

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee B</b>
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Tuesday 15<sup>th</sup> August 2017</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Variation</b>
<b>Premises:</b>	<b>Spar, 32 Watford Road, Cotteridge, Birmingham, B30 1JA</b>
<b>Ward affected:</b>	<b>Bournville</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).

The application also seeks to add the provision of Late Night Refreshment, to operate indoors only, from 11:00pm until 05:00am (Monday to Sunday).

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

The application also seeks to remove all embedded restrictions inherited from the Licensing Act 1964, which are currently in force.

### 2. Recommendation:

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

### 3. Brief Summary of Report:

Variation application received on 29<sup>th</sup> June 2017 in respect of Spar, 32 Watford Road, Cotteridge, Birmingham, B30 1JA.

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.

## **5. Relevant background/chronology of key events:**

A F Blakemore & Son Ltd T/A Blakemore Retail applied on 29<sup>th</sup> June 2017 to vary the Premises Licence for Spar, 32 Watford Road, Cotteridge, Birmingham, B30 1JA.

A representation has been received from other persons, see Appendix 1.

The application is attached at Appendix 2.

Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 3.

The current Premises Licence is attached at Appendix 4.

Site Location Plans at Appendix 5.

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

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

## **6. List of background documents:**

A copy of the representation as detailed in Appendix 1  
Application Form, Appendix 2  
Conditions agreed with West Midlands Police, Appendix 3  
Current Premises Licence, Appendix 4  
Site Location Plans, Appendix 5

## **7. Options available**

To grant the variation application  
To refuse the whole or part of the application  
To modify the conditions of the Licence

## Appendix 1

ENTERED *n*

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**From:**  
**Sent:** 26 July 2017 21:45  
**To:** Licensing  
**Subject:** Fwd: Objection to extension (variation) of license for the Spar, 32 Watford Road, Cotteridge, Birmingham, B30

Dear Sir/Madame,

In accordance with the Licensing Act 2003, I am objecting to the application by the Spar to extend the hours they can sell alcohol to 24 hours a day.

I have had to deal with several problems over the last few years, one of which is definitely linked to the sale of alcohol from the Spar during their current trading hours.

In terms of problems that are a direct result of alcohol being sold at the Spar. This issue breaches all 4 licensing objectives:

**The illegal disposal of 375 and 200ml Glen spirit bottles in the driveway to the rear of 23 Watford Road**

Residents and visitors have accidentally driven over these bottles with several punctures caused over the last 6 months in particular. I have removed 4 builders sacks of these bottles since January this year - a much higher number than last year. On researching the brand, I found out that it was a Spar brand. On discussing this with a member of staff at the Spar they said that they couldn't control what a customer did with the bottle after they'd left the store. A fair point but no reassurance to myself and many others inconvenienced by this anti-social and illegal behaviour. I have included Google Drive links to photographs I took back in March clearly illustrating the danger to vehicles and tenants with the Glen Brand clearly visible on one of the bottles:

<https://drive.google.com/file/d/0BwJA5buffmmZZUNrSXNpMTNCRTQ/view?usp=sharing>

<https://drive.google.com/file/d/0BwJA5buffmmZOTVPajM2RjFtbVE/view?usp=sharing>

I have taken more recent photographs on the 18 July:

<https://drive.google.com/file/d/0BwJA5buffmmZbUNaaEIVc0VZd0E/view?usp=sharing>

<https://drive.google.com/file/d/0BwJA5buffmmZMVRqWl9uWDNlcFE/view?usp=sharing>

I managed to remove one and a half builders sacks full:

<https://drive.google.com/file/d/0BwJA5buffmmZajhyM0VrdW52LTQ/view?usp=sharing>

<https://drive.google.com/file/d/0BwJA5buffmmZRGtkcHpTV2pUVGs/view?usp=sharing>

A young toddler lives in one of the residential flats above the retail units at Watford Road and I am also concerned that they may be seriously injured by the broken glass.

The behaviour of the drinkers (possibly Spar customers) is also an issue. I and several residents/business tenants regularly challenge men urinating in the driveway and many have become verbally and physically threatening. Although the driveway is gated, this gate is left open during the day and intermittently until 2pm as a takeaway (Chicken.com) in unit 3, 23 Watford Road operates until these hours. I have witnessed a drunken man urinating at 1pm in the afternoon in plain sight of people waiting at a nearby bus stop - it is simply disgusting and threatening to passing people when a man has his member out of his trousers in public.

