

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

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A

MONDAY, 04 DECEMBER 2017 AT 09:30 HOURS
IN COMMITTEE ROOM 1, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

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

A G E N D A

1 NOTICE OF RECORDING

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

2 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3 - 26

3 LICENSING ACT 2003 PREMISES LICENCE – REVIEW PREMISES AT 9 FARADAY AVENUE, QUINTON, BIRMINGHAM, B32 1JP

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

27 - 56

4 LICENSING ACT 2003 PREMISES LICENCE – GRANT SURA'S OFF LICENCE, 1020 COVENTRY ROAD, YARDLEY, BIRMINGHAM, B25 8DP

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

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 A |
| Report of: | Acting Director of Regulation & Enforcement |
| Date of Meeting: | Monday 4th December 2017 |
| Subject: | Licensing Act 2003 Premises Licence – Review |
| Premises: | Premises at 9 Faraday Avenue, Quinton, Birmingham, B32 1JP |
| Ward affected: | Quinton |
| Contact Officer: | Shaid Yasser, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk |

1. Purpose of report:

To consider an application to review a Premises Licence.

2. Recommendation:

To consider and determine the review application.

3. Brief Summary of Report:

Review application received on 9th October 2017 from the Chief Inspector of Weights and Measures in respect the premises at 9 Faraday Avenue, Quinton, Birmingham, B32 1JP.

Representations have been received from two Responsible Authorities.

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:

The Chief Officer of Weights and Measures applied on 9th October 2017 for a review of the Premises Licence under Section 51 of the Licensing Act 2003 for the premises at 9 Faraday Avenue, Quinton, Birmingham, B32 1JP.

Representations have been received from West Midlands Police and Birmingham City Council Licensing Enforcement, as responsible authorities, which are attached at Appendices 1 & 2.

Review application is attached, see Appendix 3.

The Premises Licence is attached at Appendix 4.

Site location plans are attached 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 representations as detailed in Appendices 1 & 2
Review Application Form, Appendix 3
Copy of Premises Licence, Appendix 4
Site location plans, Appendix 5

7. Options available

Modify the conditions of Licence
Exclude a Licensable activity from the scope of the Licence
Remove the Designated Premises Supervisor
Suspend the Licence for a period not exceeding 3 months
Revoke the Licence
No Action

Where the authority takes a step to modify conditions or exclude a licensable activity, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

Appendix 1

From: Abdool Rohomon
Sent: 10 October 2017 11:57
To: Licensing; Martin Williams
Cc: Talib Hussain
Subject: West Midlands Police representations - Just Drinks

Dear Licensing,

West Midlands Police have received and reviewed the application made by Birmingham City Council Trading Standards for the review of Just Drinks, 9 Faraday Avenue, Quinton, B32 1JP.

West Midlands Police wish to join in this review application on the grounds of the prevention of crime and disorder, public safety and the protection of children from harm.

Just on the facts alone from the review application West Midlands Police have grave concerns around the running of these premises. The test purchase conducted by BCC Trading standards shows that there is no control of these premises and that they are prepared to sell alcohol to a minor just so that they can make more money.

There is no justification for selling alcohol to a minor and so West Midlands Police can only conclude that it is being done for the sole purpose of making more money.

These premises are not unknown to West Midlands Police, with intelligence stemming from 2015 through to present day, that the premises are involved in the sale of single cigarettes and alcohol to persons under the age of 18. The result of the test purchase gives some credence to this intelligence, and indicates that this is common practice, and not just a one off.

On the 20th August 2015 officers from West Midlands Police witnessed a female leaving the premises with alcohol in a bag, when she was challenged she was found to be 16 years of age. The staff member from the premises was challenged and admitted selling alcohol to the girl without asking for identification. The seller who it is believed to be the brother in law of the owner was issued with a fixed penalty notice

West Midlands Police are also very concerned around the responses of the Premise Licence Holder and DPS for this venue. During her interview the Premise Licence Holder showed a complete disregard to the licensing objectives and is clearly being used by others to be the front of this business when in fact it is run, managed and controlled by the licence holders husband and brother in law.

On these grounds West Midlands Police wish to join in the review and fully support BCC Trading Standards and also that the premise licence should be revoked. This is backed by the Sec 182 guidance, section 11.27 details a list of crimes that should be treated particularly seriously, one of the listed offences is " for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people".

Section 11.28 goes further that where reviews are used for these offences that the licensing committee are expected to consider the revocation of the premise licence even for the first instance.

We would appreciate if you will add these representations to the review application

Kind regards

Abs Rohomon

PC 4075 Rohomon

Appendix 2

Birmingham City Council Licensing Service

Representation as a responsible authority in respect of the premises licence number 3799/2 granted under the Licensing Act 2003 in respect of premises known as:

- 9 Faraday Avenue, Quinton, Birmingham, B32 1JP

Introduction

The current premises licence holder - Miss Clair Shaughnessy, of

Miss Clair Shaughnessy is also the nominated designated premises supervisor in respect of the premises licence.

The Premises licence granted to Miss Shaughnessy authorises the following licensable activities:-

M2 - Sale of alcohol by retail (off the premises)

And permits this licensable activity to take place:-

| | |
|-------------------|---------------------|
| Monday – Saturday | 08:00 - 23:00 hours |
| Sunday | 10:00 - 22:30 hours |

Conditions currently applied to the premises licence

In addition to the mandatory conditions contained within the Act the premises licence has the following conditions were applied to it:-

2a) General conditions consistent with the operating schedule

No enforceable conditions identified from operating schedule.

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

The Premises Licence Holder shall ensure that CCTV is installed at the premises and shall be in operation at all times the premises are open for licensable activity.

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

No enforceable conditions identified from operating schedule.

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

No enforceable conditions identified from operating schedule

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

No enforceable conditions identified from operating schedule

Annex 3. Conditions attached after hearing by licensing authority

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

CCTV cameras at the back and front of the premises together with two inside to cover the till area and the shop as a whole shall be installed and operated at the premises; footage from CCTV shall be kept for a period of 28 days and be made available to responsible authorities on request.

An incident book shall be kept at the premises and made available to responsible authorities on request.

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

A challenge 25 policy shall be operated at the premises.

Signage shall be displayed at the premises advising of the challenge 25 policy.

A refusals book shall be kept at the premises and made available to responsible authorities on request.

Background Information

In March 2017 the Trading Standards Team received intelligence from West Midlands Police indicating persons working at the premises were selling cigarettes and alcohol to persons under the age of 18.

In April 2017 Officers from Trading Standards and West Midlands Police made a joint visit to the premises. The premises licence holder and designated premises supervisor Miss Shaughnessy was issued with an advisory notice.

On the 28th July 2017 the Trading Standards carried out a test purchase at the premises and alcohol was sold to a child.

