

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Interim Assistant Director of Regulation & Enforcement
Date of Meeting:	Wednesday 7th April 2021
Subject:	Licensing Act 2003 Premises Licence – Variation
Premises:	Witton Lodge Convenience Store, 319 Witton Lodge Road, Erdington, Birmingham, B23 5LY
Ward affected:	Perry Common
Contact Officer:	Shaid Yasser, Senior Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

To consider relevant representations that have 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 from 06:00am until 01:00am (Monday to Sunday).

To add the provision of Late Night Refreshment, to operate from 11:00pm until 01:00am (Monday to Sunday).

Premises to remain open to the public from 06:00am until 01:00am (Monday to Sunday).

2. Recommendation:

To consider the representations that have been made and to determine the application.

3. Brief Summary of Report:

Variation application received on 10th February 2021 in respect of Witton Lodge Convenience Store, 319 Witton Lodge Road, Erdington, Birmingham, B23 5LY.

Representations have been received from West Midlands Police as a responsible authority and from Other Persons.

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

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

<p>5. Relevant background/chronology of key events:</p> <p>M & M Family 4 Limited applied on 10th February 2021 to vary the Premises Licence for Witton Lodge Convenience Store, 319 Witton Lodge Road, Erdington, Birmingham, B23 5LY.</p> <p>A representation has been received from West Midlands Police as a responsible authority, which is attached at Appendix 1.</p> <p>A representation has been received from Other Persons. See Appendix 2.</p> <p>The application is attached at Appendix 3.</p> <p>A condition has been agreed with Environmental Health and the applicant, which is attached at Appendix 4.</p> <p>The current Premises Licence is attached at Appendix 5.</p> <p>Site Location Plans at Appendix 6.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ul style="list-style-type: none"> a. The prevention of crime and disorder; b. Public safety; c. The prevention of public nuisance; and d. The protection of children from harm.
<p>6. List of background documents:</p> <p>Copies of the representations as detailed in Appendices 1 and 2.</p> <p>Application Form, Appendix 3.</p> <p>Condition agreed with Environmental Health, Appendix 4.</p> <p>Current Premises Licence, Appendix 5.</p> <p>Site Location Plans, Appendix 6.</p>
<p>7. Options available</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>

From: bw licensing
Sent: 04 March 2021 10:39
To: Licensing
Cc:
Subject: Objection to Witton Lodge Convenience Store 319 Lodge Road. B23 5LY application

Good Morning Licensing,

West Midlands Police have reviewed this application, have taken advice from the local neighbourhood policing team and wish to object to this application on the grounds of public nuisance and crime & disorder.

Concerns have been raised by the local policing team that by granting this application there will be an increase in public nuisance and crime & disorder. They believe if granted it would be detrimental to the local community with implications of noise, anti-social behaviour and crime.

A late night premises selling alcohol and food until 1am will likely encourage people from the wider area, creating a higher volume of traffic , footfall, noise, crime and ASB in a very residential area, at a time when local residents are trying to sleep. Also that it is highly likely as a result of this, calls for service would increase to West Midlands Police.

I have copied the applicant's agent and the local policing team into this email.

Regards

Chris Jones 55410

Birmingham Central Licensing Team West Midlands Police

From: Councillor Robert Alden
Sent: 04 March 2021 17:01
To: Licensing
Cc: Councillor Gareth Moore
Subject: Objection to licensing application 118531

Dear Licensing,

We am writing to object to the application for extending hours for Witton Lodge Convenience Store, 319 Witton Lodge Road, Erdington, Birmingham, B23 5LY. This area is totally unsuitable to be having an off licensing opening as late as 1am and the site should instead be kept at 11pm.

We believe the application should be rejected. It is clear that this late night off license in a residential area will increase crime and disorder locally. Being a main route through the local area and one that is used by many school children if it was approved it would decrease public safety and increase the risk of harm to children. Finally it is clear that the increase noise and litter, as well as the negative impacts of street drinkers locally would be counter to the prevention of public nuisance aim of the licensing act.

If the Council were minded to approve the application or part of the hours, then we would also ask for the Council to apply the following conditions to the application:-

- No alcohol to be served to customers who are believed to be street drinkers or are believed to consume alcohol within the vicinity of the premises and Witton Lodge
- No alcohol only sales
- Any street drinkers who congregate within the vicinity of the store will be moved on by staff, or if needed reported to West Midlands Police
- Sales of beers, lagers and ciders with an ABV percentage of above 6% is prohibited
- No more than 20% of the surface area of the public area of the premises will be used for the display of alcohol
- A refusals register will be kept on the premises
- Staff will be trained as to their obligations for the sale of alcohol and this will be refreshed on an annual basis or following any changes to the Licensing Act 2003.

