requested. Off sales will be handled by a nationally recognised delivery company that employs the 'Challenge 25' age verification policy. All sales of alcohol will be online for mail order delivery only. Storage areas will be individually alarmed and can only be accessed by authorised personnel with PIN code entry. The company has due diligence and contract monitoring in place for third party delivery contracts and regular audits are carried out.

I hope this answers your concerns.

Bobby Nakum

Mobile: ████████████████████

On Thu, 19 Nov 2020 at 10:08, Abdool Rohomon <a.rohomon@west-midlands.pnn.police.uk> wrote:

Bobby,

Thank you, so in terms of the Immediate deliveries who is doing them? In house or third party?

Who is doing the training for the in house staff, where is this recorded and how often do they do it. What procedures are in place for in house delivery, what do they have to do when the goods are delivered.

What extra control measures are in place for late night delivery as the risk is higher

The application is very light on these details so I would be grateful for more information

Thanks

Abs Rohomon. BEM

PC 4075 Rohomon. BEM

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Twitter: www.twitter.com/brumpolice

Facebook: www.facebook.com/westmidlandspolice

YouTube: www.youtube.com/westmidlandspolice

Vision statement - Serving our communities, protecting them from harm

From: Bobby Nakum [mailto:██████████]
Sent: 16 November 2020 14:22
To: Abdool Rohomon
Subject: [External]: Re: Licence application - Sherlock Street, Birmingham

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Dear PC Rohomon,

Delivery will be done by in house staff as well as contracted companies. The company also delivers specialty foods and non alcoholic beverages from other units depending on temperature requirements. Express deliveries will be immediate, other deliveries can have lead time depending on delivery service chosen by the customer. Speciality wines such as Beaujolais Nouveau need to be delivered very fresh as required by EU wine appellation requirements therefore, deliveries on such items will take priority.

Kind regards

Bobby Nakum

Licensing Agent

Mobile: ██████████

On Mon, 16 Nov 2020 at 13:55, Abdool Rohomon <a.rohomon@west-midlands.pnn.police.uk> wrote:

Dear Mr Inamdar,

I am currently looking through your licence application for the above premises.

Could you clarify for me please who actually does the delivery of the alcohol and is it only alcohol that you sell?

Can the delivery be for immediate dispatch (as in straight away) or is there a delay in the alcohol being dispatched (if so how long)

It would be appreciated if you could answer these for me please so I can fully assess this application

Kind regards

Abs Rohomon. BEM

PC 4075 Rohomon. BEM

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