

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee B</b>
<b>Report of:</b>	<b>Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Tuesday 26<sup>th</sup> March 2019</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>Mini Price Convenience Store, 6 Coton Lane, Erdington, Birmingham, B23 6TP</b>
<b>Ward affected:</b>	<b>Erdington</b>
<b>Contact Officer:</b>	<b>Bhapinder 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 representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption off the premises) to operate from 7:00am until 1:00am (Monday to Sunday).

Premises to remain open to the public from 7:00am until 1:00am (Monday to Sunday).

### 2. Recommendation:

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

### 3. Brief Summary of Report:

An application for a Premises Licence was received on 4<sup>th</sup> February 2019, in respect of Mini Price Convenience Store, 6 Coton Lane, Erdington, Birmingham, B23 6TP.

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.

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

Mohammed Osman applied on 4<sup>th</sup> February 2019 for the grant of a Premises Licence for Mini Price Convenience Store, 6 Coton Lane, Erdington, Birmingham, B23 6TP.

A representation has been received from West Midlands Police, as a responsible authority. See Appendix 1.

Representations have been received from other persons. See Appendices 2 and 3.

The application, including supporting documents, are attached at Appendix 4.

Site Location Plans at Appendix 5.

It should be noted that there is a special policy in force for the Erdington area. The effect of a special policy is to create a rebuttable presumption that applications for new licences or material variations to existing licences will normally be refused unless it can be shown that the premises concerned will not add to the cumulative impact on the licensing objectives being experienced.

The Council will expect the applicant to demonstrate the steps it will take to promote the licensing objectives. Where relevant representations are made, the Council will consider the application on its individual merits and decide whether to apply the special policy.

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:**

Copies of the representations as detailed in Appendices 1 - 3  
Application Form and supporting documents, Appendix 4  
Site Location Plans, Appendix 5

## **7. Options available**

To Grant the licence in accordance with the application.

To Reject the application.

To Grant the licence subject to conditions modified to such an extent as considered appropriate.

Exclude from the licence any of the licensable activities to which the application relates.

Refuse to specify a person in the licence as the premises supervisor.

Entered

BV

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**From:** bw licensing <...>  
**Sent:** 05 February 2019 11:41  
**To:** 'Rob Edge, Licence Leader Ltd'; Licensing

**Subject:** RE: Newsletter / Marketing: New Premises licence application - MiniPrice Convenience Store, 6 Cotton Lane, Erdington. B23 6TP

Licensing,

- The area in which this shop is located is in the middle of a Cumulative Impact Zone (CIZ).
- The area of Erdington is already saturated with both on and off alcohol sales, the CIZ was created due to the detrimental effect alcohol sales was having on the local area with alcohol related crime, disorder and ASB.
- West Midlands Police are not satisfied that the applicant will be able to promote the licensing objectives.

Regards

PC 1978 Walker  
Birmingham Police Central Licensing Team  
Birmingham Partnerships  
Lloyd House

ENTERED  
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**From:** Councillor Gareth Moore  
**Sent:** 25 February 2019 14:54  
**To:** Licensing  
**Cc:** Councillor Robert Alden  
**Subject:** Objection to Mini Price Convenience Store, 6 Coton Lane, Erdington, Ref: 109808

Dear Licensing

Myself and Cllr Alden wish to object to the above licensing application on the grounds of Prevention of Crime & Disorder and Prevention of Public Nuisance.

Erdington High Street already has a large number of off-licences which causes problems of street drinking and anti-social behaviour. As a result, this attracts a number of street drinkers to the area on an evening who engage in anti-social behaviour. It is quite common for these drinkers to take advantage of the secluded areas to drink alcohol and cause a nuisance to nearby residents. The presence of cans and bottles is common place. This has led to the High Street area being covered by a Dispersal Order which was secured by West Midlands Police and is currently covered by a PSPO. The presence of another off-licence within the High Street area will encourage more street drinkers to gather in this area and drive down the price of alcohol due to competition.

The number of off-licences in this area has led to a cumulative impact policy being introduced. The need for a CIP in this area is based on the crime and disorder and public nuisance that already exists. The addition of another off-licence in this area will make this situation worse. It is also a problem that the existing off-licences have to advertise offers to attract business, driving down the price of alcohol and making it cheaper for the street drinkers who are attracted to this area.

Erdington High Street is the third largest local centre in Birmingham and attracts over a million visitors of the course of the year. It is a thriving part of Erdington which we, in partnership with the Erdington BID, have actively tried to improve. The area has suffered problems with street drinkers, who hang around on the High Street drinking all day and abusing those who pass by. This includes children. There has been much work from the Erdington Neighbourhood Police team to address these issues, and while there has been some success, there continues to be issues with street drinking and we are concerned about more off-licences opening up in the area and exacerbating this.