Guidance issued under section 182 of the Licensing Act 2003

Review of a premises licence following persistent sales of alcohol to children

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

11.30 Where persistent sales of alcohol to children have occurred at premises, responsible authorities should consider applying for a review of the licence, whether there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this outcome is appropriate. Responsible authorities should consider taking steps to ensure that a review of the licence is routine in these circumstances.

The Birmingham City Council Statement of Licensing Policy states:-

21.15 Sale of Alcohol to Children

21.15.1 The Council considers that the sale of alcohol to children, or supply of alcohol in the case of a club, is a particularly serious offence.

21.15.2 There has been considerable research on the detrimental impact in areas where alcohol is accessed by children, in particular with regard to health, crime and disorder and anti-social behaviour. The Council, therefore, expects all licence holders to set out in their operating schedules the measures and management controls in place to prevent alcohol being sold or served to children (other than in the limited circumstances permitted under the Act) and to demonstrate all reasonable precautions and due diligence to prevent sales to under age persons whilst trading.

21.15.3 The Council considers that 'Challenge 25' policies, where the individual attempting to purchase alcohol must prove he/she is 18 or over if he/she appears to be under 25, are in many circumstances an effective way of preventing the sale of alcohol to children.

21.15.4 The Council expects licensed premises to embrace this initiative and premises licensed for the sale or supply of alcohol, particularly off-sales, to display prominent signage informing customers that it is an offence to sell or allow the sale of alcohol to children, to buy or attempt to buy it on a child's behalf, and for children to buy or attempt to buy it themselves.

21.15.5 Where the Council is required to review a licence due to the sale of alcohol to children the presumption will be for the licensee to demonstrate what systems were in place to try and prevent the situation arising.

21.15.6 If the Licensing Sub-Committee is not persuaded that appropriate, reasonable steps were taken by the licensee then the committee will take action to ensure the licensing objectives are promoted and may suspend or even revoke the licence of the premises licence holder or remove the designated premises supervisor.

Licensing Enforcement Team Recommendations to the Licensing Committee

As a Licensing Authority Birmingham City Council must carry out its licensing functions with a view to promoting the licensing objectives contained in the Act and in line with its Licensing Policy. Both the Act and the Birmingham City Council Licensing Policy stress the importance which must be given to the protection of children and young persons from the harms of alcohol.

Unfortunately when children and young person's consume alcohol it can result in risk-taking behaviour, aggression and injury and can require urgent medical attention. It can also result in children and young people being left vulnerable to exploitation and the influences, or pressures of others.

The premises licence granted to Miss Shaughnessy already has a condition attached as the result of a previous committee hearing requiring her to operate a Challenge 25 age verification policy to prevent sales of alcohol to children and young persons under the age of 18.

Had this policy been applied correctly there should never have been an occasions when alcohol was sold to a person under 18.

Comments made by Miss Shaughnessy in interview indicate she was aware of issues with a family member serving underage people, yet she failed to take any meaningful steps to prevent this.

This is a family business and when considering all the factors and circumstances the Licensing Enforcement Team does not consider further conditions applied to the premises licence would be effective in preventing further sales of alcohol to children and young persons.

Miss Shaughnessy and her family members have demonstrated a total lack of social responsibility and social conscience in relation to the sales of alcohol and the Licensing Enforcement Team has no hesitation in recommending the Licensing Committee consider the revocation of this premises licence on the grounds of:-

- Crime and Disorder;
- Public Safety ; and
- Protection of Children from Harm.

Appendix 3

Head of Licensing, Licensing Section, PO Box 17013, Birmingham B6 9ES

Application for the review of a premises licence or club premises certificate 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 Martin Williams (on behalf of Donna Bensley Chief Inspector of Weights & Measures)
(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details; JUST DRINKS

| | |
|--|------------------------------|
| Postal address of premises or, if none, Ordnance Survey map reference or description 9 Faraday Avenue, Quinton | |
| Post town BIRMINGHAM | Post code (if known) B32 1JP |

| |
|--|
| Name of premises licence holder or club holding club premises certificate (if known) Miss Clair Shaughnessy |
| Number of premises licence or club premises certificate - 3799 |

| |
|--|
| BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED 19 OCT 2009 REF NO _____ INITIALS _____ |
|--|

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

yes ✓

3) a member of the club to which this application relates (please complete (A) below)

☐

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(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

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(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|--|
| Name and address; Martin Williams, Trading Standards Officer for and on behalf of Donna Bensley Chief Inspector of Weights & Measures. Birmingham City Council Trading Standards PO Box 16586 Birmingham B33 3EH In all correspondence please quote our reference: 8747370 |
| Telephone number (if any) |
| E-mail address (optional) |

This application to review relates to the following licensing objective(s)

- | | |
|---|-------------------------------|
| | Please tick one or more boxes |
| 1) the prevention of crime and disorder | ✓ |
| 2) public safety | |
| 3) the prevention of public nuisance | yes |
| 4) the protection of children from harm | yes |

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

In March 2017 Birmingham Trading Standards received intelligence from the Bartley Green Neighbourhood Police team that a shop known as Just Drinks, 9 Faraday Avenue, Quinton, Birmingham, B32 1JP was selling cigarettes and alcohol to persons under the age of 18.

It is an offence to sell cigarettes and alcohol to persons under 18 years of age.

Consequently a visit was made to the shop on 4th April 2017 by Trading Standards Enforcement Officer Paul Ellson and police officers from the local neighbourhood team. On this visit officer Ellson issued an advice notice to Miss Clair Shaughnessy who was the DPS and Premise Licence holder for the shop. The notice stated amongst other things; *"This department has received information that tobacco and alcohol have been supplied to persons under 18yrs old. This must cease. TSO/police use child volunteers to test purchase such items your premises will be selected"*; Miss Shaughnessy signed for this and was given a copy and said she would be more vigilant in future.

On 28th July 2017 Trading Standards were undertaking a test purchase exercise with a 14yr old female volunteer.

At approximately 11.10 a.m. the volunteer went into Just Drinks. Trading Standards Officer Martin Williams followed a few paces behind in order to witness what occurred.

The volunteer went to the rear of the shop picked up a 275ml bottle of 4% alcohol WKD Blue vodka drink and took it to the counter. Here she presented it to a middle aged woman who was sitting behind the counter. The woman did not ask her age or ask for any identification but just said; *"86p please"*.

The volunteer paid her then left the premises with the bottle of alcohol.

A few minutes later Officer Williams returned to the shop with local police officers and spoke to the same woman behind the counter, she gave her name as Denise Shaughnessy and said she was the mother of the Premise Licence holder and DPS Clair Shaughnessy. She admitted she had sold the alcohol to the young volunteer and had not asked her age or for any ID.