In terms of wider problems, I have had the following reported to me over the last six months:

Female resident and her daughter followed into the premises by men (on two separate occasions).

Male resident followed by a man last week at 2am in the morning (the resident is a doctor working night shifts).

Staff at Chicken.com abused and assaulted by drunken men on at least 2 occasions over the last 12 months.

Spar customers blocking the driveway on numerous occasions and threatening tenants/residents when asked to move. This is despite the road being clearly marked with double yellow lines.

Street fights outside 23 Watford Road that are alcohol-fueled (there are two bus stops where people congregate). These have caused residents problems sleeping as bedrooms are located at the front of the building. With a 24 hour alcohol outlet across the road, this problem could be exacerbated.

I appreciate that I can't directly link the wider problems to the sale of alcohol from the Spar but the picture isn't good. What we don't want are more problem drinkers coming to Cotteridge to buy alcohol between the hours of 11pm to 5am - we have enough undesirables as it is. There is only one other 24 hour off licence within a 1.5 mile radius of the Spar store so the potential catchment area is substantial. The situation was historically bad beforehand with the need to introduce an Alcohol Exclusion Zone in 2005 across a large swathe of Cotteridge.

I am also concerned that the Spar won't be able to implement an effective Challenge 25 policy. After 11pm, they (in my experience) serve goods through a hatch near the till and I see this as an issue. Underage drinking is a major problem in Cotteridge. I understand that West Midlands Police have done a deal behind closed doors with the applicant to make CCTV available and to only allow customers into the store when a security guard is present. This security of the store to the door and no further is of no reassurance to the wider community of Cotteridge and indeed is an admission of failure if this mitigation is seen as required. There is an anticipation by West Midlands Police of law breaking caused by this licence extension. I am tired of everyone, including the police, having to pick up the pieces - quite literally glass pieces in my case.

To conclude, there is currently a significant minority of problem drinkers that purchase alcohol at the Spar store in Cotteridge. A member of staff has already said that there is nothing they can do to stop the anti-social behaviour caused by this group. Consequently, I have every reason to believe that an extension to the Spar licence will degrade the local area further with consequences for the police and health services and most importantly from my perspective, it will cause further damage to the environment at 23 Watford Road, with increased danger to residents and businesses at 23 Watford Road. I'd actually recommend that the licensing sub-committee go further than just looking at this application for an extension and insist that Spar arrange for the bottles illegally disposed of by their customers to be removed from the land at 23 Watford Road on a regular basis. If they can't control their customer's behaviour then they should clean up the mess caused by their current trading activities.

Kind regards

· Midland Road  
Cotteridge  
Birmingham  
B30











## Appendix 2

The Licensing Act 2003 (Miscellaneous Amendments) Regulations 2017 - Schedule 6, regulation 4(5)

**LIC4**

Insert name and address  
of relevant licensing  
authority and its  
reference number  
(optional)

BIRMINGHAM CITY COUNCIL

### Application to vary a premises licence under the Licensing Act 2003

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

**I/We** A.F. BLAKEMORE & SON LTD TRADING AS BLAKEMORE RETAIL  
(Insert name(s) of applicant)

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

Premises licence number

2094/2

#### Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

SPAR  
32 WATFORD ROAD  
COTTERIDGE

Post town BIRMINGHAM

Post code B30 1JA

Telephone number at premises (if any)

Non-domestic rateable value of premises

£

#### Part 2 - Applicant Details

Daytime contact telephone number		
E-mail address (optional)	--	
Current postal address if different from premises address	LONGACRE INDUSTRIAL ESTATE, ROSEHILL	
Post town	WILLENHALL	Post code WV13 2JP

REC  
REGULATION & ENFORCEMENT  
LICENSING SECTION  
DATE RECEIVED  
**29 JUN 2017**  
REF NO. **048963**  
INITIALS **ED E315**

LIC4

Page 1 of 13

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### Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? ☒ Yes ☐ No

If not, from what date do you want the variation to take effect? 