It is also worth noting that this off-licence wishes to open until 1am. This is far later than all of the other existing off-licences in the High Street area, meaning that all those wishes to drink alcohol late at night will need to visit this location. This will make it a magnet to crime and anti-social behaviour.

The addition of a further off-licence in this area is contrary to the Licensing Objectives and the Council's Cumulative Impact Policy and therefore should be refused.

Many thanks

Gareth

**COUNCILLOR GARETH MOORE**

Serving Abbey Fields, Erdington Village, Pitts Farm, Short Heath & Wyde Green  
 Working for ERDINGTON all year round!!!

Conservative Group Secretary

The Council House, Victoria Square, Birmingham, B1 1BB |

Why not check out [www.facebook.com/ErdingtonNews](https://www.facebook.com/ErdingtonNews) for the latest information for our area

ENTERED  
BN

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**From:**  
**Sent:** 27 February 2019 16:56  
**To:** Licensing  
**Subject:** Ref: Mini Price Convenience Store, 6 Coton Lane, Erdington, B23 6TP - ref: 109808

The Erdington BID wish to object to the above application.

Erdington High Street already has a large number of off-licences which causes problems of street drinking and anti-social behaviour. As a result, this attracts a number of street drinkers to the area on an evening who engage in anti-social behaviour. It is quite common for these drinkers to take advantage of the secluded areas to drink alcohol and cause a nuisance to nearby residents. The presence of cans and bottles is common place. This has led to the High Street area being covered by a Dispersal Order which was secured by West Midlands Police and is currently covered by a PSPO. The presence of another off-licence within the High Street area will encourage more street drinkers to gather in this area and drive down the price of alcohol due to competition.

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Erdington High Street is the third largest local centre in Birmingham and attracts over a million visitors of the course of the year. It is a thriving part of Erdington which we, in partnership with the Erdington BID, have actively tried to improve. The area has suffered problems with street drinkers, who hang around on the High Street drinking all day and abusing those who pass by. This includes children. There has been much work from the Erdington Neighbourhood Police team to address these issues, and while there has been some success, there continues to be issues with street drinking and we are concerned about more off-licences opening up in the area and exacerbating this.

Erdington Business Improvement District  
Arion Business Centre,  
Harriet House  
Rear of 114-118 High Street,  
Erdington, B23 6BG

## Application for a premises licence to be granted 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 Mohammed Osman

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

## Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference (or description)		RECEIVED BY POLICE LICENSING SECTION DATE RECEIVED 04.03.2019	
6 Cotton Lane Erdington		REF NO 009487/000802 INITIALS LW - £190.00 05.02.19	
Post town	Birmingham	Postcode	B23 6TP

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£4,650.00

## Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- |  |   |
|--|---|
| a) an individual or individuals *                    | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual *               |   |
| i as a limited company/limited liability partnership | <input type="checkbox"/> please complete section (B)            |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/> please complete section (B)            |
| iii as an unincorporated association or              | <input type="checkbox"/> please complete section (B)            |
| iv other (for example a statutory corporation)       | <input type="checkbox"/> please complete section (B)            |
| c) a recognised club                                 | <input type="checkbox"/> please complete section (B)            |
| d) a charity   | <input type="checkbox"/> please complete section (B)            |

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a  
 statutory function or ☐  
 a function discharged by virtue of Her Majesty's prerogative ☐

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> Mohammed			<b>First names</b> Osman		
<b>Date of birth</b> ( )			I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes		
<b>Nationality</b> British					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>		Via agent for the applicant			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)



Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start? **A.S.A.P.**

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

If you wish the licence to be valid only for a limited period, when do you want it to end?

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

Please give a general description of the premises (please read guidance note 1)

Convenience store and Off licence

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

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

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)		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 4)			
Mon						
Tue						
			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)			
Wed						
Thur						
			<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 6)			
Fri						
Sat						
Sun						

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			<b><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></b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**E**

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
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 6)		
Sat					
Sun					

**F**

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
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 6)		
Sat					
Sun					



**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
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 7)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)	
Wed				
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)	
Fri				
Sat			<b><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></b> (please read guidance note 6)	
Sun				

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	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 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon	0700	0100			
Tue	0700	0100			
Wed	0700	0100			
			<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 6)		
Thur	0700	0100			
Fri	0700	0100			
Sat	0700	0100			
Sun	0700	0100			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

Name Mohammed Osman	
Date of birth	
Address	
Postcode	
Personal licence number (if known) 11021	
Issuing licensing authority (if known) Birmingham City Council	

# 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 9).

N/A

# L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5)
Day	Start	Finish	
Mon	0700	0100	
Tue	0700	0100	
Wed	0700	0100	
Thur	0700	0100	
Fri	0700	0100	
Sat	0700	0100	
Sun	0700	0100	
			<b><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></b> (please read guidance note 6)

## M

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

The premises will be professionally supervised at all times by the PLH/DPS at all times.

