

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee C</b>
<b>Report of:</b>	<b>Assistant Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Wednesday 18<sup>th</sup> September 2019</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Variation</b>
<b>Premises:</b>	<b>Shell Harborne, 295 Harborne Lane, Harborne, Birmingham, B17 0NT</b>
<b>Ward affected:</b>	<b>Harborne</b>
<b>Contact Officer:</b>	<b>Bhupinder Nandhra, Senior Licensing Officer, 0121 303 9896 <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### 1. Purpose of report:

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

Premises to remain open to the public 24hours (Monday to Sunday).

Subject to the application being granted the applicant also seeks to remove the conditions under Annex 3a.

### 2. Recommendation:

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

### 3. Brief Summary of Report:

Variation application received on 25<sup>th</sup> July 2019 in respect of Shell Harborne, 295 Harborne Lane, Harborne, Birmingham, B17 0NT.

A representation has 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><b>5. Relevant background/chronology of key events:</b></p> <p>Shell UK Oil Products Ltd applied on 25<sup>th</sup> July 2019 to vary the Premises Licence for Shell Harborne, 295 Harborne Lane, Harborne, Birmingham, B17 0NT.</p> <p>A representation has been received from other persons. See Appendix 1.</p> <p>The application is attached at Appendix 2.</p> <p>The current Premises Licence is attached at Appendix 3.</p> <p>Site Location Plans at Appendix 4.</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"> <li>a. The prevention of crime and disorder;</li> <li>b. Public safety;</li> <li>c. The prevention of public nuisance; and</li> <li>d. The protection of children from harm.</li> </ul>
<p><b>6. List of background documents:</b></p> <p>Copy of the representation as detailed in Appendix 1</p> <p>Application Form, Appendix 2</p> <p>Current Premises Licence, Appendix 3</p> <p>Site Location Plans, Appendix 4</p>
<p><b>7. Options available</b></p> <p>To grant the variation application</p> <p>To refuse the whole or part of the application</p> <p>To modify the conditions of the Licence</p>

Question	Response
<i>Trading name:</i>	shell harborne
<i>Premises address:</i>	295 harborne lane b17 ont
<i>Date of incident:</i>	06/08/2019
<i>Time of incident:</i>	23:00 hours
<i>Incident details:</i>	<p>i noticed that Shell petrol station in harborne lane is applying for extended opening hours to 24 hours .My hours is backing to the petrol station .if it is allowed to sale alcohol 24 hours ,this could cause social and enviroment tal problems .There are customers smoking cannabis and drinking alcohol in the the car park at night . if 24 hours licences is granted this will worsen and drinking in the car park extending until 5 to 6 oclock in the morning .please stop the extending to 24 hours .may be only up to 1 am .Then we can have some sleep .The alcoholic can have a break until next day . The owner do not live in here ,he only care about his profits at the expense of my night sleep .</p>

112124

26.07.19 - 22.08.19

**Birmingham**

**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact

licensingonline@birmingham.gov.uk

Telephone: 0121 303 9896

\* required information

**Section 1 of 18**

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

SHELL HARBORNE

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

SHELL UK OIL PRODUCTS LIMITED

\* Family name

N/A

**You must enter a valid e-mail address**

\* E-mail

**You must enter a telephone number**

Main telephone number

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.

**Applicant Business**

Is the applicant's business registered in the UK with Companies House?

☒ Yes☐ No

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

Registration number

3625633

Business name

SHELL UK OIL PRODUCTS LIMITED

If the applicant's business is registered, use its registered name.

**Continued from previous page...**

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

☒ An agent that is a business or organisation, including a sole trader

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

☐ A private individual acting as an agent

**Agent Business**

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

*Continued from previous page...*

Legal status

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 18**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable  
value of premises (£)

44,000

### Section 3 of 18

#### VARIATION

Do you want the proposed  
variation to have effect as  
soon as possible?

☒ Yes

☐ No

Do you want the proposed variation to have effect in relation to the  
introduction of the late night levy?

