

## **BIRMINGHAM CITY COUNCIL**

### **LICENSING SUB-COMMITTEE C**

**WEDNESDAY, 06 NOVEMBER 2019 AT 09:30 HOURS**  
**IN ELLEN PINSENT ROOM, COUNCIL HOUSE, VICTORIA**  
**SQUARE, BIRMINGHAM, B1 1BB**

*Please note a short break will be taken approximately 90 minutes from the start of the meeting and a 30 minute break will be taken at 1300 hours.*

## **A G E N D A**

### **1 NOTICE OF RECORDING**

Chairman to advise meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

### **2 DECLARATIONS OF INTERESTS**

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

### **3 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

**3 - 20**

### **4 MINUTES**

To note the public section of the Minutes of the meeting held on 9 October 2019.

**21 - 82**

### **5 LICENSING ACT 2003 PREMISES LICENCE – VARIATION MOREISH, 337-339 SOHO ROAD, HANDSWORTH, BIRMINGHAM B21 9SD.**

Report of Assistant Director of Regulation and Enforcement  
N.B. Application scheduled to be heard at 9.30am.

### **6 OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

7 **EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraph 3

**P R I V A T E   A G E N D A**

1 **MINUTES**

To note the private section of the Minutes of the meeting held on 9 October 2019 and to confirm and sign the Minutes as a whole.

2 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

# BIRMINGHAM CITY COUNCIL

<b>LICENSING SUB - COMMITTEE C - 9 OCTOBER 2019</b>
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**MINUTES OF A MEETING OF  
LICENSING SUB-COMMITTEE C HELD  
ON WEDNESDAY 9 OCTOBER 2019  
AT 0930 HOURS IN ELLEN PINSENT ROOM,  
COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:** - Councillor Mike Leddy in the Chair;

Councillors Martin Strake-Welds and Neil Eustace.

**ALSO PRESENT:**

Bhapinder Nandhra– Licensing Section  
Joanne Swampillai – Legal Services  
Katy Townshend – Committee Services.

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**NOTICE OF RECORDING**

1/091019 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

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**DECLARATIONS OF INTERESTS**

2/091019 Members were reminded that they must declare all relevant pecuniary and non-pecuniary interests arising from any business discussed at the meeting. If a disclosable pecuniary interest are declared a Member must not speak or take part in that agenda item. Any declarations to be recorded in the minutes of meeting.

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**APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

3/091019 Apologies were submitted on behalf of Councillor Philip Davis, and Councillor Martin Straker-Welds was the nominee Members.

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**LICENSING ACT 2003 PREMISES LICENCE – REVIEW – 24/7 CONVENIENCE  
EXPRESS, 41 HORSE FAIR, BIRMINGHAM, B1 1DA**

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See document No. 1)

The following persons attended the meeting.

**On Behalf of the applicant for Review of the Licence**

*Kam Panesar – Trading Standards (TS)*  
*Geary Warmington – Trading Standards (TS)*

**On behalf of the Premises**

*Rahmat Hassanpoor – Premises Licence Holder (PLH)*  
*Sofia Hassanpoor – Wife*  
*Rob Edge – Agent – Licence Leader*

**Those Making Representations**

*PC Ben Reader – West Midlands Police (WMP) – arrived late 0946 hours.*  
*Chris Jones – West Midlands Police (WMP)*

\* \* \*

The meeting started at 0934 and PC Reader joined the meeting at 0946, as he was held up.

Following introductions by the Chairman, all parties were invited to make any preliminary points. At which stage Chris Jones, on behalf of WMP, made the points specified below: -

1. That the CCTV/photographs footage was to be held in private due to ongoing investigations and therefore the public should be excluded.

The Chairman advised that the CCTV would be heard in private.

The Chairman then invited the officer to read the report. Bhapinder Nandhra, Licensing Officer outlined the report.

The Chairman clarified the procedure to be followed at the meeting and confirmed the order of parties making their representations to the Sub Committee.

The Chairman invited Trading Standards (TS) to present their case.