Staff training will be both comprehensive and reviewed on a regular basis, with records being retained at the premises, available for inspection by any Responsible Authority at reasonable notice. Staff training will be delivered by an appropriate qualified trainer, with all new members of staff being trained prior to commencing employment.

The Premises Licence Holder shall ensure that the premises use a refusals log, which will be signed off on a regular basis by the PLH/DPS.

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

The Premises Licence Holder will ensure that CCTV is installed on the premises and WM Police will be afforded full access to any recorded images. The Licence Holder shall ensure that the CCTV is correctly fitted, and that images will be held up to 31 days and these images will be made available upon request to any responsible authority.

The premises licence holder shall ensure the CCTV system is recording whenever the premises is open for licensable activities. CCTV will also be used to show the external area of the premises.

A refusals log will be kept at the premises and completed on any occasion an incident occurs; this will be made available to all Responsible Authorities on request.

**c) Public safety**

In accordance with the Licensing Act 2003, any person who appears drunk or heavily under the influence of alcohol will not be served.

The Premises Licence Holder shall ensure that all entrances, exits and passageways are kept clear of debris or furniture, for ease of exiting the premises in the case of an emergency.

**d) The prevention of public nuisance**

The premises Licence Holder shall ensure that sufficient signage is displayed requesting customers to have regard for residents when leaving the premises.

The PLH and staff will ensure that regular litter picks take place at the frontage of the property, to ensure that customers leave no debris as litter.

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

A "challenge 25" policy will be used for age verification, meaning any person who appears to be under 25 will be asked for approved proof of age when attempting to purchase alcohol.

Staff will be diligent in observing those who attempt to make proxy purchases on behalf of underage persons and alert the DPS should this occur.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). ☒

**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.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the</li> </ul>
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	<p>entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	4 February 2019
Capacity	Agent for the applicant

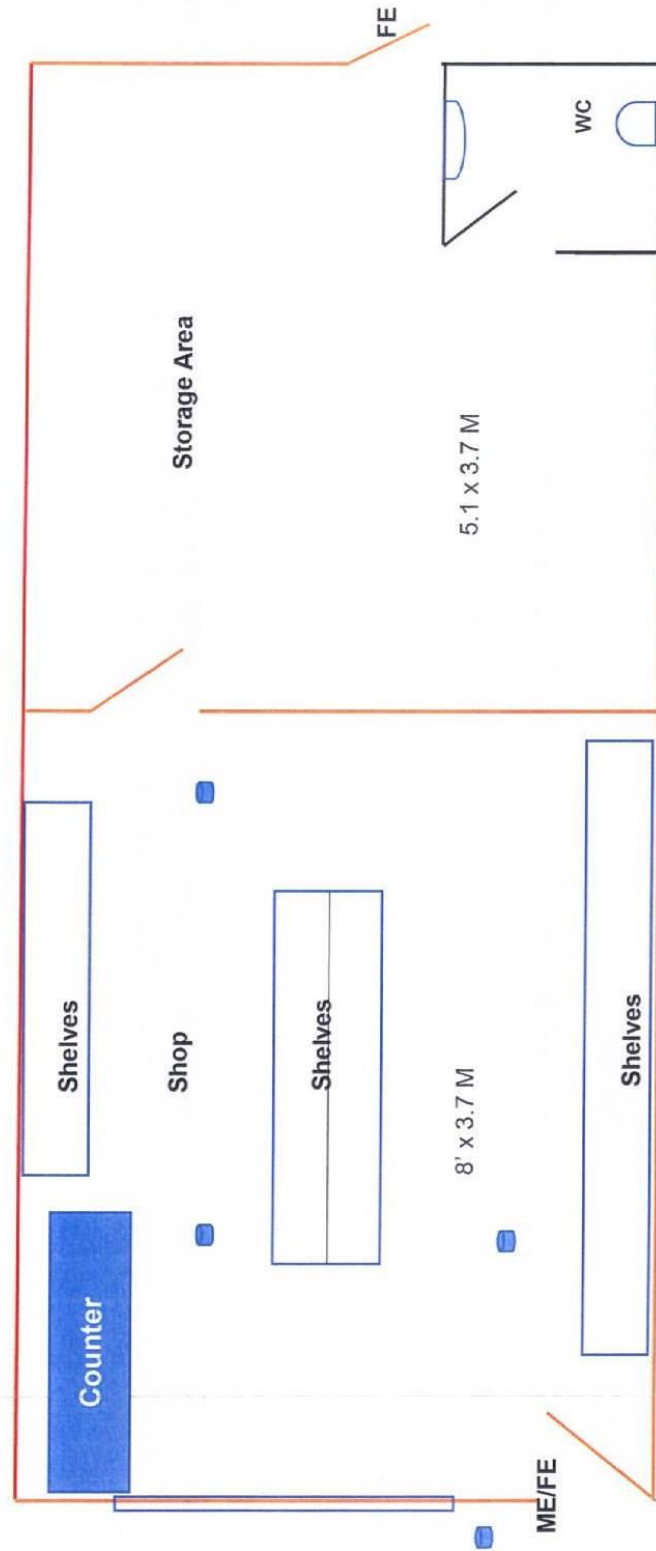
**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Licence Leader Ltd			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