☐ Yes

☒ No

You do not have to pay a fee if the only  
purpose of the variation for which you are  
applying is to avoid becoming liable to the  
late night levy.

If your proposed variation  
would mean that 5,000 or  
more people are expected to  
attend the premises at any  
one time, state the number  
expected to attend

#### Describe Briefly The Nature Of The Proposed Variation

Describe 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.

1. EXTEND THE SALE OF ALCOHOL HOURS (CONSUMPTION OFF THE PREMISES) TO 00.00 - 24.00 EACH DAY

2. SUBJECT TO THIS APPLICATION BEING GRANTED, THE CONDITIONS UNDER ANNEX 3, 3A GENERAL COMMITTEE CONDITIONS, WILL NEED TO BE AMENDED SO THE MODIFICATION OF HOURS (ALCOHOL) 06.00 - 23.00 MONDAY TO SUNDAY IS REMOVED.

### Section 4 of 18

#### PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to  
vary is successful?

☐ Yes

☒ No

### Section 5 of 18

#### PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to  
vary is successful?

☐ Yes

☒ No

### Section 6 of 18

#### PROVISION OF INDOOR SPORTING EVENTS

<i>Continued from previous page...</i>	See guidance on regulated entertainment
<p>Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>	
<b>Section 7 of 18</b>	
<b>PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS</b>	
<p>See guidance on regulated entertainment</p> <p>Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>	
<b>Section 8 of 18</b>	
<b>PROVISION OF LIVE MUSIC</b>	
<p>See guidance on regulated entertainment</p> <p>Will the schedule to provide live music be subject to change if this application to vary is successful?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>	
<b>Section 9 of 18</b>	
<b>PROVISION OF RECORDED MUSIC</b>	
<p>See guidance on regulated entertainment</p> <p>Will the schedule to provide recorded music be subject to change if this application to vary is successful?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>	
<b>Section 10 of 18</b>	
<b>PROVISION OF PERFORMANCES OF DANCE</b>	
<p>See guidance on regulated entertainment</p> <p>Will the schedule to provide performances of dance be subject to change if this application to vary is successful?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>	
<b>Section 11 of 18</b>	
<b>PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE</b>	
<p>See guidance on regulated entertainment</p> <p>Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>	
<b>Section 12 of 18</b>	
<b>PROVISION OF LATE NIGHT REFRESHMENT</b>	



Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☐ Yes

☒ No

### Section 13 of 18

#### SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes

☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

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

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

##### SATURDAY

Start

End

Start

End

##### SUNDAY

Start

End

Start

End

Continued from previous page...

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.

N/A

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

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

N/A

#### Section 14 of 18

##### 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.

Provide 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 15 of 18

##### HOURS PREMISES ARE OPEN TO THE PUBLIC

###### Standard Days And Timings

###### MONDAY

Start 00:00

End 24:00

Start

End

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

###### TUESDAY

Start 00:00

End 24:00

Start

End

Continued from previous page...

WEDNESDAY

Start 00:00

End 24:00

Start

End

THURSDAY

Start 00:00

End 24:00

Start

End

FRIDAY

Start 00:00

End 24:00

Start

End

SATURDAY

Start 00:00

End 24:00

Start

End

SUNDAY

Start 00:00

End 24:00

Start

End

State any seasonal variations.

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

N/A

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

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

N/A

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

1. THE HOURS WHICH RESTRICT THE SALE OF ALCOHOL FOR CONSUMPTION OF THE PREMISES TO 06.00 - 23.00 HOURS EACH DAY.

2. SUBJECT TO THIS APPLICATION BEING GRANTED, THE CONDITIONS UNDER ANNEX 3, 3A GENERAL COMMITTEE CONDITIONS, WILL NEED TO BE AMENDED SO THE MODIFICATION OF HOURS (ALCOHOL) 06.00 - 23.00 MONDAY TO SUNDAY IS REMOVED.