Yours sincerely

Robert Alden

and Gareth Moore Erdington Ward and members of the Erdington and Perry Common Joint ward committee

Cllr Robert Alden

Erdington Ward

Leader of the Conservative Group Birmingham City Council

Please take pride in Erdington – Don't drop litter

Why not check out www.facebook.com/ErdingtonNews for the latest information for our area

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 M & M FAMILY 4 LIMITED

(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

3701/2

Part 1 – Premises Details

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

WITTON LODGE CONVENIENCE STORE
319 WITTON LODGE ROAD
ERDINGTON

Post town

BIRMINGHAM

Postcode

B23 5LY

Telephone number at premises (if any)

Non-domestic rateable value of premises

£7600

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if different
from premises address

Post town

Postcode

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		MM		YYYY			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

TO EXTEND THE HOURS FOR THE SALE OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES FROM THE EXISTING HOURS TO 06.00 UNTIL 01.00 HOURS THE FOLLOWING MORNING 7 DAYS A WEEK.

INCLUDE THE PROVISION OF LATE NIGHT REFRESHMENT LICENSABLE ACTIVITY.

CHANGES TO RETAIL SHOP FLOOR LAYOUT.

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 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)

X

Sale by retail of alcohol (if ticking yes, fill in box J)

X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed						
Thur			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)			
Fri						
Sat			<u>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</u> (please read guidance note 5)			
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	X
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23.00	01.00	<u>Please give further details here</u> (please read guidance note 3) THE PROVISION OF HOT PIES, SAVOURIES, SOUP, HOTDRINKS ETC CONSISTENT WITH A TAKEOUT SERVICE FOR CONSUMPTION ON OR OFF THE PREMISES.		
Tue	23.00	01.00			
Wed	23.00	01.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	23.00	01.00			
Fri	23.00	01.00	<u>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</u> (please read guidance note 5)		
Sat	23.00	01.00			
Sun	23.00	01.00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	X
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Mon	06.00	01.00			
Tue	06.00	01.00			
Wed	06.00	01.00			
Thur	06.00	01.00	<u>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</u> (please read guidance note 5)		
Fri	06.00	01.00			
Sat	06.00	01.00			
Sun	06.00	01.00			

K

<p>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 8).</p> <p>NONE</p>

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	06.00	01.00	
Tue	06.00	01.00	
Wed	06.00	01.00	
Thur	06.00	01.00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Fri	06.00	01.00	
Sat	06.00	01.00	
Sun	06.00	01.00	

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.

RESTRICTION IN THE NUMBER OF HOURS ALCOHOL CAN BE SOLD FOR CONSUMPTION OFF THE PREMISES

NO CURRENT PROVISION FOR THE SALE OF LATE NIGHT REFRESHMENT

CHANGES TO SHOP FLOOR LAYOUT FOLLOWING REFURBISHMENT

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 9)

1. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of training prior to them being authorised to sell or supply alcohol.
2. The premises licence guidance manual will be the basis of alcohol sales training.
3. Records of the written training programme shall be maintained and made available to Authorised Officers upon request.
4. The Premises Licence holder shall provide a “refresher” training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every twelve months.
5. The CCTV policy shall incorporate the following basic requirements:
 - Be switched on and fully operational when the licensable activities are being carried out.
 - Record for a minimum rolling period of 31 days with date and time stamping.
 - Have a camera covering any public entrance which will provide a facial shot of identification quality and a CCTV monitor visible to staff working behind the counter.
 - The CCTV will have facilities to view recordings at the premises upon a reasonable request from the Police or officer of a responsible authority.
6. The premises will operate a Challenge 25 policy. Challenge 25 means that all members of staff shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years, if the customer is unknown to the staff member serving as a person over 18 years of age. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
7. Challenge 25 posters shall be displayed in prominent positions at the premises.
8. Any refusals of age restricted product will be logged in a refusal book which will be available for inspection by an officer of a responsible authority. The book is to be checked at least monthly and signed off by the DPS.
9. There shall be no self-service of spirits. The aforementioned products will only be displayed behind the counter.
10. Notices will be displayed requesting patrons to leave the premises quietly at night and respect local residents.
11. The premises forecourt area will be swept daily.
12. The premises will install a till prompt to remind staff to check age when appropriate to do so for customers wishing to purchase and is a restricted product