MiniPrice Convenience Store  
6 Cotton Lane, Erdington  
Birmingham  
B23 6TP



<b>Key:</b>	Fire Exit
FE -	Main Entrance
ME -	Toilets
WC -	
Red Line -	Licensable Area
■	CCTV

Version 01 - Jan 2019.  
Measurements supplied by owner

Licence Leader Ltd

## **MiniPrice Convenience Store**

### **Premises Licence and Site Operations**

### **Training Manual**

This Premise Licence Operation and Training Manual contains instructions and guidance covering various policies and procedures for this premises.

The intention of this manual is to:

- Assist in staff training and awareness.
- Act as an 'aide memoire' for all staff
- Referencing valuable information quickly and easily
- Providing guidance to staff as part of their on-going training and development.

#### **The Training Regime**

All on-site staff must read the training material provided and then satisfactorily pass the subsequent written test before being authorised to sell alcohol. It is important that all of this information is understood. Should a staff member not satisfy the Designated Premises Supervisor (DPS) that they understand all of this then the DPS will not authorise that staff member.

#### **You are at risk of prosecution for making unauthorised sales.**

Refresher training will be undertaken at least on an annual basis, to sell alcohol and a number of refresher quizzes should take place to help in testing all staff and their knowledge.

#### **Due Diligence Measures**

- Staff are to undertake questionnaire - all questions to be answered correctly.
- Training Statement, to be signed by staff member and countersigned by Designated Premises Supervisor (DPS).
- Staff Authorisation sheet is to be signed by staff member and countersigned by the Designated Premises Supervisor (DPS).

The Premises Licence holder may also consider putting staff members forward to sit the APLH – {Award for Personal Licence Holders} exam if there is a likelihood of them becoming a DPS in the future. For further details, please contact Rob Edge at Licence Leader Ltd, or any other reputable consultant.

All staff training must be recorded, as well as individual staff authorisations to sell alcohol. You should complete both the alcohol training statement sheet and the authorisation record sheet. All staff should be issued with their own

Staff Training and Operations Manual – MiniPrice Convenience Store

confirmation of having received their initial training, whether under this regime or any alternative proprietary system, keeping the originals for your own records. All staff should be listed on the authority record and it should contain their signature as proof of their understanding of the training they have received and the responsibilities that they hold in the sale of alcohol. Subsequently as they are re-authorized to sell alcohol on a regular basis this should form part of the refresher training and they are indicating by signing the authority sheet again that they are still fully conversant with the rules relating to the sale of alcohol.

New staff members should then be added as they join, subsequently signing again on a regular basis thereafter, after each refresher. The alcohol training and authority sheets are designed for quick reference by any of the Responsible Authorities, which may visit your store, and for you to identify and maintain all training requirements.

#### **Premises licence – Licensable Activities**

You can only carry out the sale of alcohol off the premises during the licensable hours of the premises licence. The penalty for selling outside permitted hours is substantial – and may include a possible review of the premises licence.

#### **Staff Authorisation**

Under the terms of the grant of the premises licence: It is an offence for a person to serve alcohol to anybody unless you have been authorised to do so by a personal licence holder.

#### **Underage Sales**

It is an offence to sell alcohol to anyone under the age of 18, or to anyone purchasing alcohol on behalf of someone under the age of 18. It is an offence for any person under the age of 18 to buy or attempt to buy alcohol. It is an offence for anybody under 18 to sell alcohol unless authorised to do so by a responsible person. Responsible persons are defined as:

- The Premises Licence Holder
- The Designated Premises Supervisor (DPS)
- An individual aged over 18 authorised (ideally in writing) to sell alcohol for consumption off the premises by either the Premises Licence Holder or the Designated Premises Supervisor.

It is an offence to allow alcohol to be served to someone under 18 if the staff member could have prevented it. If a Challenge 25 scheme is adopted as a condition of the licence, then each customer wishing to purchase alcohol who is unknown to the cashier serving as a person who is over 18 years of age must be asked for satisfactory identification to prove their age. If they cannot or are not asked; then the staff member may be committing an offence should the condition wording be specific in this regard.