*Continued from previous page...*

- ☒ I have enclosed the premises licence
- ☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

--

**Section 16 of 18**

**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)

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

NONE IN ADDITION TO THOSE ALREADY SHOWN ON LICENCE.
-----------------------------------------------------

b) The prevention of crime and disorder

NONE IN ADDITION TO THOSE ALREADY SHOWN ON LICENCE.
-----------------------------------------------------

c) Public safety

NONE IN ADDITION TO THOSE ALREADY SHOWN ON LICENCE.
-----------------------------------------------------

d) The prevention of public nuisance

NONE IN ADDITION TO THOSE ALREADY SHOWN ON LICENCE.
-----------------------------------------------------

e) The protection of children from harm

NONE IN ADDITION TO THOSE ALREADY SHOWN ON LICENCE.
-----------------------------------------------------

**Section 17 of 18**

**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 18 of 18

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at <https://www.tax.service.gov.uk/business-rates-find/search>

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00\*

Band E - £125001 and over - £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 - £1,000.00

Capacity 10000 -14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

\* Fee amount (£)

315.00

### DECLARATION

Continued from previous page...

I/WE UNDERSTAND THAT 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.

☒ 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/change-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, 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.**

**OFFICE USE ONLY**

Applicant reference number   
Fee paid   
Payment provider reference   
ELMS Payment Reference   
Payment status   
Payment authorisation code   
Payment authorisation date   
Date and time submitted   
Approval deadline   
Error message   
Is Digitally signed ☐

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >

## BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003PREMISES LICENCE

Premises Licence Number:

4216 / 5

**Part 1 - Premises details:****Postal address of premises, or if none, ordnance survey map reference or description**

Shell Harborne  
295 Harborne Lane  
Harborne

**Post town:**

Birmingham

**Post Code:**

B17 0NT

**Telephone Number:****Where the licence is time limited the dates**

N/A

**Licensable activities authorised by the licence**

L Late night refreshment  
M2 Sale of alcohol by retail (off the premises)

**The times the licence authorises the carrying out of licensable activities**

Monday - Sunday	06:00	-	23:00	M2
	23:00	-	05:00	L

**The opening hours of the premises**

Monday - Sunday	00:00	-	23:59
-----------------	-------	---	-------

**Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

Off Supplies Only



**BIRMINGHAM CITY COUNCIL**

**Part 2**

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</b> Shell UK Oil Products Limited Shell Centre	
<b>Post town:</b> London	<b>Post Code:</b> SE1 7NA
<b>Telephone Number:</b> 0207 934 1234	
<b>Email</b> N/A	

<b>Registered number of holder for example company number or charity number (where applicable)</b> 3625633
---------------------------------------------------------------------------------------------------------------

<b>Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</b> Humza Yasin Kiyani	
<b>Post town:</b>	<b>Post Code:</b> -
<b>Telephone Number:</b> N/A	

<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
<b>Licence Number</b> 10994	<b>Issuing Authority</b> BIRMINGHAM CITY COUNCIL

Dated 24/07/2018

*S. A. Yasser.*

SHAID YASSER  
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.

(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.

**Annex 2 – Conditions consistent with operating schedule**

**2a) General conditions consistent with the operating schedule**

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

Spirits (with the exception of spirit mixers and pre-mixed spirit drinks) will be located behind the counter.

The Premises Licence Holder shall be permitted to display bulk stacks, wine towers and chilled promotional offerings throughout the store that may not necessarily be shown on the plan. The locations may be subject to change but will be contained within the red lined licensable area shown on the plan attached to the Premises Licence. The display of bulk stacks will not be located where they may impact on the ability of customers to use exits or escape routes without impediment.

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

An incident log will be maintained at the premises.

The site will have in place a Tokheim eye digital CCTV camera surveillance system. The Tokheim eye system will only store relevant images so that images can be quickly viewed as images are captured from the cameras as soon as movement is detected. The Tokheim eye will be a motion based system. Tokheim eye stores the receipt number and filling number together with the images captured. This unique connection means that the system is capable of retrieving images of events or a particular filling or transaction by receipt or filling number or alternatively retrieving images by date and time.

The system is a motion based recording system, and therefore will record on motion only, images will be retained for a period of no less than 31 days.

There will be 4 internal cameras and 7 external cameras.