At this point Clair Shaughnessy arrived and Officer Williams explained to them both that the sale could constitute an offence under the Licensing Act 2003 and that the facts would be reported. Clair Shaughnessy was issued with a trader's notice to this effect which she duly signed.

On 25th August 2017 Officer Williams formally interviewed both women about the events of 28th July 2017. The interviews were conducted under caution in accordance with The Police and Criminal Evidence Act 1984. Both women were interviewed separately.

In the interview with Clair Shaughnessy a few issues were raised that were of concern to officer Williams:

- She said that although she was Premises Licence holder and DPS she had not spent much time in the shop recently. Other than her mother her husband Najim Saqib worked in the shop along with his brother. She did not know how to pronounce his full name but thought it was something like Janghir Ali.
- She said this man was in the shop from when her mother leaves at 12/12.30 till the shop closes around 10.30pm. She then said; *"and then my other half normally goes down about 8 o'clock till close. Course I don't really go down there anymore now"*
- She said that the business was all in her name completely including the bank account.

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- She said; *"I'm everything but I didn't want - it was his idea - Naj's idea but he says, "I don't want nothing in my name. I want everything in your name."*
- She went on to say that she had told her husband's brother many times to stop serving products to underage people that they should not have as he was the main person that did it. She did not think her husband or his brother listened to her warnings.
- It also appeared that they were not using a refusals book even though she had asked them to.
- She said she had threatened to transfer the licence into her husband's name to avoid her getting into trouble but he did not want her to.
- At the end of the interview when she was asked if she wanted to say anything she said; *"if anything comes of it just take my licence off me because I don't want to no more, I've had enough."*

When Denise Shaughnessy, the seller of the alcohol was interviewed she said she had only been serving in the shop for no-more than 6 weeks and had no previous experience selling in any shops before let alone serving alcohol to young people. She said that her daughter had told her not to serve to underage people but nothing was ever put in writing. This does appear to show that she was not trained properly or should have been left in charge in the shop on her own with little or no experience.

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

Following the comments made by Clair Shaughnessy it is felt that this shop is not under the proper control of the DPS and Premises Licence holder as she appears to have little control of the other family members, namely her husband and his brother who appear to spend most of the time in the shop. However on this occasion the sale was actually made by her mother.

She has said that she has tried to control their actions but it appears to no avail.

This shop has had a history of complaints made against it for selling tobacco and alcohol to minors and it is felt that nothing other than revoking the alcohol licence will put a stop to this.

The premises had received more than fair warning on 4th April 2017 that an underage test purchase would be made in the near future.

The recent previous history of shop is as follows;

In April 2014 a complaint came from Crimestoppers that the shop was selling counterfeit cigarettes, split packs for teenagers and sold alcohol to children under 18. A visit made by Trading Standards later in the year was undertaken where 12 packs of illicit cigarettes and 5 bottles of illicit vodka were found in the shop. A warning letter was issued to Clair Shaughnessy on this occasion due to it being the first offence.

In January 2016 a complaint was received that amongst other things the shop was selling single cigarettes and alcohol to people who are underage. A follow up visit was made to the shop by Trading Standards on 25th February 2016 where advice and a warning about these practices was given by the visiting officer.

On 31st May 2016 Trading Standards received a complaint from a woman who said that her 17 year old daughter had been sold Smirnoff ice alcohol by a man from the shop who told her to hide it in her bag. She also said they were serving cigarettes to underage children. A follow up visit was made to the shop by Trading Standards officers on 9th June 2016 where another trader's notice warning was issued, this time to Mr Ali who was serving in the shop.

In view of this sale and previous history it is considered appropriate to seek a review of the licence with a recommendation that it be revoked. Selling alcohol to children is a very serious matter and is in breach of the licensing objectives. It is a criminal offence. Equally being found in possession of illicit goods is also a criminal matter and dealing in such goods brings crime into neighbourhoods and could also have an impact on the purchasers health as dealing in illicit goods, without knowing the provenance could result in unsafe products being supplied.

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Have you made an application for review relating to the premises before

Please tick ✓ yes

no

If yes please state the date of that application

| Day | | Month | | Year | |
|-----|---|-------|---|------|---|
| 1 | 1 | 1 | 1 | 1 | 1 |

If you have made representations before relating to the premises please state what they were and when you made them

N/A

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Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate **yes**
- I understand that if I do not comply with the above requirements my application will be rejected **yes**

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

5th October 2017

.....

Capacity for and on behalf of Donna Bensley Chief Inspector of Weights & Measures

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)
(see details in section C)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

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Appendix 4

BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003

PREMISES LICENCE

Premises Licence Number:

3799 / 2

Part 1 - Premises details:

| | |
|--|------------------------------|
| Postal address of premises, or if none, ordnance survey map reference or description 9 Faraday Avenue Quinton | |
| Post town: Birmingham | Post Code: B32 1JP |
| Telephone Number: Not Specified | |

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

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

| | | | |
|---|-------|---|----------|
| The times the licence authorises the carrying out of licensable activities | | | |
| Monday - Saturday | 08:00 | - | 23:00 M2 |
| Sunday | 10:00 | - | 22:30 M2 |
| Good Friday | 10:00 | - | 22:30 M2 |
| Christmas Day | 10:00 | - | 23:00 M2 |

| | | | |
|--|-------|---|-------|
| The opening hours of the premises | | | |
| Monday - Saturday | 08:00 | - | 23:00 |
| Sunday | 10:00 | - | 22:30 |
| Good Friday | 10:00 | - | 22:30 |
| Christmas Day | 10:00 | - | 23:00 |

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

BIRMINGHAM CITY COUNCIL

Part 2

| | |
|--|-------------------|
| Name, (registered) address, telephone number and email (where relevant) of holder of premises licence Miss Clair Shaughnessy | |
| Post town: | Post Code: |
| Telephone Number: | |
| Email | |

| |
|---|
| Registered number of holder for example company number or charity number (where applicable) N/A |
|---|

| | |
|--|-------------------|
| Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Miss Clair Shaughnessy | |
| Post town: | Post Code: |
| Telephone Number: | |

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

Dated 01/10/2013

Carolyn Bennett
Senior Licensing Officer
For Director of Regulation and Enforcement

BIRMINGHAM CITY COUNCIL

Annex 1 – Mandatory Conditions

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

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

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

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 a holographic mark.

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

BIRMINGHAM CITY COUNCIL

Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

Conditions as stated below under the appropriate licensing objective.

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

The Premises Licence Holder shall ensure that CCTV is installed at the Premises and shall be in operation at all times the Premises are open for licensable activity.

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

No enforceable conditions identified from operating schedule.

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

No enforceable conditions identified from operating schedule.

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

No enforceable conditions identified from operating schedule.