If a customer looks, under 25 they **Must** be challenged to prove that they are over 18 by producing photographic proof of age, which must include a photograph and state the full date of birth of the customer. The only forms of proof of age that we will accept are:

- A passport
- A photographic new style driving licence
- A PASS accredited Proof of Age ID card such as: The Citizen Card

**Do not accept any other form of ID under any circumstances**

**Note: the penalty for the member of staff selling alcohol to an under aged person ranges from a fixed penalty notice to a criminal conviction and a substantial fine. You must ensure that you are completely satisfied as to the customer's age BEFORE you make the sale.**

**Do not ask staff members or 'take someone's word' that, they are over 18 and always use CHALLENGE 25.**

#### **DUE DILIGENCE PROCEDURE**

All staff are to be regularly briefed on the following topics:

- ii Test purchasing
- iii Age restricted products
- iv How to check proof of age
- v Follow the guidelines
- vi What the law says
- vii Due diligence procedure

#### **Protection of Children from Harm**

To protect children from harm and comply with the law, the vast majority of retailers take under age sales very seriously. There can be major consequences for businesses, licensees AND individual members of staff. Penalties for breaking the law include substantial fines, loss of licences, even imprisonment. Individual members of staff can be taken to court and prosecuted. They could also lose their job.

Trading Standards & Police are amongst the Responsible Authorities who are consulted on licence applications under the Licensing Act 2003. If a licence holder sees and the staff are not following the guidelines outlined in this booklet then these matters may be raised during the licensing process. Any evidence of underage sales can also trigger a review, which could lead to loss of the Licence.

#### ***Test purchasing***

Trading Standards and the Police (sometimes-together) check that the law is followed and can carry out test purchases of all age-restricted products as part of their enforcement duties. The test purchases are made with volunteer young people who are to look their age.

These test purchases follow procedures supported by the government. They are allowed as evidence of underage sales. Following these guidelines and asking for proof of age and receiving appropriate proof (asking by itself is not a

defence), should make sure that you do not make an illegal sale. Samples of 'proof of age' are shown on the photocards poster in the support material

#### **Age restricted products – age restrictions**

Alcohol Products . . . . 18

By following the rules regarding age related products, it will help you show you are taking 'all reasonable precautions and exercising all due diligence'. This is legal-speak to say that you must have behaved in a way that can provide a defence in law if an illegal sale takes place. You must be able to show that you are doing all that you possibly can to make checks. This is what the courts would look at should an illegal sale take place.

#### **How to check proof of age ?**

If a customer who looks under 25 and asks to buy an age restricted product, ask for one of the prescribed forms of proof of age and check it. If appropriate proof of age cannot be produced, you must refuse the sale and make an entry in the refusals register. You must only accept proof of age with date of birth and a photo. Remember to check that the photo matches the customer and that you can see their face clearly, including asking them to remove hoods and caps.

Proof of age cards need to carry a PASS hologram to show that they are part of an approved scheme and have been correctly issued. When you see a genuine PASS logo you can be more confident that it is valid proof of age, however there are good forgeries in circulation. Please see over page for checks.

#### ***Always follow these checks***

1. Check that the PASS hologram is genuine and flush with the body of the card.
2. Check that the photo matches the person using it and that it is printed on the card, not just stuck on top of it. Ask them to remove helmets, hoods and sunglasses if you are not sure.
3. Check that the date of birth is properly printed on the card and that you have calculated the date of birth correctly.
4. Check that the card has not been tampered with in any way.
5. Check the person. If you are unsure about any of the above you must, and have the right to, refuse the sale.

#### **• Acceptable proof of age includes**

- 10-year passport
- Photo driving licence
- Citizencard
- "PASS " accredited proof of age card scheme

There are fake proof of age cards about so if you are unhappy with a card for any reason, refuse the sale. Items such as birth certificates and national insurance cards are not good enough. They carry no photo so can be passed between friends. Legally you have the right to refuse to sell to anyone, whether over or under age, if you are unhappy with the sale in any way.

**REMEMBER – If in doubt ..... Refuse the sale**

Staff Training and Operations Manual – MiniPrice Convenience Store

- Don't try to judge ages. Only accept approved proof of age cards with photos and date of birth.
- Follow either the 'Challenge 21 or Challenge 25 Rule' and ask for proof of age from anyone who does not look over 21 or over 25. Remember, if you guess wrong you could end up in court!
- Make sure notices (e.g. 'It is an offence to sell cigarettes to persons under 18') are on display.
- Know when dates of birth will be correct. Are they 18 yet? Just having today's date with the relevant year of birth will do!
- Fill in a 'refusals book' (at 4.11) each time a refusal takes place. The DPS should check entries regularly to make sure all staff are using the register.
- Be careful should young people wearing school uniforms request to purchase age related products.
- Do not sell to an adult you suspect of buying for under age young people. It is an offence for an adult to buy alcohol on behalf of someone under 18. This is called proxy selling.
- Support colleagues when they refuse sales. It can be difficult to say 'no.'

### **Alcohol**

The age at which product alcohol can be legally served and bought is 18. Do not sell to over 18s who you think may be purchasing for under 18s. Both the owner of the business and the seller may commit a criminal offence if alcohol is sold to an under 18. If you are found guilty of selling alcohol to a person under 18 the premises licence to sell alcohol is at risk.

Under 18s cannot legally purchase alcohol. Always ask for proof of age before you serve and check the details. You can face prosecution and a criminal record or alternatively the police can issue on the spot fine of £90 if under age sales are made.