Kam Panesar, on behalf of TS, made the following points: -

- a) That they received a complaint from a Birmingham consumer about counterfeit cigarettes being sold at the premises. As a result of the complaint they visited the premises on 22 October 2018 and warned the PLH about the problems and issued a trader's notice.
- b) Then in June 2019 another complaint was received about illicit cigarettes and alcohol being sold at the premises again. There were also issues of single cans being sold to individuals.
- c) On 4<sup>th</sup> July 2019 officers visited the premises and a notice of powers and rights was issued to the Mr Galar. The PLH and DPS were not present on that day.
- d) That when the inspection was carried out, they found a black case under the till, the employee said, "he didn't know what it was and didn't have the code".
- e) That when they asked the PLH about the case and the code he also said "he didn't know the code" as it wasn't his. The case was confiscated, and the officers left a notice stating that they be contacted within 7 days or the case would be forced open.
- f) That a representative emailed the office on behalf of the PLH and said it was left in the shop by a customer and they gave consent for it to be opened.
- g) However, the code had been discovered and was the date of birth of the PLH's wife.
- h) They found 57 packets of illicit cigarettes and a sample was taken for inspection and confirmed to be illicit. However, they were still awaiting the results of the second sample.
- i) That a separate investigation was carried out by TS and the PLH had been invited to attend a meeting with the officers, however, he failed to attend. The agent had been in regular contact with officers.
- j) The PLH had the relevant training but had no regard for what he should be doing and had breached at least 2 licensing objectives.
- k) They recommended revoking the licence.
- l) That the PLH had also been reported for selling tobacco to under aged persons.

In answer to Members questions Ms Panesar made the following points: -

- 1. That they had not carried out any tests purchases at the premises.
- 2. That they had an open source database and when they checked the searches, they found the date of birth and tried it, which opened the case.

3. That the illicit cigarettes were very similar to originals, however, they didn't know how the members of the public knew they were illicit.
4. They found 57 packs of illicit cigarettes.

PC Reader was invited by the Chairman to make his representation, at this stage PC Reader, on behalf of WMP, outlined the following points: -

- a) He apologised for being late.
- b) That he went to the premises quite a lot.
- c) There was an issue with street drinking and pre-loading in this location.
- d) That on Saturday 10<sup>th</sup> August he visited the premises and looked at the products they stocked, there was a lot of high strength single cans. At 0130 hours in the morning there were several street drinkers inside the premises, one was in a wheel chair and they went straight to the high strength single cans, they purchased them and then proceeded to drink them outside in the bus stop. The premises had fuelled that. PC Reader had to go outside and speak to the street drinkers about their rowdy, anti-social behaviour. The premises were not promoting the licensing objectives.
- e) That himself and Chris Jones were doing enforcement visits to places selling super strength alcohol trying to stop premises taking contactless payments as people had been stealing cards and going straight to premises buying alcohol using contactless payments from these stolen cards.
- f) That more and more people were going to the premises to buy super strength alcohol.
- g) PC Reader witnessed a male get in the queue in 'Rodroj', who he believed was drunk. The cashier refused the male however, PC Reader and Chris Jones left the premises and went to 24/7 Convenience Store, they saw the male who had alcohol which he must have got elsewhere. They reviewed the CCTV from 24/7 Convenience Store, and it was clear to see those males were served 8.4% cider. The staff said they didn't believe they were drunk; however, it was just another instance of the premises putting profit first.
- h) It was concerning that they were not checking if people were intoxicated and then serving them high strength alcohol. It was no wonder that there was a street drinking issue at the locality of the premises.
- i) That there were pictures in the evidence bundle of Knights cider that street drinkers had been drinking, for sale at £1 at the premises. There were additional photographs showing the vast array of high strength alcohol on sale at the premises, as well as a photo of a baseball bat which was found behind the counter, and dealer bags. It did not appear to WMP that the premises were promoting the licensing objective of crime and disorder.

- j) Moreover, there were photographs included in the documents showing drug paraphernalia, grinders, pizza takeaway at the rear of the shop. The pizza shop was not on the plans and therefore was a breach of the licence.
- k) That Birmingham City Council Licensing Enforcement had issued a trader notice due to the breaches of licence regarding the pizza shop.
- l) That something else had come to light but it was on the CCTV/pictures and to be shown in private.

At this juncture, the Chairman advised that the public would now be excluded from the meeting. The press reporter began to leave the room, but had left his phone in the public gallery, the Licensing Officer advised him that he must take his phone with him as recording devices were not to be left in the room during the private session and the Chairman advised him that he needed to take his rucksack with him also.