Access to the equipment and recordings will be provided to the Police within 24 hours of the request being made, contact details of the Retailer will be kept on site and made available to the Police for the purpose of obtaining access to the equipment and recordings.

**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**

A refusals book will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A Challenge 25 policy will be operated at the premise; acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

**BIRMINGHAM CITY COUNCIL**

**Annex 3 – Conditions attached after hearing by licensing authority**

**3a) General committee conditions**

Licensing Sub Committee A resolved on the 27th October 2014 to grant a premises licence subject to the following conditions to promote the prevention of crime and disorder and the prevention of public nuisance objectives in the Act:

Modification of hours –

Alcohol

The hours for the supply of alcohol for consumption off the premises shall apply as follows:

06:00 – 23:00, Monday to Sunday

Late night refreshment

The hours for the provision of late night refreshment (Hot Drinks only) shall apply as follows:

23:00 – 05:00, Monday to Sunday

Opening hours

The premises to remain open to the public as follows:

00:00 – 24:00, Monday to Sunday

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

Conditions as detailed above.

**3c) Committee conditions to promote public safety**

N/A

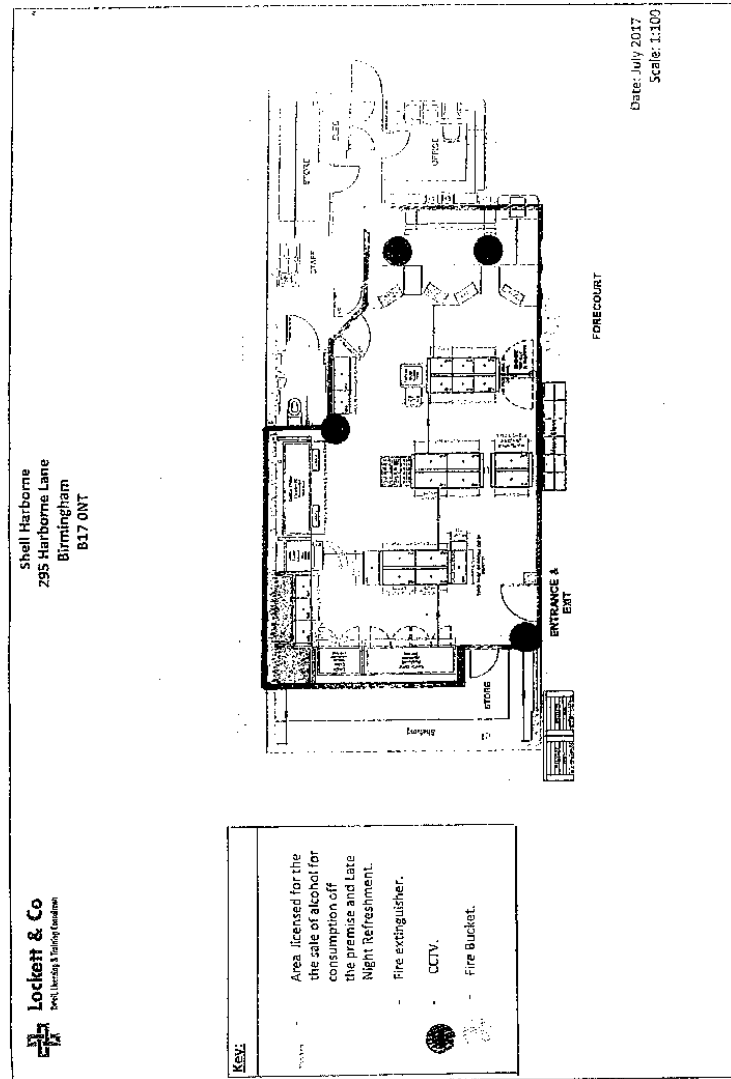
**3d) Committee conditions to promote the prevention of public nuisance**