### **Checking Proof of age**

When you ask somebody to produce proof of age in order to complete a purchase you must ensure that only an approved form of identification is accepted and that you check it correctly: Only accept -

- a valid passport
- a European style photo driving licence
- a PASS accredited cards such as a Citizen card

### **Always ask for the identification to be handed to you for authentication purposes**

Check that

#### **i. Passport**

- not altered in any way
- the passport date - it is valid
- the photograph - it belongs to the customer
- date of birth - the customer is old enough to complete the purchase

#### **ii. European style driving licence**

- not altered in any way
- the licence date - it is valid
- the photograph - it belongs to the customer
- date of birth - the customer is old enough to complete the purchase

#### iii. **PASS cards**

- not altered in any way
- the card is completely flat with no raised edges around the photo or PASS logo - **reject the card if it is not flat**
- the PASS logo hologram 3D effect is working
- the card date - it is valid
- the photograph - it belongs to the customer
- date of birth - the customer is old enough to complete the purchase

#### iv. **The customer**

- matches the photograph on the card
- is not acting suspiciously
- has not altered the card offered in any way

If you are in any doubt about the validity of the identification offered or the age of the customer even with the identification **you MUST refuse the sale and record the details in the refusals book**

**What to watch out for regarding the ID of a person who is possibly under the influence of alcohol.**

#### **Signs of Intoxication**

There are many signs that a person may display as they become intoxicated. As blood alcohol levels rise; differences can be noticed in coordination, appearance, speech and behaviour.

***An intoxicated person may typically show some of the following signs:***

#### **i. Behaviour and Physical Signs**

Becoming loud, boisterous and disorderly Dropping possessions, rambling conversation, becoming argumentative Fumbling and difficulty in picking up change Loss of train of thought e.g. forgot to pay for goods Annoying other customers and staff Swaying and staggering Difficulty in paying attention Becoming incoherent, slurring or making mistakes in speech Difficulty walking straight Not hearing or understanding what is being said Becoming physically violent Bumping into fixtures/other customers Drowsiness, dozing or sleeping while in premises becoming bad tempered or aggressive Glassy/bloodshot eyes and lack of focus Observe customers in difficulty lighting cigarettes whilst outside the premises using offensive language. Falling, Vomiting Exhibiting inappropriate sexual behaviour Flushed Face Dishevelled Clothing Person smells of alcohol

#### **DUTY TO REFUSE SERVICE**

It is your duty to refuse to serve under 18s and you must refuse to serve a person if they are or appear to be drunk.

**How to refuse a sale**

Sometimes refusing a sale will make the customer angry. Here are some tips to help you handle difficult refusals.

**Ask for proof of age.** This helps the situation, as it is not a direct refusal. It says that you will make the sale if they can produce valid proof of age. Only accept proof of age with a photo, and only if you are happy it is correct.

**Refuse politely.** If necessary repeat your refusal clearly.

**Keep calm.** Do not get into an argument.

**Explain briefly, why you cannot sell.** Try saying

- 'I'm sorry; if I serve you I might be breaking the law.'
- 'We have a policy of 'no proof of age, no sale.'
- 'Our company policy is not to sell these products to young people.'

**Show customers notices, posters and stickers** that indicate you will not serve alcohol to under 18s or sell other age-restricted products.

**Be positive in your refusal.** Have a firm tone of voice, be confident and use direct eye contact. The law is on your side and you are doing the right thing.

**Call your supervisor or manager for support if necessary.**

**Record details** in your premises' refusal register.

Report incidents where you have felt threatened and/or intimidated.

Remember, **you commit an offence** if:

- You sell alcohol to a person who is under 18
- You allow alcohol to be sold to someone who is under 18 when you could have prevented that sale
- You sell alcohol to a person who is drunk
- You sell alcohol to a companion of a person who is drunk for the drunken person's consumption
- You allow alcohol to be sold to someone who is drunk when you could have prevented that sale

On the spot fixed penalty, notices can be issued for serving alcohol to someone who is drunk or under age with prosecution also being a possibility.

If someone is drunk or disorderly they can be ejected from the premises and the Police must assist if requested to do so - if you think a customer should be ejected please ensure that you seek assistance from a colleague and follow your company procedures in order to deal with the incident properly and safely.

**Keep calm.** Do not get into an argument. **Explain briefly why you cannot sell.** Try saying

- 'I'm sorry; if I serve you I might be breaking the law.' 'We have a policy of 'no proof of age, no sale.'