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### **EXCLUSION OF THE PUBLIC**

04/091019

#### **RESOLVED:**

That in accordance with Regulation 14 of the Licensing Act 2003 (Hearing) Regulations 2005, the public be excluded from the hearing due to the sensitive nature of the evidence to be presented.

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At this stage in the meeting having viewed the CCTV footage in private the public were readmitted to the meeting.

In answer to Members questions PC Reader made the following points: -

- a) That they first visited the premises 16<sup>th</sup> September 1905 hours after visiting the other premises around the corner – that was the first documented visit. The other visit was 10<sup>th</sup> August but was not documented.
- b) That he visited the premises regularly as it was a hot spot area for people gathering.
- c) That the pizza place was in operation, people were buying them out the back of the store. He noticed it on his first visit but didn't take the photographs until the second visit.
- d) That there were issues with people gathering in that area.
- e) That the premises should not serve alcohol to drunk persons.
- f) That the pizza shop was a breach of the plans, so was in fact a breach of licence.

On behalf of the PLH, Mr Rob Edge, made the following points: -

- a) That the owner of the business was fully aware that the sale of illicit products was extremely serious.
- b) That the owner had taken his eye off the ball due to “events”.
- c) That he had £30,000 worth of products stolen from the premises, then had another child, then shortly after his wife was diagnosed with Cancer, therefore he had left the daily running of the premises to the Designated Premises Supervisor (DPS). It was an error on his part.
- d) That because of his wife’s illness, they took their son to Iran.
- e) That he knew there was no excuse as he was responsible as he was the PLH.
- f) That they would close the business for 1 month, replace the DPS and ensure they did all the necessary work to turn the business around.
- g) That there were no excuses, but the PLH wanted the Committee to look at the circumstances that led to this situation.
- h) That the PLH wanted to work closely with responsible authorities to eliminate the reputation the shop had gained.
- i) That he was surprised that the premises came to the attention of TS and WMP in October 2018, over 12 months ago.
- j) That one of the things WMP could have requested was that the premises submit a minor variation with conditions regarding no single can sales and no super strengths.
- k) That there had been no test purchases carried out at the premises so there was no evidence of single can sales or cigarettes. There was only an allegation and no actual evidence.

Mrs Hassanpoor made the following points: -

- a) That PC Ben Reader knew she was involved with the business and did all the paperwork and training however since having a child and being diagnosed with stage 4 ovarian cancer she had not been so involved.
- b) That she had gone from being an independent woman to a woman who had to be dressed by her husband – as a 34yo woman she found it awful.
- c) That they had to send their son to Iran.
- d) That she had lost her independence, her son and then to lose their livelihood on top, they wouldn’t cope.
- e) That they would close shop for a month and get everything sorted.



- f) That she only had one more round of treatment left and then she would be around more.

In answer to Members questions Rob Edge, on behalf of the PLH, made the following points: -

- a) That the late-night refreshment and Pizza element had only been running a couple of months and they had appointed a planning consultant to facilitate changes to the plan and submit a variation. That it would be “jumping the gun” to take any action on it today.
- b) That the PLH got confused about what they were permitted to do with a late-night refreshment licence.
- c) That the PLH believed the DPS requested somewhere secure to keep documentation and Mrs Hassanpoor gave him the brief case.
- d) That Mr Hassanpoor admitted that illicit cigarettes were being sold but he believed it was the DPS who was doing it.

The Chairman asked who the DPS was. Bhapinder Nandhra, Licensing Officer advised that due to a system error the previous DPS was listed in the paperwork, however, it was Mr Hassanpoor who was the DPS.

In answer to Members questions Mr Hassanpoor made the following points: -

- a) That he had visited the shop over the last 12 months for a “few hours here and there”.
- b) That the glass pipe and grinders found at the premises were from the cash and carry and was a common finding in most off licences and was not illegal.
- c) That they didn’t sell pizza in the shop, it was a bakery.
- d) That they no longer allowed contactless payments.
- e) That the baseball bat was found outside the shop and was put in the shop.

Mrs Hassanpoor made the following points: -

- a) That they had been in area for 19 years so knew the customers well.
- b) That the meeting area on the photographs were just people chatting that he knew.
- c) That they couldn’t control people drinking around the premises.
- d) That there had been incidents with contactless payments, so they no longer allowed them.

