

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

Extra Supermarket

Background
documents to be
used at hearing

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

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

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

JP3 Premises Licence issued to Extra Supermarket

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

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

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

WITNESS STATEMENT OF JIGER PATEL

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 - (1) An allegation that the management of the business has not changed from that in place when the licence was revoked on 14th August 2018 following the discovery of illicit alcohol and tobacco on the premises.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

Management

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

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

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

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

Cumulative impact

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

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

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

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

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

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

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

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

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

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

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

.....
Jiger Patel
20th March 2019

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JP1

Companies House

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

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

Search for companies or officers

PAROMSTOR LIMITED

Company number **09701520**

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

Filter officers

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Current officers

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4 officers / 2 resignations

PATEL, Jiger Rashmikan

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

Role Active **Director**

Date of birth **August 1987**

Appointed on **1 August 2018**

Nationality **British**

Country of residence **England**

Occupation **Director**

PATEL, Rashmikan

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

Role Active **Director**

Date of birth **December 1961**

Appointed on **31 August 2016**

Nationality **British**

Country of residence **England**

Occupation **Director**

KOLODA, Roman

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

Role Resigned **Director**

Date of birth **December 1973**

Appointed on **20 May 2016**

Resigned on **9 August 2018**

Nationality **British**

Country of residence **England**

Occupation **Company Director**

PATEL, Ashish

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

Role Resigned **Director**

Date of birth **March 1984**

Appointed on **24 July 2015**

Resigned on **3 January 2017**

Nationality **British**

Country of residence **United Kingdom**

Occupation **Director**

Is there anything wrong with this page?

Paromstor Limited

Timeline of Events:

24/07/2015 : Company Formed

24/06/2016 : Roman Koloda appointed as director

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

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

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

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

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

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

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JP 2

Compliance Direct

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

Dear Sirs,

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

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

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

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

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

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

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

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

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

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

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

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

We look forward to hearing from you.

Yours sincerely

Shankar P Sivashankar BSc
44(0)7879473696

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This is to certify that

FABIAN PIOTR OSZLZEDA

has been awarded the

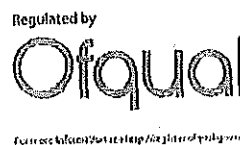
**BIIAB Level 2 Award for Personal Licence
Holders**

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

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

D Thomsen

Denise Thomsen
Responsible Officer





This is to certify that

RAJNISH KUMAR

has been awarded the

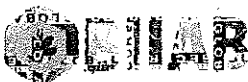
**BIIAB Level 2 Award for Personal Licence
Holders**

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

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

D Thomson

Denise Thomson
Responsible Officer



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PROTECT



Sandwell
Metropolitan Borough Council

LICENSING ACT 2003
PERSONAL LICENCE

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

This licence authorises:

Name: Mr Rajnish Kumar

Address:

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

Date of issue: 20 September 2018

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

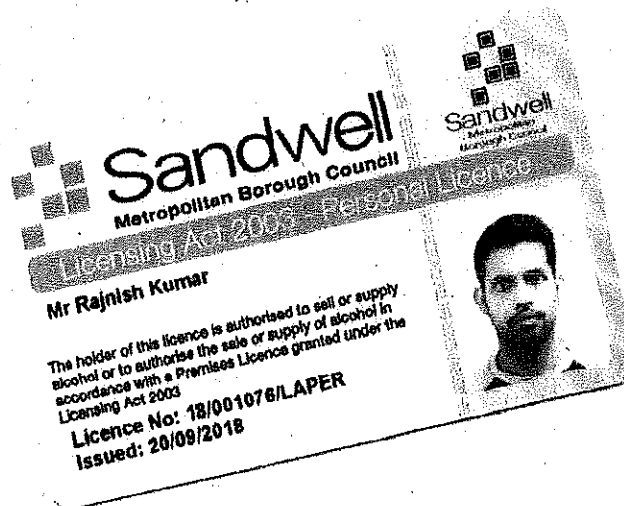
Conviction Date	Offence	Sentence

Trading Standards & Licensing

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

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

P.T.O.



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JP3

Public Register: Licence Report

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1. Licence

Summary of the licence certificate.

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

Representation End Date

2. Current Designated Premises Supervisor

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

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

3. Premises Details

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

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

3.1 Licensable Activities

A list of activities for which this premises is licensed.