b) The prevention of crime and disorder

1. The CCTV policy shall incorporate the following basic requirements:
 - Be switched on and fully operational when the licensable activities are being carried out.
 - Record for a minimum rolling period of 31 days with date and time stamping.
 - Have a camera covering any public entrance which will provide a facial shot of identification quality and a CCTV monitor visible to staff working behind the counter.
 - The CCTV will have facilities to view recordings at the premises upon a reasonable request from the Police or officer of a responsible authority.
2. There shall be no self-service of spirits. The aforementioned products will only be displayed behind the counter.

c) Public safety

1. The CCTV policy shall incorporate the following basic requirements:
 - Be switched on and fully operational when the licensable activities are being carried out.
 - Record for a minimum rolling period of 31 days with date and time stamping.
 - Have a camera covering any public entrance which will provide a facial shot of identification quality and a CCTV monitor visible to staff working behind the counter.
 - The CCTV will have facilities to view recordings at the premises upon a reasonable request from the Police or officer of a responsible authority.

d) The prevention of public nuisance

1. Notices will be displayed requesting patrons to leave the premises quietly at night and respect local residents.
2. The premises forecourt area will be swept daily.

e) The protection of children from harm

1. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of training prior to them being authorised to sell or supply alcohol.
2. The premises licence guidance manual will be the basis of alcohol sales training.
3. Records of the written training programme shall be maintained and made available to Authorised Officers upon request.
4. The Premises Licence holder shall provide a "refresher" training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every twelve months.
5. The premises will operate a Challenge 25 policy. Challenge 25 means that all members of staff shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years, if the customer is unknown to the staff member serving as a person over 18 years of age. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
6. Challenge 25 posters shall be displayed in prominent positions at the premises.
7. The premises will install a till prompt to remind staff to check age when appropriate to do so for customers wishing to purchase and is a restricted product
8. Any refusals of age restricted product will be logged in a refusal book which will be available for inspection by an officer of a responsible authority. The book is to be checked at least monthly and signed off by the DPS.

Checklist:

Please tick to indicate agreement

- | | |
|---|---|
| • I have made or enclosed payment of the fee; or | X |
| • 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. | X |
| • I have sent copies of this application and the plan to responsible authorities and others where applicable. | X |
| • I understand that I must now advertise my application. | X |
| • I have enclosed the premises licence or relevant part of it or explanation. | X |
| • I understand that if I do not comply with the above requirements my application will be rejected. | X |

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	10 th FEBRUARY 2021
Capacity	AGENT

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	

Contact name (where not previously given) and address for correspondence associated with this application
(please read guidance note 15)

RICHARD BAKER
RB RETAIL & LICENSING SERVICES LIMITED

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

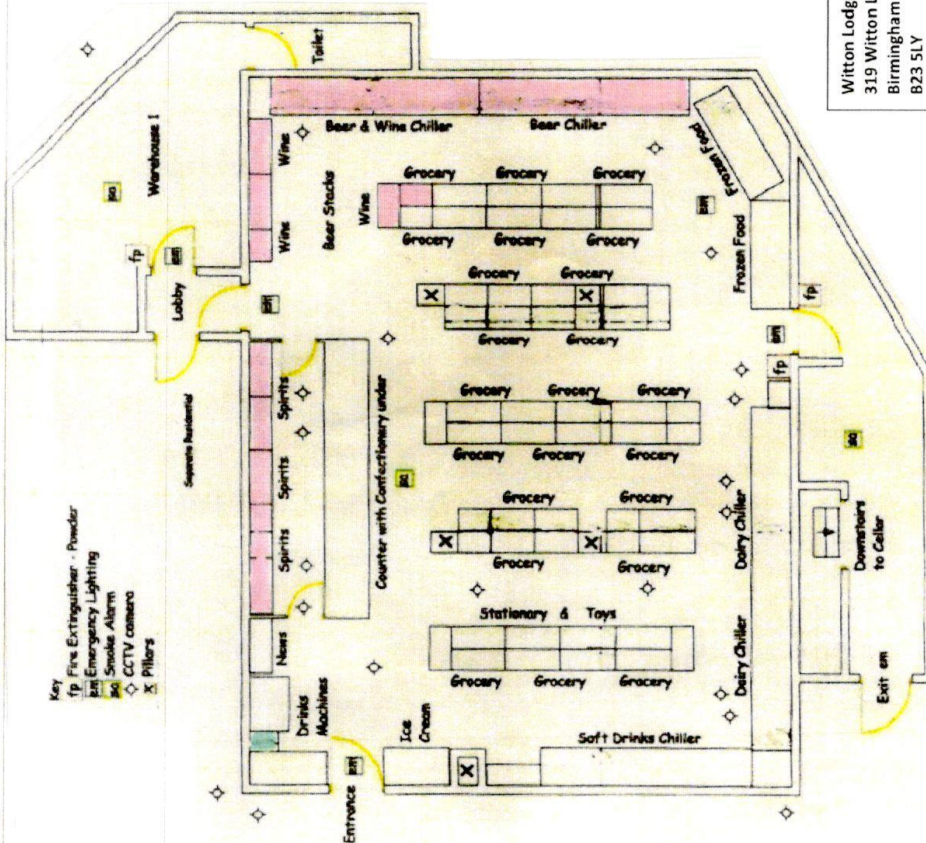
This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section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