The Chairman referred to the documents submitted by the agent for the PLH as it stated that the premises would close for 2 weeks, yet at the meeting the agent

had said they would close for 1 month; the Chairman asked the agent to confirm which time frame it would be?

Mr Edge advised that the premises would close for 1 month – it was an error on his part.

In answer to Members questions Mr Hassanpoor made the following points: -

- a) That Rodroj banned people and then those individuals came to his premises, but they were having a laugh and chat with the staff whom didn't think they were drunk. They didn't believe those persons were drunk and therefore they didn't refuse to serve them.
- b) That he refused too many people who were drunk and ended up in arguments with them.

In answer to Members questions Mrs Hassanpoor and Mr Hassanpoor made the following points on behalf of the PLH: -

- a) That they would have to deal with the outcome of the meeting, and she would make sure that the premises was back up to standard.
- b) That it was only after her diagnosis that the shop had become problematic.
- c) That Mrs Hassanpoor had discussed being DPS with the agent and would discuss it further after her last Chemotherapy session.
- d) They pleaded with the Committee to give them a chance.

In summing up, the representatives of Trading Standards made the following points: -

- ❖ That TS were in the process of investigating and had invited Mr Hassanpoor for interview twice and he had failed to attend; that was his opportunity to explain and he didn't even turn up.
- ❖ That as for tests purchases, they had been to the premises on the back of complaints and had found the illicit cigarettes. Therefore, test purchases were the next thing to be done.
- ❖ That they appreciated Mr and Mrs Hassanpoor's submissions, but Mrs Hassanpoor was not the PLH or DPS so was therefore, not responsible for ensuring the licensing objectives were promoted. Additionally, it just highlighted Mr Hassanpoor's lack of control over the premises further.
- ❖ That Mr Hassanpoor had clearly not been promoting the licensing objectives and therefore had put customer health and safety at risk.
- ❖ They strongly recommended that the Committee revoke the licence.

In summing up, PC Reader on behalf of WMP, made the following points: -

- ❖ That it had gone a long way off “taking his eye off the ball”, it was now criminal activity.
- ❖ That the agent said the brief case was for documentation, if that was the case why didn't they give the officers the code straight away?
- ❖ That no test purchases had taken place, however, when TS had visited after the complaint, they found illicit cigarettes so that confirmed the complaint to be correct.
- ❖ That the agent had said that WMP should have asked the premises to submit a variation with addition conditions regarding high strength alcohol and no single can sales, however if the PLH knew that it wasn't appropriate then why were they selling it in the first place?
- ❖ That they were not going to get to the bottom of whether the individuals were drunk, but PC Reader and Chris Jones believed they were.
- ❖ That they were fuelling street drinking in the city centre which was a problem.
- ❖ That TS were asking for revocation and WMP would be supporting that decision.
- ❖ That whilst the Committee may attach weight to Mrs Hassanpoor's representation, it was important to remember that Mr Hassanpoor was the PLH and DPS and ultimate responsibility lay with him. WMP did not have confidence in Mr Hassanpoor.
- ❖ That the agent had offered lots of conditions and perhaps the Committee should look at the hours if they were minded not to revoke. However, the premises needed an entire overhaul in order to alleviate problems.
- ❖ However, WMP were asking for revocation of the licence as they had no confidence in Mr Hassanpoor.

In summing up, Rob Edge, on behalf of the PLH, made the following points: -

- ❖ That he didn't want to go over it all again. It had been more than a huge wake up call for the family.
- ❖ That the basic principle of closing for 1 month was with the idea of changing the name of the premises, signs up saying under new management and they could submit a transfer of DPS to Mrs Hassanpoor. They would do more training, challenge 25 policy and the PLH would be taking his responsibilities seriously moving forward.
- ❖ That WMP said that high strength alcohol and single can sales were fuelling street drinking that's why he suggested that if the situation

was that bad why didn't they ask for a minor variation for no single can sales and not super strength alcohol – it would be a solution all round. It would have aided WMP in reducing outlets to street drinkers.

- ❖ That they had a training package with clear policies on things like “chip and pins”.
- ❖ That any member of staff that wasn't willing to undergo all the training and personal licence holder tests to be replaced.
- ❖ That initially he thought 2 weeks would give them enough time to put all the above into place, however, he realised that more time was needed, so had offered 1 month.
- ❖ That it would also allow them to feel the financial pinch and understand the consequences to their actions.