DD
<input type="text"/>

MM
<input type="text"/>

YYYY
<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

**Please describe briefly the nature of the proposed variation (Please see guidance note 2)**

THE APPLICATION IS TO AMEND THE CURRENT PERMITTED HOURS AT THE STORE AND TO REMOVE THE EMBEDDED RESTRICTIONS INHERITED FROM THE LICENSING ACT 1964 WHICH ARE STILL CURRENTLY IN FORCE

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

### Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment** (Please see guidance note 3)

**Please tick all that apply**

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

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

☒

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

☒

**In all cases complete boxes K, L and M**



# A

<b>Plays</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of a play take place indoors or outdoors or both - please tick</b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			<b>Please give further details here</b> (please read guidance note 5)			
Tue						
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 6)			
Thur						
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 7)			
Sat						
Sun						

# B

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both - please tick</b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			<b>Please give further details here</b> (please read guidance note 5)			
Tue						
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 6)			
Thur						
Fri			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 7)			
Sat						
Sun						

### C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b>Please give further details</b> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 6)
Wed			
Thur			<b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 7)
Fri			
Sat			
Sun			

### D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 8)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick</b> (please read guidance note 4)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 5)	
Tue				
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 6)	
Thur			<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 7)	
Fri				
Sat				
Sun				

# E

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both - please tick</b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			<b>Please give further details here</b> (please read guidance note 5)			
Tue						
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 6)			
Thur						
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 7)			
Sat						
Sun						

# F

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both - please tick</b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			<b>Please give further details here</b> (please read guidance note 5)			
Tue						
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 6)			
Thur						
Fri			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 7)			
Sat						
Sun						



# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both - please tick</b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)			
Mon						
Tue						
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6)			
Thur						
Fri						
Sat			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 7)			
Sun						

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			<b>Please give a description of the type of entertainment you will be providing</b>			
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both - please tick</b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Mon					Both	<input type="checkbox"/>
			<b>Please give further details here</b> (please read guidance note 5)			
Tue						
Wed						
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 6)			
Fri						
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 7)			
Sun						

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both - please tick</b> (please read guidance note 4)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5) INCLUDING BANK HOLIDAYS  <b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)  <b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)	
Mon	2300	0500		
Tue	2300	0500		
Wed	2300	0500		
Thur	2300	0500		
Fri	2300	0500		
Sat	2300	0500		
Sun	2300	0500		

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption - please tick</b> (please read guidance note 9)	On the premises <input type="checkbox"/>
				Off the premises <input checked="" type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6) INCLUDING BANK HOLIDAYS  <b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)	
Mon	0000	2400		
Tue	0000	2400		
Wed	0000	2400		
Thur	0000	2400		
Fri	0000	2400		
Sat	0000	2400		
Sun	0000	2400		

# K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

N/A

# L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	INCLUDING BANK HOLIDAYS
Mon	0000	2400	
Tue	0000	2400	
Wed	0000	2400	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	



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

TO REMOVE THOSE EMBEDDED RESTRICTIONS INHERITED FROM THE LICENSING ACT 1964 WHICH CURRENTLY REMAIN IN FORCE

Please tick as appropriate

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



If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

**Reasons why I have not enclosed the premises licence or relevant part of premises licence.**

## M

**Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:**

**a) General - all four licensing objectives (b, c, d and e) (please read guidance note 11)**

The company will continue to ensure investment and management of the premises to ensure that the premises trades within the law and provide what is best for staff, customers and other visitors to the store

**b) The prevention of crime and disorder**

The company will continue to ensure that :

Alcohol is not sold to anyone who appears to be under the influence of alcohol; alcohol will not knowingly be sold to anyone under age; a refusals book will be kept and checked on a regular basis; CCTV cameras will be provided and images will be retained for a period to be confirmed and will be made available to the Police upon request

**c) Public safety**

The company will continue to ensure:

Emergency lighting and adequate evacuation procedures are in place, fixtures and fittings are in accordance with company standards; electrical equipment will be checked on a regular basis and risk assessments undertaken. First Aid equipment is available and an accident book will be maintained and checked on a regular basis. Any spillages or breakages will be dealt with in accordance with company policy

**d) The prevention of public nuisance**

The company will continue to ensure :