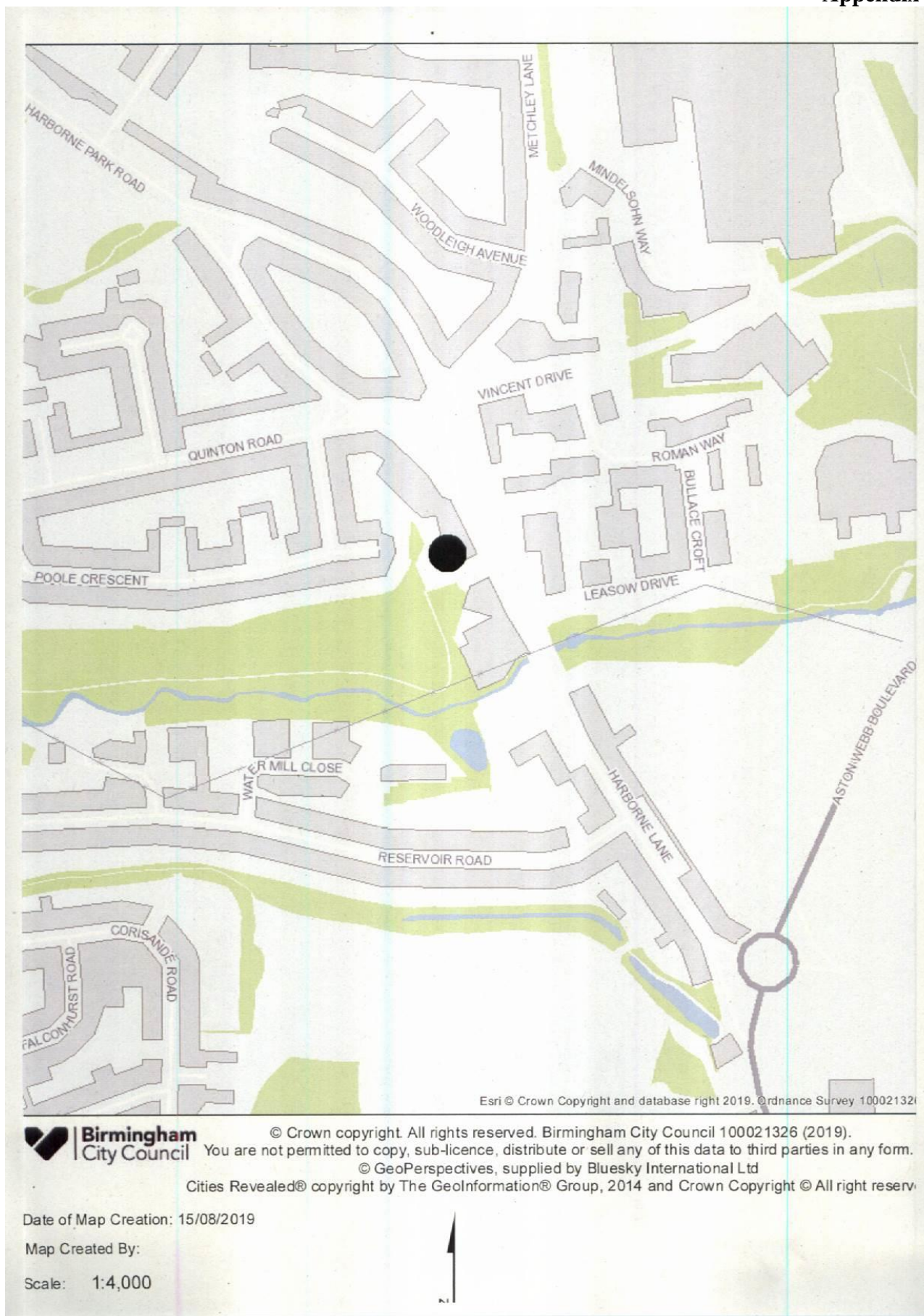
Conditions as detailed above.