At this stage (1109 hours) the meeting was adjourned and all parties with the exception of the Members, Committee Lawyer and Committee Manager withdrew from the meeting.

At 1212 the meeting was reconvened, and all parties were invited to rejoin the meeting and the decision of the Sub Committee was announced: -

05/091019

**RESOLVED:-**

That, having reviewed the premises licence held under the Licensing Act 2003 by Mr Rahmat Hassanpoor, in respect of 24/7 Convenience Express, 41 Horse Fair, Birmingham B1 1DA, upon the application of the Chief Officer of Weights and Measures, this Sub-Committee hereby determines that:

- the Licence be revoked, and that
- Mr Rahmat Hassanpoor be removed as Designated Premises Supervisor

in order to promote the public safety and prevention of crime and disorder objectives in the Act.

The Sub-Committee's reasons for revoking the licence are due to concerns expressed by the Chief Inspector of Weights and Measures. A Trading Standards Officer attended the meeting and told the Members of the Sub-Committee about the packets of illicit tobacco products contained in a briefcase, stored under the till, which had been discovered during an inspection of the premises carried out by Trading Standards Officers. The explanation given to officers by Mr Hassanpoor (namely that the briefcase belonged to somebody else, and that Mr Hassanpoor was no longer in contact with that person) was not accepted, especially in view of the fact that the combination used to lock the briefcase appeared to be the date of birth of Mr Hassanpoor's wife.

It was the recommendation of Trading Standards that the licence should be revoked as the premises was incapable of upholding the licensing objectives. West Midlands Police made representations supporting this proposed course.

The Police had concerns about irresponsible sales of alcohol to street drinkers, which was contributing to anti-social behaviour blighting the area.

The Sub-Committee had grave concerns about the manner in which this premises had been operating, and therefore paid close attention to the submissions of Mr Rahmat Hassanpoor, who attended the meeting and addressed the Sub-Committee. Mr Hassanpoor was both the Designated Premises Supervisor, and the Premises Licence Holder.

After hearing all the evidence, Members of the Sub-Committee determined that the sale and storage of illicit tobacco was indeed so serious that it could not be tolerated, and therefore resolved to revoke the licence as recommended by the Chief Officer of Weights & Measures.

The Sub-Committee agreed with Trading Standards that the operation had been managed in a way that was not merely irresponsible, but also illegal. A determination to revoke would follow the Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. There were no compelling reasons to depart from the Guidance on this occasion.

Mr Hassanpoor's explanations did not inspire any confidence whatsoever that he understood the licensing objectives. This warranted the removal of him as the Designated Premises Supervisor. The course proposed by Mr Hassanpoor's adviser was also inadequate as it failed to address the seriousness of the management failings, and instead focused on 'training'. The Sub-Committee had no confidence that a training programme would be sufficient to address the management failings of a Designated Premises Supervisor prepared to sell illicit tobacco.

The Members of the Sub-Committee gave consideration as to whether they could modify the conditions of the licence, or suspend the licence for a specified period, but were not satisfied given the evidence submitted that the licensing objectives would be properly promoted following any such determination, for the reasons set out above.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the application for review, the written representations received and the submissions made at the hearing by the Chief Inspector of Weights & Measures, by West Midlands Police, and by the Designated Premises Supervisor and his adviser.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

The determination of the Sub-Committee does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the determination of the appeal.

**LICENSING ACT 2003 PREMISES LICENCE – GRANT – FLAME CAFÉ  
LOUNGE, 77 BUCKINGHAM STREET, HOCKLEY, BIRMINGHAM, B19 3HU**

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See document No. 1)

The following persons attended the meeting.

**On Behalf of the applicant**

*Aram Mustafa – Director*

*Rebecca De Silva – Representative*

*Anthony & Margaret Burns – Lease Holders*

*Deber Salih*

**Those Making Representations**

*Lynn Davis – Member of the public*

*Gabriel Malas – Members of the public*

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The meeting started at 1235.

Following introductions by the Chairman, all parties were invited to make any preliminary points. There were no preliminary points raised.