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

3.2 Activity Times

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

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

3.3 Operating Hours

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

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

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

4. Conditions

4.1 Mandatory Conditions

Mandatory conditions attached to the licence.

Objective	Condition
N/A	No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
N/A	Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
N/A	The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either— (a) a holographic mark, or (b) an ultraviolet feature.
N/A	(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. (2) In this condition:- (a) "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where- (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence— (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the

Objective	Condition
	member or officer to prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

4.2 Operating Conditions

Operating conditions attached to the licence and classified by objective:

General

General conditions consistent with the operating schedule.

Crime

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

Safety

Conditions consistent with, and to promote public safety.

Nuisance

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

Child

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

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

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

4.3 Committee Conditions

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

General

General conditions consistent with the operating schedule.

Crime

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

Safety

Conditions consistent with, and to promote public safety.

Nuisance

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

Child

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

Objective	Condition
GENERAL	N/A

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

5. Licence History

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

No Information available

6. Designated Premises Supervisor History

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

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

7. Events

Other significant events recorded for this licence.

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

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

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

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

JP3 Premises Licence issued to Extra Supermarket

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

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

JP 4

Neighbourhoods & Commercial Services

Director: Michele Moloney



Waltham Forest

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

Mr Jiger Patel

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

Dear Mr Patel

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

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

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

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

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

whichever is applicable.

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

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

Yours sincerely

Sherman Xavier

Licensing Section – Neighbourhoods Directorate

HEARING ON 26TH MARCH 2019
TO DETERMINE AN APPLICATION
FOR

A NEW PREMISES LICENCE
UNDER THE LICENSING ACT 2003

Extra Supermarket

Background
documents to be
used at hearing

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

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

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

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

Representation End Date

2. Current Designated Premises Supervisor

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

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

3. Premises Details

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

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

3.1 Licensable Activities

A list of activities for which this premises is licensed.

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

3.2 Activity Times

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

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

3.3 Operating Hours

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

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

Objective	Condition
	the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day (‘the first day’) would be different from the permitted price on the next day (‘the second day’) as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

4.2 Operating Conditions

Operating conditions attached to the licence and classified by objective:

General

General conditions consistent with the operating schedule.

Crime

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

Safety

Conditions consistent with, and to promote public safety.

Nuisance

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

Child

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

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

**Representation
End Date**

2. Current Designated Premises Supervisor

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

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

3. Premises Details

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

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

3.1 Licensable Activities

A list of activities for which this premises is licensed.

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

3.2 Activity Times

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

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

Objective	Condition
	<p>alcohol; (b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence" (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.</p>

4.2 Operating Conditions

Operating conditions attached to the licence and classified by objective:

General

General conditions consistent with the operating schedule.

Crime

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

Safety

Conditions consistent with, and to promote public safety.

Nuisance

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

Child

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

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

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

4.3 Committee Conditions

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

No Information available

5. Licence History

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

No Information available

6. Designated Premises Supervisor History

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

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

3. Premises Details

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

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

3.1 Licensable Activities

A list of activities for which this premises is licensed.

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

3.2 Activity Times

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

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

3.3 Operating Hours

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

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

4. Conditions

4.1 Mandatory Conditions

Mandatory conditions attached to the licence.

Objective	Condition
N/A	No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
N/A	Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
N/A	The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either "a" a holographic mark, or (b) an ultraviolet feature.
N/A	(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. (2) In this condition:- (a) "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where- (i) P is the permitted price, (ii) D is

Objective	Condition
	the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence" (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

4.2 Operating Conditions

Operating conditions attached to the licence and classified by objective:

General

General conditions consistent with the operating schedule.

Crime

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

Safety

Conditions consistent with, and to promote public safety.

Nuisance

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

Child

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

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

3. Premises Details

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

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

3.1 Licensable Activities

A list of activities for which this premises is licensed.

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

3.2 Activity Times

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

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

3.3 Operating Hours

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

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

4. Conditions

4.1 Mandatory Conditions

Mandatory conditions attached to the licence.

Objective	Condition
N/A	No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
N/A	Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
N/A	The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either " (a) a holographic mark, or (b) an ultraviolet feature.
N/A	(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. (2) In this condition:- (a) "permitted price" is the price found by

Objective	Condition
	<p>applying the formula $P = D + (D \times V)$, where- (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence" (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.</p>

4.2 Operating Conditions

Operating conditions attached to the licence and classified by objective:

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

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

4.3 Committee Conditions

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

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