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

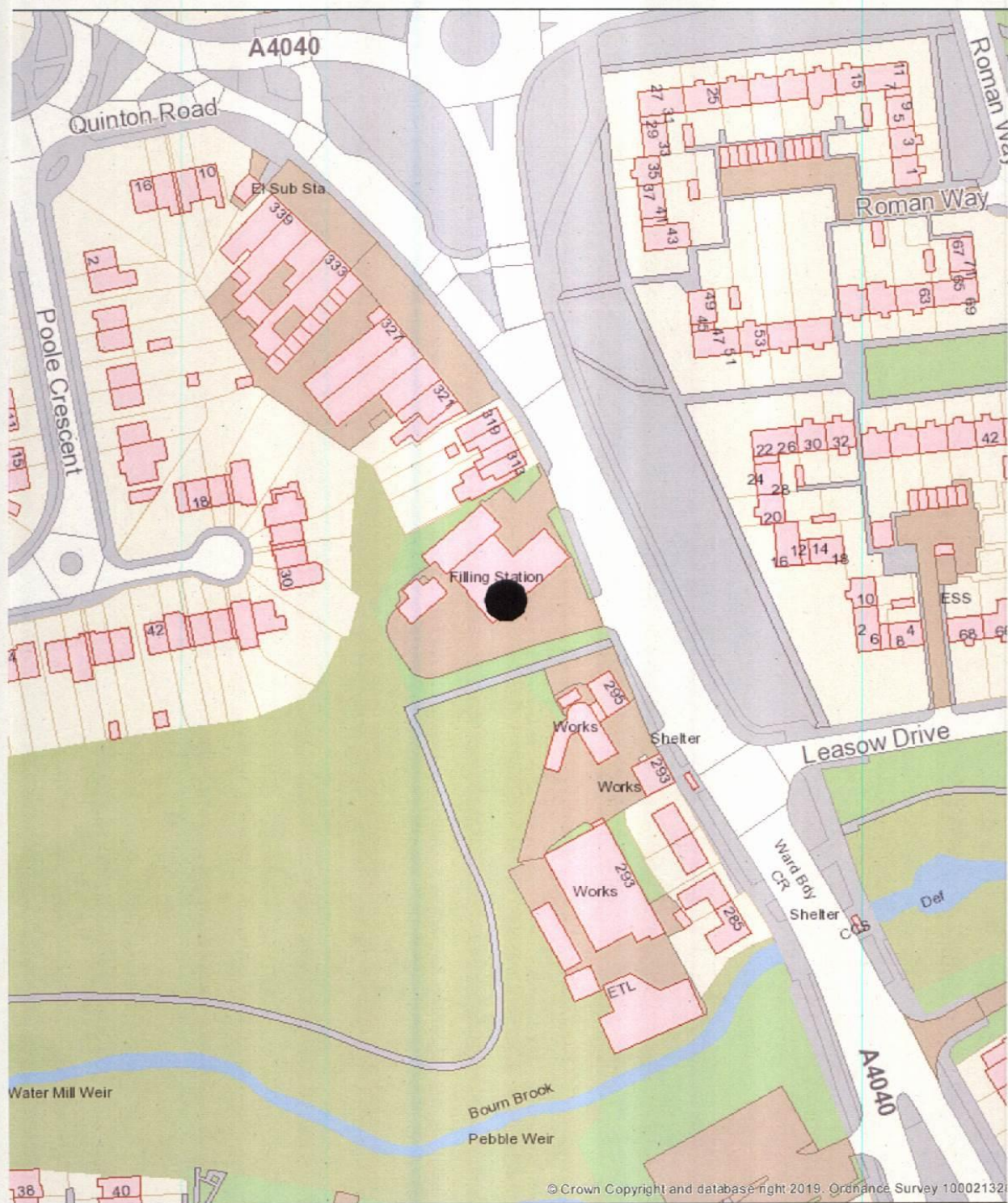
N/A

**Annex 4 – Plans**









© Crown Copyright and database right 2019. Ordnance Survey 100021326



© Crown copyright. All rights reserved. Birmingham City Council 100021326 (2019).  
 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.  
 © GeoPerspectives, supplied by Bluesky International Ltd  
 Cities Revealed® copyright by The GeoInformation® Group, 2014 and Crown Copyright © All right reserved

Date of Map Creation: 15/08/2019

Map Created By:

Scale: 1:1,250