## **Training for Staff**

### **MiniPrice Convenience Store**

<b>Staff member [Full name]</b>	
<b>DPS or Personal Licence Holder delivering training [Full name]</b>	

A new checklist will be used to record when;

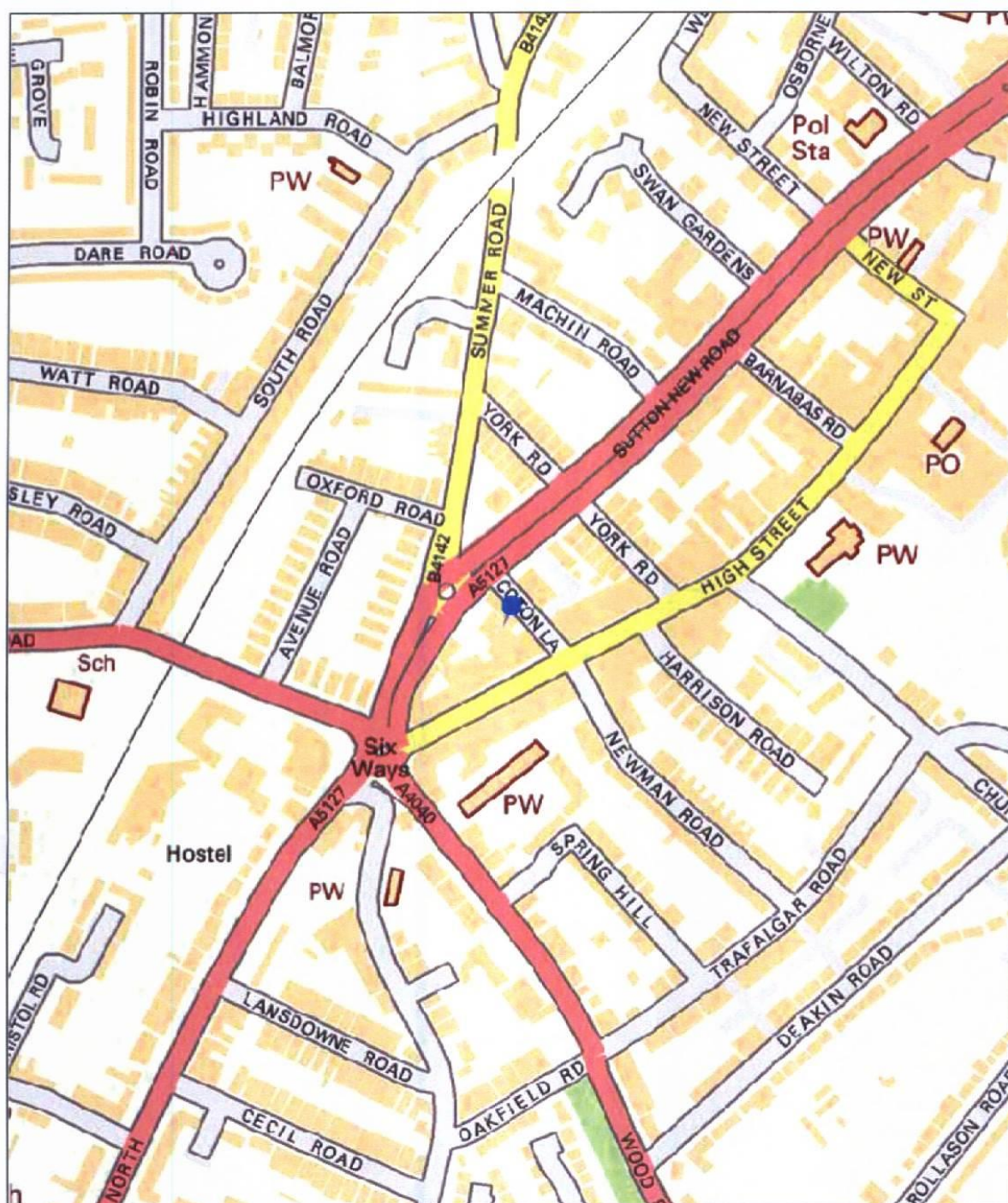
- a new staff member is appointed
- changes to the premises licence or policies have occurred
- when carrying out refresher training for existing staff.

This is paramount to our business and to demonstrate that we are showing our best endeavours to comply with the requirements of our premises licence and the licensing objectives of 2003 Licensing Act.

1. What the law says about selling alcohol & the penalty staff and the business can face if an underage sale occurs?	
2. That the premises must hold a premises licence to sell alcohol. In addition, must understand what the licence requires of them, and the consequences for them and the business should any person sell alcohol in breach of any aspect of the alcohol licence.	
3. What the alcohol licence and conditions of the operating schedule require. EG: [i] ensuring alcohol is only sold during licensing hours, [ii] mandatory conditions as well as any conditions that are set out in the Annexes to the alcohol licence that are specific to our individual premises,	
4. Why selling alcohol underage and underage drinking is a problem for local communities, as well as the harm caused to underage drinkers themselves.	
5. What our policy is for challenging customers for proof of age?	
6. What our shop policy is, for the types of proof of age (ID) staff should accept?	
7. How to operate any 'till prompt' system installed?	