1. 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 for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
 - 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.
 - 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Key
fp Fire Extinguisher - Powder
em Emergency Lighting
sa Smoke Alarm
cam CCTV camera
X Pillars



Witton Lodge Convenience Store
319 Witton Lodge Road
Birmingham
B23 5LY

Scale: 1:100
Drawing Reference: RB/1406
Drawn by: R Baker RB Retail & Licensing
9th February 2021

All retail selling areas to be licensed for alcohol display.
Copyright -
RB Retail & Licensing Services Limited, 23 Magister Drive,
Lee on the Solent, Portsmouth PO123 8GE,
Site dimensions to be used at all times.

From: Richard Baker
Sent: 11 February 2021 12:56
To: Arron Hanson
Cc: Licensing
Subject: RE: Witton Lodge Convenience Store

Good afternoon Aaron

Many thanks for your email.

I have discussed your suggested condition with the client and he has instructed me to accept your proposal as detailed below..

Many thanks

Keep safe.

Kind regards

Richard

Richard Baker
Director
RB Retail & Licensing Services Limited

From: Arron Hanson
Sent: 11 February 2021 11:12
To: Richard Baker
Subject: RE: Witton Lodge Convenience Store

Good afternoon Richard,

I work in Environmental Health and that under public nuisance I wish to add the following licence condition to the licence;

Waste shall only be collected and disposed of between the hours of 0700-2100

If you can agree to that today I can send my response to licensing by the end of the day.

Regards
Arron

Arron Hanson
Environmental Protection Officer

Environmental Health | Regulation & Enforcement Division
arron.hanson@birmingham.gov.uk

LICENSING ACT 2003**PREMISES LICENCE****Premises Licence Number:****3701 / 2****Part 1 - Premises details:**

Postal address of premises, or if none, ordnance survey map reference or description	
Witton Lodge Convenience Store 319 Witton Lodge Road Erdington	
Post town:	Post Code:
Birmingham	B23 5LY
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	06:00	-	23:00 M2
Sunday	07:00	-	22:30 M2

The opening hours of the premises			
Monday - Saturday	06:00	-	23:00
Sunday	07:00	-	22:30

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

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence M & M Family 4 LTD 16 Wharf Lane	
Post town: Solihull	Post Code: B91 2NJ
Telephone Number: Not Specified	
Email N/A	

Registered number of holder for example company number or charity number (where applicable) 11872403
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Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Mr Ganeshalingham Prasanna	
Post town:	Post Code:
Telephone Number: N/A	

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol	
Licence Number WN/050595	Issuing Authority WOLVERHAMPTON CITY COUNCIL

Dated 16/07/2019

SHAID YASSER
Senior Licensing Officer
For Director of Regulation and Enforcement

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

1) Staff will be responsible for regular checks for any persons consuming alcohol in the immediate area and also for litter that may have been caused from items purchased from the premises.

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

1) Digital CCTV will be installed at the premises and will be made available for download to all responsible authority on request and it will have a recording facility of up to 14 days.

2) Staff will discourage members of the public congregating directly outside the premises and will liaise with local police where problems persist.

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

1) A challenge 21 policy will be adopted with all staff being trained in ID recognition and challenging.

2) Age challenging posters will be displayed in prominent places for customers to see.

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 **111753-3701/2** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please call the Licensing Section on 0121 303 9896 to book an appointment.