BIRMINGHAM CITY COUNCIL

Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

N/A

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

N/A

3c) Committee conditions to promote public safety

N/A

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

CCTV cameras at the back and front of the premises together with two inside to cover the till area and the shop as a whole shall be installed and operated at the premises; footage from the CCTV shall be kept for a period of 28 days and made available to responsible authorities on request

An incident book shall be kept at the premises and made available to responsible authorities on request

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

A challenge 25 policy shall be operated at the premises

Signage shall be displayed at the premises advising of the Challenge 25 policy

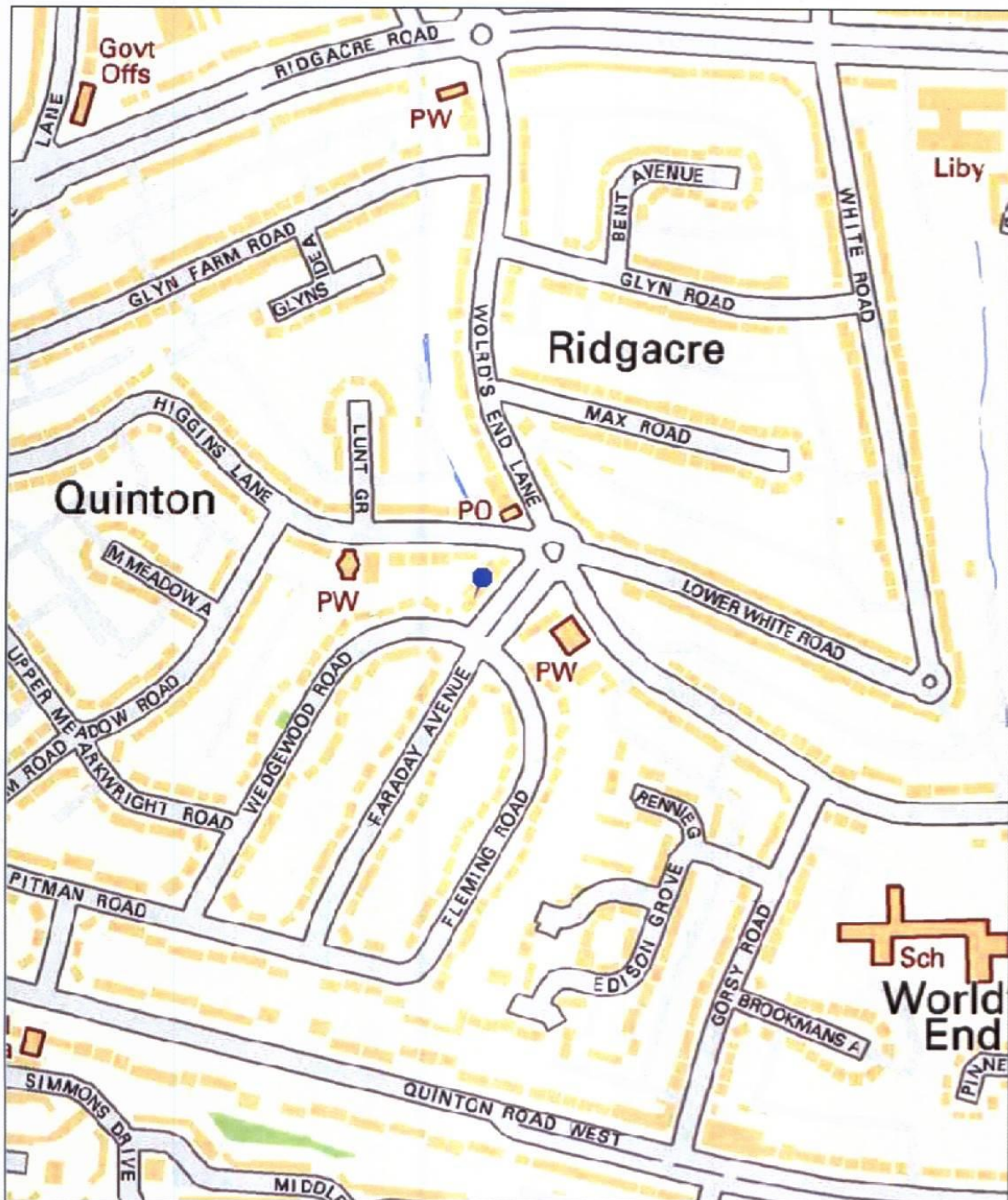
A refusals book shall be kept at the premises and made available to responsible authorities on request

BIRMINGHAM CITY COUNCIL

Annex 4 – Plans

The plan of the premises with reference number **83885-3799/2** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please ring the Licensing Section on 0121 303 9896 to book an appointment.

Appendix 5



Birmingham City Council Map Created By:

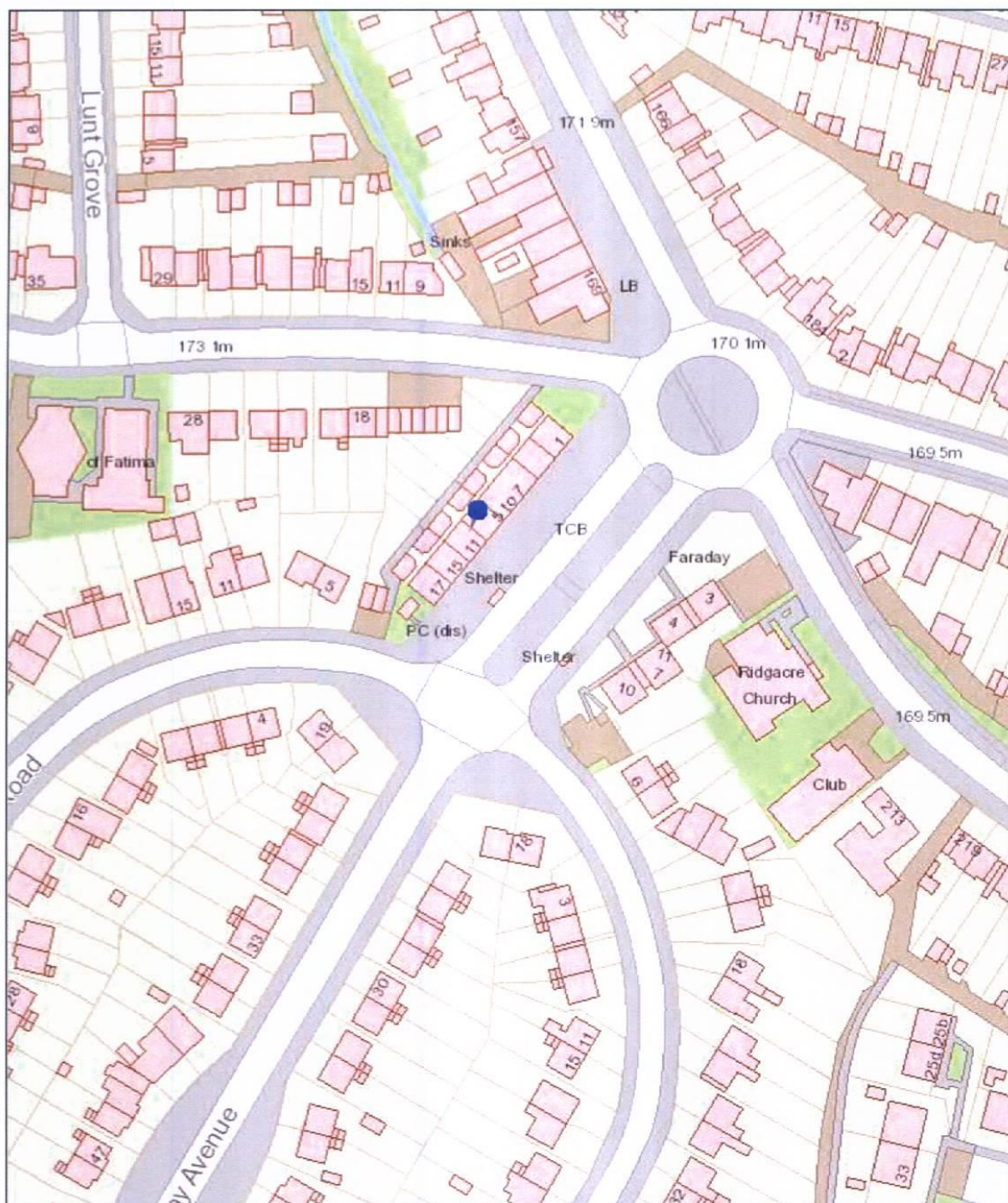
Notes

Date of Map Creation: 10/11/2017

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Scale:
 1:4,000



Birmingham City Council Map Created By:

Date of Map Creation: 10/11/2017

Notes



Scale:
1:1,250

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BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

| | |
|-------------------------|---|
| Report to: | Licensing Sub Committee A |
| Report of: | Acting Director of Regulation & Enforcement |
| Date of Meeting: | Monday 4th December 2017 |
| Subject: | Licensing Act 2003 Premises Licence – Grant |
| Premises: | Sura's Off Licence, 1020 Coventry Road, Yardley, Birmingham, B25 8DP |
| Ward affected: | South Yardley |
| Contact Officer: | Shaid Yasser , Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk |

1. Purpose of report:

To consider relevant 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 07:00am until 12:00midnight (Monday to Sunday).

Premises to remain open to the public from 07:00am until 12:00midnight (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 11th October 2017 in respect of Sura's Off Licence, 1020 Coventry Road, Yardley, Birmingham, B25 8DP.

Representations have been received from other persons.

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

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

| |
|---|
| <p>5. Relevant background/chronology of key events:</p> <p>Hama Awat applied on 11th October 2017 for the grant of a Premises Licence for Sura's Off Licence, 1020 Coventry Road, Yardley, Birmingham, B25 8DP.</p> <p>Representations have been received from other persons. See Appendices 1 – 7.</p> <p>The application is attached at Appendix 8.</p> <p>Site Location Plans at Appendix 9.</p> <p>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:-</p> <ul style="list-style-type: none"> a. The prevention of crime and disorder; b. Public safety; c. The prevention of public nuisance; and d. The protection of children from harm. |
| <p>6. List of background documents:</p> <p>Copy of the representations as detailed in Appendices 1 – 7 Application Form, Appendix 8 Site Location Plans, Appendix 9</p> |
| <p>7. Options available</p> <p>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.</p> |

Appendix 1

Entered
BN

From: Licensing
Subject: FW: Licensing Objection

From: Councillor Zafar A. Iqbal
Sent: Thursday, October 19, 2017 05:25 PM
To: David Kennedy
Subject: Licensing Objection

David Hi,

I wish to object to the granting of a licence to Sura's Off-Licence at 1020 Coventry Road, Yardley, Birmingham, B25 8DP.

My objection is on the grounds of public nuisance. There is already an off-licence in the vicinity that I get regular complaints about. It is also source of anti-social-behaviour and is also a direct cause of much of the litter in the area. Residents and local shopkeepers have complained to me about this, so I would like my objection noted please.

Regards

Zafar

Councillor Zafar A Iqbal
Chair, Economy Skills and Transport Overview and Scrutiny Committee

REGULATION & ENVIRONMENT
LICENSING SECTION
DATE RECEIVED

REF NO. *Emora*

INITIALS *01*

Kings Road

B25

To Bhapinder

I have young children and I am worried about noise pollution keeping them awake from rowdy people who use late night off licenses

Protection of children from harm

We have an off license already serving our area and I don't want another one keeping my kids awake at night and causing disruption by allowing more people to buy alcohol from here. People are already spoilt for choice without over doing it and having another place sell even more especially late at night

People get drunk and then mess about on the streets already and its not fair on local residents to have to put up with even more of this

I am writing to ask you not to give the license to them or anyone in this close area

Thank you

Coventry Forum

30th OCTOBER 2017.

Hi BHARINDER

| | |
|--------------------------|-------------------|
| REGULATIO LICEN DA | TO EN TMENT |
| REF NO | ENTERED |
| INITIALS | |

My neighbour has informed me, that there may be another shop, who will sell alcohol, soon on the same road as our local Cost Cutter, who already sell alcohol.

As we already have this shop, and another nearby I can't see any practical or sensible reason to give another license out, it would bring more problems than benefits, and I sincerely hope that the application is turned down.

My main issue is with the litter on the street, and hygiene related to alcohol sales. mean, cans littered by people, who have bought then and even people have urinated on the street, when caught short whilst drinking. Its already not great the way it is, and I am sure that another off licence would only attract more people to behave in a bad way. Please take my thoughts into account and don't ISSUE this licence!! Its embarrassing having friends over without another OFF LICENCE bringing more of them. Same issue and causing a nuisance to the community.

THANKS

1st
~~3rd~~ Coventry Road
 November 2017

F.A.O senior licensing officer.

| | |
|---|---------|
| BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED | |
| REF NO | Entered |
| INITIALS | AV |

Dear Sir

I recently received notification of an application that is in progress for a license to be issued to Surah's off license so that they can sell alcohol.

As a local businessman I think that it would be a bad idea to allow another licensee in this small area. Many of my customers frequently ~~use~~ the local mosque using an alleyway that runs right next to Surah's premises. It seems totally inappropriate to be inviting more people to purchase alcohol there where it is very likely that the same alleyway would become a locality for users to consume the alcohol.

This could lead to tension and friction in an otherwise peaceful area. We need to do our best to prevent crime and disorder but another off license selling late night alcohol would not help the community at all.