Staff Training and Operations Manual – MiniPrice Convenience Store

8. The signs to look out for that the customer may be buying alcohol for others who are underage ('Proxy purchasing')?			
9. What staff should do if they suspect the person they are serving is a 'proxy purchaser'?			
10. Where and how to record any refusals to sell, challenges for proof of age, use of fake ID or any other incidents such as aggressive or abusive customers etc?			
11. Why it is important to record incidents/refusals to sell?			
12. The law that staff under the age of 18 are not allowed to sell alcohol to anyone and the consequences for breaking this law.			
13. What the policy is for an under 18-year-old to get authorisation for sales involving alcohol?			
Full name of person trained	Signature	Position in shop	Date dd/mm/yy
Full name(s) of trainer(s)			
Full name of Designated Premises Supervisor or personal licence holder, authorising person trained to sell alcohol. (NB Under 18's cannot be authorised to sell alcohol).			



**Birmingham City Council**

Map Created By:

Notes

Date of Map Creation: 11/02/2019



Scale:  
1:4,000

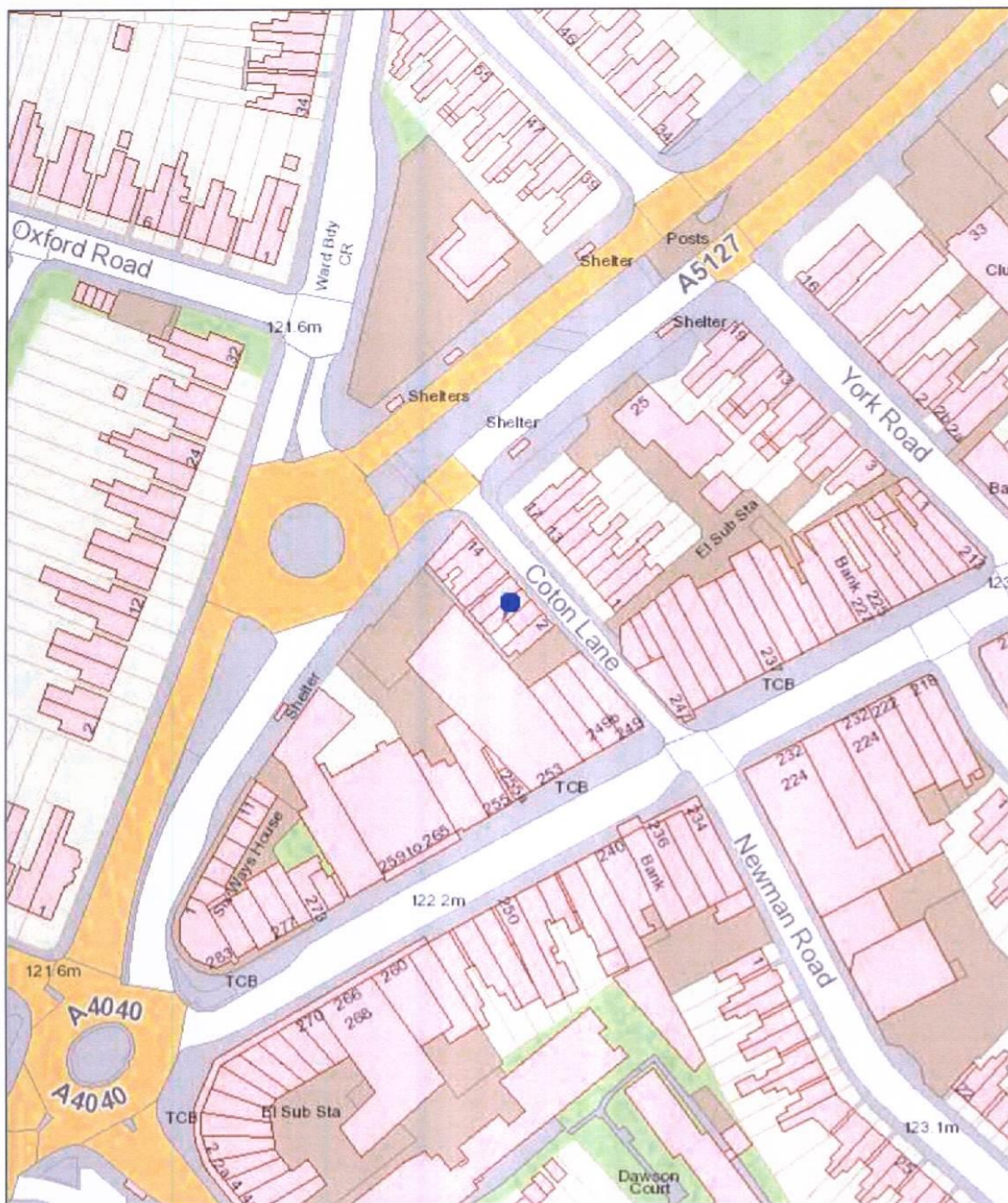
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