Noise, lighting and odour levels are controlled so as to reduce the risk of causing public nuisance; deliveries to the store will be arranged as far as possible at reasonable times of the day and adequate litter bins will be provided

**e) The protection of children from harm**

The company will continue to ensure :

An appropriate scheme such as Prove It/Citizen Card/Challenge 25 or similar will be implemented; there will be prompts on the tills to remind operators to check ages; employees will be trained in accordance with the company's procedures relating to the sale of alcohol/cigarettes and tobacco/solvents/blades etc

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

**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.**

**Part 5 - Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	28/06/17
Capacity	SOLICITORS TO THE APPLICANT COMPANY

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent** (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature			
Date			
Capacity			
<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 15) Lanyon Bowdler Chapter House North, Abbey Lawn, Abbey Foregate,			
<b>Post town</b> Shrewsbury		<b>Post code</b> SY2 5DE	
<b>Telephone number (if any)</b>			
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>			



## Appendix 3

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**From:** bw licensing  
**Sent:** 19 July 2017 09:51  
**To:** Licensing  
**Cc:**  
**Subject:** FW: Premises Variation 32 Watford Road, birmingham. B30 1JA

Dear Licensing,

With regard to the premises licence variation for Spar 32 Watford Road, Bornville. B30 1JA.

West Midlands Police have reviewed this application and are happy that if the below conditions are added to the premises licence then the licensing objectives will be met and promoted.

The below conditions have been agreed with the applicant, via their solicitor who is copied into this email as acceptance as per below email chain.

- **CCTV to be made available to all responsible authorities on request.**
- **The premises to operate / serve through a night hatch when carrying out licensable activity between the hours of 2300x0530 if an SIA registered guard is not on duty in the premises. No customers will be allowed inside the shop between these times.**
- **The premises may open to customers between 2300x0530 for the whole or any part of this period when a SIA registered guard is on duty in the premises.**

If these above conditions are imposed onto the licence then West Midlands police have no objection to this application.

Many thanks

Regards

**Chris Jones 55410**

Birmingham Central Licensing Team

West Midlands Police HQ  
Lloyd House  
Colmore Circus  
Birmingham  
B4 6NQ



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**From:** Cindy Darlington  
**Sent:** 18 July 2017 11:21  
**To:** bw licensing

**Subject:** RE: Premises Variation 32 Watford Road, birmingham. B30 1JA  
**Importance:** High

Hi Chris

Sorry for the delay in getting back to you but I have now heard back from my clients who have confirmed they are agreeable to the conditions put forward below.

Will you notify the Local Authority as to our approval to your conditions?

Regards  
Cindy Darlington for Lanyon Bowdler

**Cindy Darlington | Licensing Manager |**



BIRMINGHAM CITY COUNCIL



LICENSING ACT 2003

PREMISES LICENCE

Premises Licence Number:

2094 / 2

**Part 1 - Premises details:**

**Postal address of premises, or if none, ordnance survey map reference or description**

Spar  
32 Watford Road  
Cotteridge

**Post town:**

Birmingham

**Post Code:**

B30 1JA

**Telephone Number:**

**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
Christmas Day	12:00	-	15:00	M2
	19:00	-	22:30	M2
Good Friday	08:00	-	22:30	M2

**The opening hours of the premises**

Not Specified

**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> A.F. Blakemore & Son Ltd T/A Blakemore Retail Longacres Industrial Estate Rosehill Willenhall	
<b>Post town:</b> West Midlands	<b>Post Code:</b> WV13 2JP
<b>Telephone Number:</b>	
<b>Email</b> N/A	

<b>Registered number of holder for example company number or charity number (where applicable)</b> 391135
--

<b>Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</b> Daniel Poole	
<b>Post town:</b>	<b>Post Code:</b>
<b>Telephone Number:</b>	

<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>	<b>Issuing Authority</b>

Dated 10/07/2015

Nicola Stansbie  
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.

### Embedded Restrictions

Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means: a. On weekdays, other than Christmas Day, 8 am. to 11 pm. b. On Sundays, other than Christmas Day, 10 am. to 10.30 pm. c. On Christmas Day, 12 noon to 3 pm. and 7 pm. to 10.30 pm. d. On Good Friday, 8 am. to 10.30 p.m. The above restrictions do not prohibit: (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel; (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered; (c) the sale of alcohol to a trader or club for the purposes of the trade or club; (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

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

**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**

No enforceable conditions identified from operating schedule.