The Mosque has been there for a long time

and the people go to pray 5x a day where
after the last prayer time is late in the evening
after dark. Having listened to feedback from my
own customers I felt the need to write this
letter to say Please don't grant them this
license. The area is peaceful and there is already
another shop on the same road that sells alcohol
so there surely isn't a need to add more in my
opinion. Especially with the additional risk of a
negative impact on local community relations

Kind Regards

Coventry Road
B25
31st October 2017.

Dear Bhapinder Nandhva

I received a letter from you about an application for a new licence to be given to Suva's off license so they can sell alcohol.

We already have a massive ASDA Super market and a Costcutter with a wide range of alcohol both situated in our immediate vicinity.

I do not want another one to start selling it and I doubt there is even a requirement for them to sell it because Asda and costcutters both do decent prices with a good range available. I don't see anyone asking for another place to sell it.

These are my reasons:

Hygiene concerns - Off licenses sell the product but then it gets dropped everywhere by customers especially drunk ones. It looks messy and makes the area less desirable. Larger companies are under pressure to fix the problems where as smaller ones don't have the same pressure on them to listen and act. I don't trust another retailer selling alcohol would take seriously these issues.

Safety Issues - People who buy alcohol consume it too and many sit around at night being a nuisance. We already have enough of this and I don't want to do anything that would bring more!

Please refuse the application

Cheers

| | |
|---|---------|
| BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED 17 10 17 | |
| REF NO. | ENTERED |
| INITIALS | du |

Appendix 6

Coventry Road

Yardley

Birmingham

B25 8DP

To Bhapinder

I live on Coventry Road, and I wanted to express my concern about an application for a license to sell alcohol in the evenings

I use the area by night sometimes to and from work and I would feel intimidated by yet another place selling more alcohol to people

Why does it have to be late at night? They obviously think that there are people who want it late at night and there probably are - but as a woman who has to be out on my way home I just really feel vulnerable about the idea of yet more people being invited to this road to buy (and then drink) the alcohol on an evening

I thought I would send you this letter to say for safety reasons and for the benefit of the local community don't give out any more licenses to sell alcohol late at night

People can be really aggressive even unprovoked but just showing off to their friends or whatever and its not fair that more businesses can come along and make money from this when it is us locals that have to deal with the nasty consequences of their sales

Yours sincerely

| | |
|--------------------------|---------|
| BCI | |
| REGULATION & ENFORCEMENT | |
| LICENSING SECTION | |
| DATE RECEIVED | |
| REF NO | Entered |
| INITIALS | W. |

KINGS ROAD.
HAY MILLS
BIRMINGHAM B25.

28 OCTOBER 2017

TO BHAPINDER.

My letter is to ask you to decline the application for a License at Suras Off License so that they are not allowed to sell alcohol at night please.

I go to my local mosque which is by the shop, and I have to use a small alleyway in order to get there.

It can already be intimidating when people are hanging around the alleyway, but as the shops selling alcohol are based further away it feels ok and a certain distance is normally maintained.

Unfortunately however Suras is right next to this alleyway, and I am convinced that giving them a license to sell it would bring problems to this area. The issue is that people often drink alcohol they have bought and whilst a shop can't stop them it then becomes a problem for us residents, who have to face the fallout daily. It's a nuisance dealing with troublesome customers - the less the better.

Please don't give this LICENSE OUT, I am proud to live in a peaceful area, and want us to make sure we keep it that way.
Best wishes

| | |
|--------------------------|--|
| REGULATION & ENFORCEMENT | |
| DATE RECEIVED | |
| REF NO | |
| INITIALS | |



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

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

Hama Ali

* Family name

Awat

* E-mail

Main telephone number

include country code.

Other telephone number

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

Is the applicant:

☐ Applying as a business or organisation, including as a sole trader

☒ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

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

Agent Details

| | | |
|---|--------------------------------------|-----------------------|
| * First name | <input type="text" value="Patrick"/> | |
| * Family name | <input type="text" value="Burke"/> | |
| * E-mail | <input type="text"/> | |
| Main telephone number | <input type="text"/> | Include country code. |
| Other telephone number | <input type="text"/> | |
| <input type="checkbox"/> 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 private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

| | | |
|---|---------------------------|-------------------------------------|
| Is your business registered in the UK with Companies House? | <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| Is your business registered outside the UK? | <input type="radio"/> Yes | <input checked="" type="radio"/> No |

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

| | | |
|-------------------------------|--|---|
| Business name | <input type="text" value="Pmb licensing"/> | If your business is registered, use its registered name. |
| VAT number | <input type="text" value="-"/> <input type="text" value="NONE"/> | Put "none" if you are not registered for VAT. |
| Legal status | <input type="text" value="Sole Trader"/> | |
| Your position in the business | <input type="text" value="PROPIETOR"/> | |
| Home country | <input type="text" value="United Kingdom"/> | The country where the headquarters of your business is located. |

Continued from previous page...

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

| | |
|-------------------------------|-------------------|
| Building number or name | DOG AND PARTRIDGE |
| Street | 136 HIGH STREET |
| District | BRIERLEY HILL |
| City or town | DUDLEY |
| County or administrative area | WEST MIDLANDS |
| Postcode | DY5 3BP |
| Country | United Kingdom |

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 | Sura's Off License |
| Street | 1020 Coventry Road |
| District | |
| City or town | Yardley |
| County or administrative area | |
| Postcode | B25 8DP |
| Country | United Kingdom |

Further Details

| | |
|---|-------|
| Telephone number | |
| Non-domestic rateable value of premises (£) | 6,000 |

| | |
|--|--|
| Section 3 of 21 | |
| APPLICATION DETAILS | |
| <p>In what capacity are you applying for the premises licence?</p> <p> <input checked="" type="checkbox"/> An individual or individuals <input type="checkbox"/> A limited company / limited liability partnership <input type="checkbox"/> A partnership (other than limited liability) <input type="checkbox"/> An unincorporated association <input type="checkbox"/> Other (for example a statutory corporation) <input type="checkbox"/> A recognised club <input type="checkbox"/> A charity <input type="checkbox"/> The proprietor of an educational establishment <input type="checkbox"/> A health service body <input type="checkbox"/> A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales <input type="checkbox"/> 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 <input type="checkbox"/> The chief officer of police of a police force in England and Wales </p> <p>Confirm The Following</p> <p> <input checked="" type="checkbox"/> I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities <input type="checkbox"/> I am making the application pursuant to a statutory function <input type="checkbox"/> I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative </p> | |
| Section 4 of 21 | |
| INDIVIDUAL APPLICANT DETAILS | |
| <p>Applicant Name</p> <p>Is the name the same as (or similar to) the details given in section one?</p> <p> <input checked="" type="radio"/> Yes <input type="radio"/> No </p> <p style="margin-left: 400px;">If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.</p> <p> First name <input style="width: 250px;" type="text" value="Hama Ali"/> </p> <p> Family name <input style="width: 250px;" type="text" value="Awat"/> </p> <p>Is the applicant 18 years of age or older?</p> <p> <input checked="" type="radio"/> Yes <input type="radio"/> No </p> | |

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

| | |
|-------------------------------|----------------------|
| 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"/> |

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

| | |
|------------------------|---|
| E-mail | <input type="text" value="pmblicensing@yahoo.com"/> |
| Telephone number | <input type="text"/> |
| Other telephone number | <input type="text"/> |
| * Date of birth | <input type="text" value="dd"/> / <input type="text" value="mm"/> / <input type="text" value="yyyy"/> |
| * Nationality | <input type="text"/> |

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.

General store wishing to sell alcohol along with the other products on offer

Continued from previous page...

| |
|--|
| |
|--|

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

| |
|--|
| |
|--|

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes

☒ No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☐ Yes

☒ No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

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Continued from previous page...

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes

☒ No

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

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...

SATURDAY

Start 07:00

End 00:00

Start

End

SUNDAY

Start 07:00

End 00:00

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

Hama Ali

Family name

Awat

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"/> |
| Personal Licence number (if known) | <input type="text"/> |
| Issuing licensing authority (if known) | <input type="text"/> |

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.

None

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.

No alcohol or tobacco will ever be purchased from sellers calling at the premise. Exceptions to the condition would be purchases made from authorised representatives who have made prior appointments to visit the store.

All alcohol and tobacco products sold at the premises shall have the relevant UK duty paid.

Foreign tobacco, which does not comply with relevant UK legislation, shall not be stored and/or sold at the premise.

If any spirits purchased for or on behalf of the business have UK Duty Stamps that do not fluoresce under ultra-violet

light, or are otherwise suspicious, the licensee and/or designated premises supervisor shall notify the supplier to

Staffordshire

County Council Trading Standards and HMRC as soon as possible.

If any tobacco products purchased for or on behalf of the business does not have UK Duty Paid fiscal mark or are otherwise suspicious, the licensee and/or designated premises supervisor shall notify the supplier to Staffordshire County Council Trading Standards and HMRC as soon as possible.

Protecting Children from Harm

b) The prevention of crime and disorder

1. The CCTV system must be installed and operate internally to cover all areas that licensable activities take place and where alcohol is displayed within any public area.

2. The CCTV unit shall be positioned in a secure part of the licensed premise. Access to the system should be allowed immediately to the Police upon request.

3. A competent trained person in the use of and operation of the CCTV will be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system to be able to download in a recognised format any information requested by the Police.

4. The CCTV system clock should be set correctly and maintained (taking account of GMT and BST).

5. A facility will be available for the Police to remove from the CCTV system a copy of any material relevant to any ongoing Police investigation.

6. All CCTV images will be retained for a period of not less than 31 days

7. An incident register of all occurrences and ejections from the premises will be maintained at the premises and all details of public order offences will be recorded.

8. All persons involved in the sale of alcohol will receive initial and subsequent 6 monthly refresher training by the Designated Premises Supervisor or an appropriately accredited training provider with regards to the law in relation to the sale of alcohol. This will be recorded in a staff training register and will include, signature of the member of staff the DPS or an appropriately accredited training provider together with the date.

9. At any time when there is no Personal License holder on the premises there must be at least one member of staff on duty inside the premise who has been authorised by the DPS. Any such person should have seen, read and be fully aware of the conditions of the premise licence and take all steps to ensure that such conditions are adhered to whilst they have responsibility for the premise.

10. A record should be kept detailing, the name and address relative to the person left in charge of the premise and the times and dates when the authority to cover exists, in writing.

11. These should be individual entries covering short periods of time only and should not exceed more than a three week period.

12. The authorised person should also sign on each occasion that he/she has physically seen inspected and is fully aware of all the conditions attached to the premise licence. The DPS should sign to acknowledge that they agree to the authorised person being in charge of the premise for any times specified. The records of these matters should be kept fully updated at all times.

All Records shall be retained at the premises for a period of no less than 12 months and made available to responsible authorities on request.

c) Public safety

PROMINENT SIGNS WILL BE DISPLAYED REQUESTING CUSTOMERS TO HAVE REGARD FOR LOCAL RESIDENTS WHEN LEAVING THE PREMISES

ADEQUATE BINS ARE AVAILABLE FOR CUSTOMERS TO DISPOSE OF LITTER

Continued from previous page...

d) The prevention of public nuisance

A Challenge 25 policy will be adopted in order to reduce the potential for underage sales of age restricted products including alcohol. If a customer appears to be under 25 years of age and cannot prove that they are eligible to purchase the age restricted item with a valid UK or Ireland Photocard Driving Licence, a valid Passport or PASS accredited proof of age scheme card, they will be refused service.

Challenge 25 posters will be displayed at the premises to reinforce this policy. Posters will be placed at; each till, each area alcohol is stocked and at the point of entry into the store. The posters will be displayed prominently and in sight of customers and staff.

A Refusals Register is to be used to record all incidents when a sale is refused. The register is to be kept in the store at all times unless it is requested by authorised officers of responsible authorities. The Refusal/Challenge Register is to be checked and signed off by the Designated Premises Supervisor every two weeks. All staff working at the premises involved in the sale of age restricted products including alcohol will receive on-going training and will be refreshed at least every 6 months. This will be recorded in a staff training register and will also include a written test of knowledge. The Training records must be made available to authorised officers of responsible authorities on request. Records shall be retained at the premises.

e) The protection of children from harm

We will operate challenge 25

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 by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

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 **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **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.
- 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.

Continued from previous page...

- 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 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, 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.

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.

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 http://www.voa.gov.uk/business_rates/index.htm

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 (£)

190.00

DECLARATION

1

Continued from previous page...

I/WE UNDERSTAND 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.

I/WE UNDERSTAND 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.