**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.

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**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**

N/A

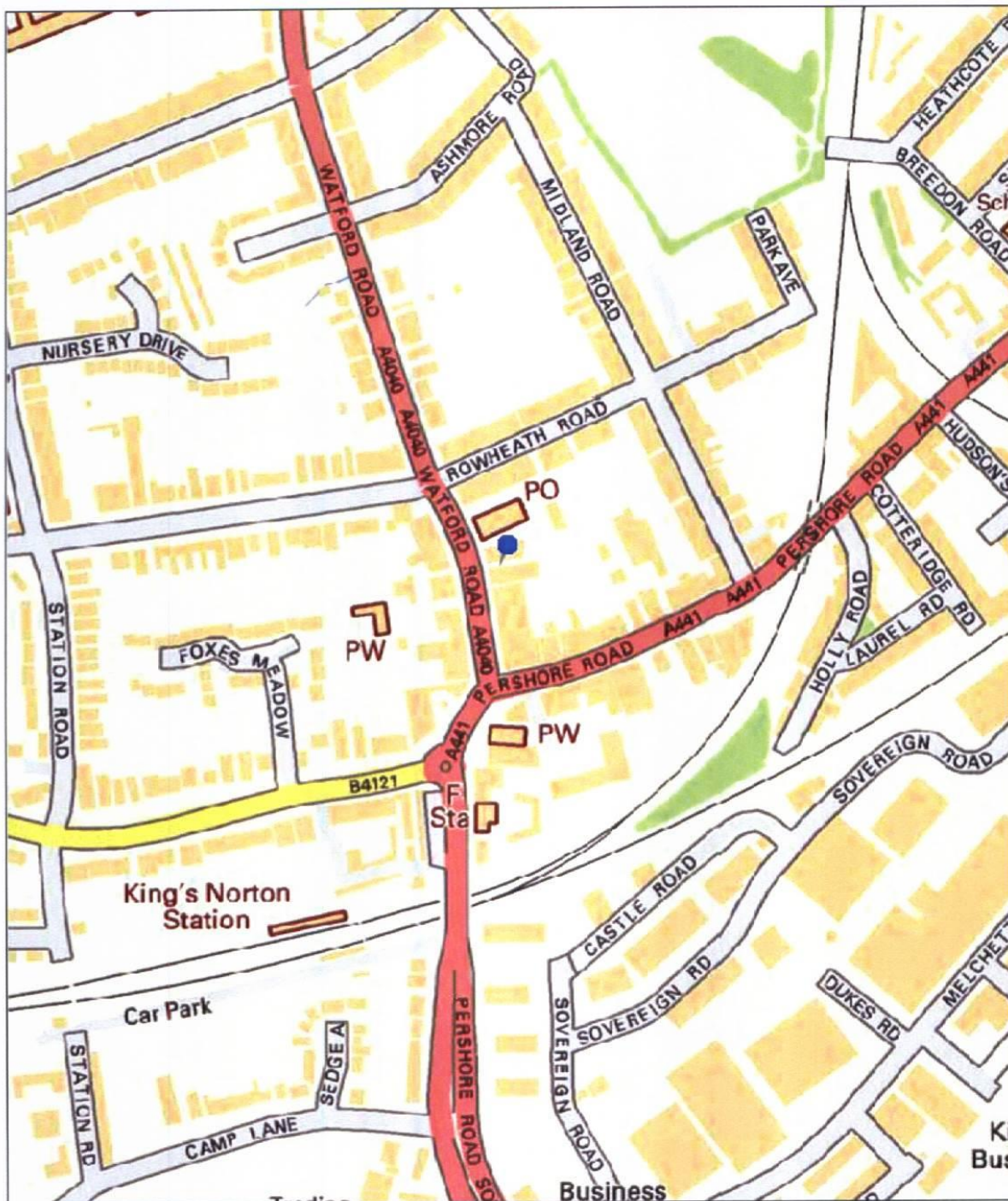
**3e) Committee conditions to promote the protection of children from harm**