☒ 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

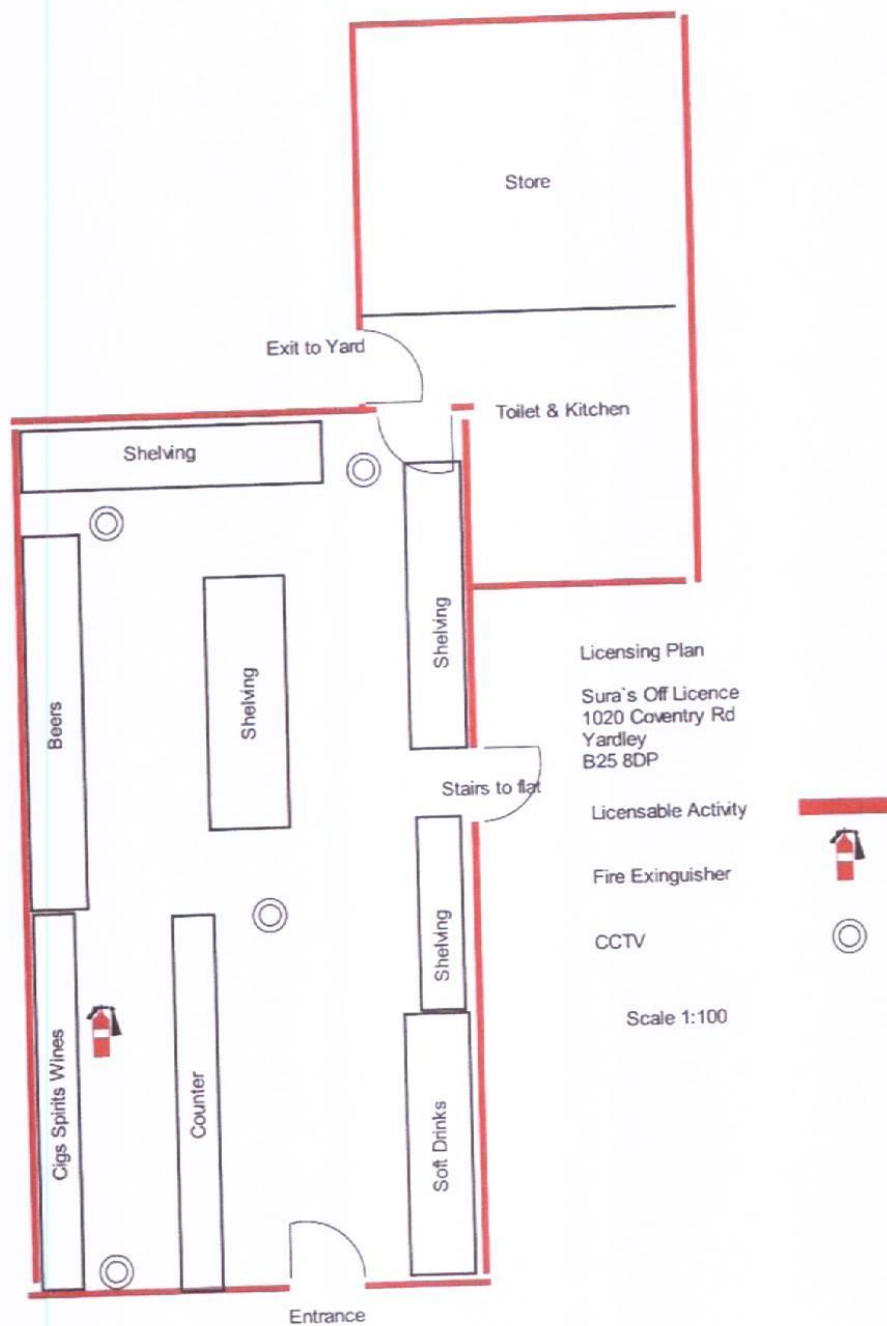
Once you're finished you need to do the following:

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





Birmingham City Council

Map Created By:

Notes

Date of Map Creation: 17/11/2017



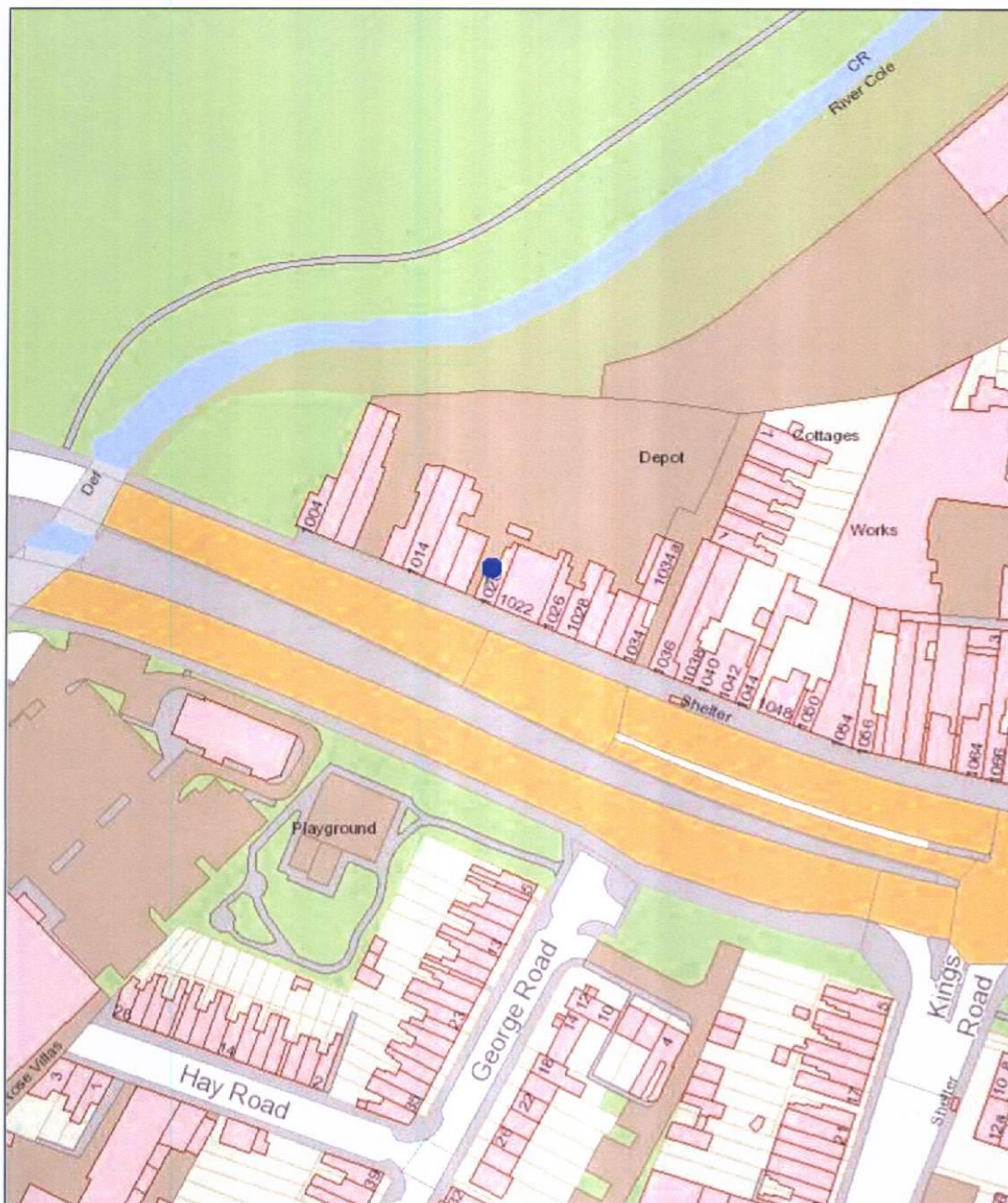
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