N/A

**Annex 4 – Plans**

The plan of the premises with reference number **91778-2094/2** 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: 31/07/2017



Scale:  
1:4,000

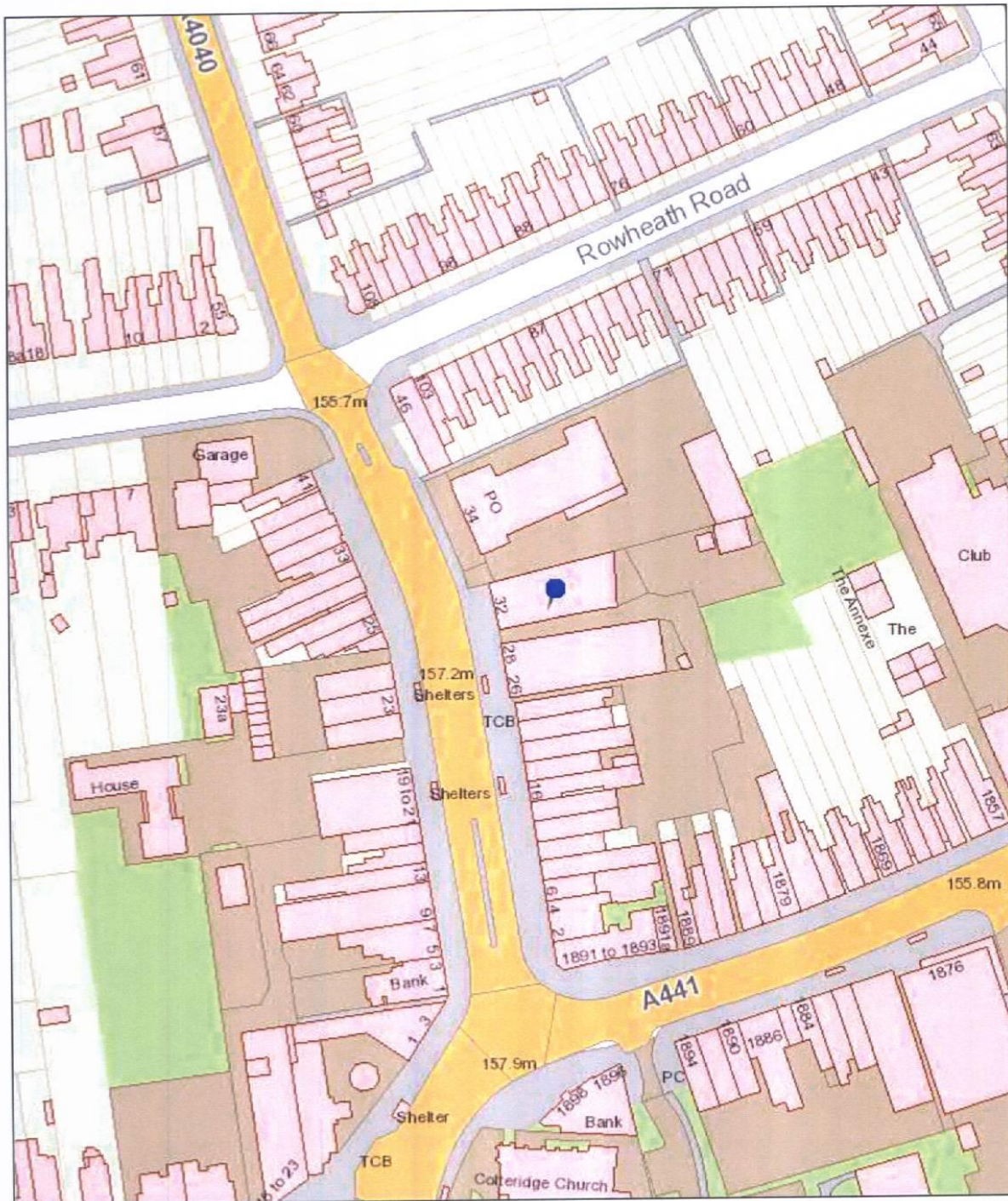
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**Birmingham City Council**

Map Created By:

Date of Map Creation: 31/07/2017

**Notes**



Scale:  
1:1,250

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