Mr Malas interjected the Chairman saying, “I don’t understand he said he is the landlord, but I am the freeholder...”. Further, that he wanted to delay the meeting, but it couldn’t be delayed any further. His lawyer couldn’t attend and therefore, he had a list of things to go through. That he had tried to resolve matters but couldn’t. He had a further document to submit.

The Chairman advised Mr Malas that the additional document he wished to submit had not been served on all parties and therefore the document would have to be shown to everyone at the meeting before it could be served on the Members.

(Please see Document 3.)

Chairman advised that the purpose of the meeting was for licensing issues and not planning or who owned the freehold or lease hold. It was purely a licensing Committee and therefore only the application for licensing could be considered at the meeting.

Bhapinder Nandhra, Licensing Officer, outlined the report.

Ms De Silva, on behalf of the applicant, made the following points: -

- a) That she would address the relevant objections. In terms of crime and disorder she wanted to address the closing time of 0200 hours – there had been no objections from WMP in relation to that. The guidance suggested that each responsible authority was an expert in their own field and would be the Committees main source of advice.
- b) That the second objection referred to the issue of no CCTV – but it was detailed within the application that CCTV was to be supplied and plugged in for an entry and egress view of the premises.
- c) That they had submitted a further condition (see document 2.) which had been submitted to Mr Malas as well – the provision for CCTV was included in that document.
- d) That the condition that specifies challenge 25 policy would not apply as they did not intend to sell alcohol.
- e) That the fire exits were shown on the plan and there was a proposed condition that the premises would undertake fire risk assessments which would be reviewed at the appropriate time.
- f) That records of training were kept within the premises and were updated regularly, ready for inspection.
- g) That the objection in relation to public nuisance raised concerns over traffic increase and suggested there was no prevention of nuisance provision. However, the premises was located near several different businesses, others which were open until 4am in close proximity – yet there had been no objections to those licences. If Mr Malas's objection was truthful he would have objected to those licences also.
- h) That Mr Malas lived in Kent and therefore was not local to the area. He only attended the area once a week – he was not a resident.
- i) That the background to it was that Mr Malas wanted to buy the leasehold from Mr Burns, however, it was not completed due to funds not being forthcoming. Mr Malas then approached Mr Mustafa...

The Chairman advised that the issues regarding the leasehold were not for the Licensing Committee.

Ms De Silva answer questions from Members: -

- a) That she was just providing the background information.
- b) That the business was purely to buy and sell food.
- c) That the objection in respect of protecting children from harm was not a satisfactory objection.
- d) That Mr Mustafa had run restaurants in the past with no problems.
- e) That the premises had no trading records as it had not been trading.

- f) That the concerns regarding children using the facilities would be allayed as there would be no under 18s allowed in the premises.
- g) That she could guarantee the premises was just for food and was not going to serve alcohol. It was simply a café/restaurant where patrons could listen to music whilst eating food.
- h) That customers would not be permitted to bring their own alcohol.
- i) That the premises would be selling various types of grilled food; easy to pick up and eat.
- j) That the area was becoming more thriving in the night life and it was not the case that the premises would be open until 2am daily, they would monitor it depending on business needs.
- k) That the capacity of the venue was 150.
- l) That the smoking area was in the court yard.
- m) That the premises would not be attracting a high noise level, it was just a food place. They would have security staff and managers to control the noise levels.
- n) That people driving to the restaurant would be able to park across the road in the car park.

Mr Deber Salih answered questions from Members: -

- a) That it was just soft drinks to be served at the venue; they didn't drink.
- b) That the bar area was just for soft drinks and the reception.
- c) That they didn't know the exact hours yet as depended on the customers.
- d) That they would have about 10-15 staff.

Ms De Silva confirmed that Mr Deber Salih was here to assist Mr Mustafa and was also helping him with his business. She added that the conditions imposed were recommended to her by Mr Mustafa, she only met Mr Salih in the morning.

The Chairman asked Mr Mustafa if he knew the 4 licensing objectives.

Mr Mustafa said "...timing and that kind of stuff" in response.

Mr Malas asked if he could respond to the applicant and his legal representative.

The Chairman advised that he should make his submission to the Members.

Mr Malas was invited to make his representation, and made the following points: -

- a) That he never called them, they called him.



- b) That they were chased out after a few days, they then phoned him, but he didn't know how they got his number.
- c) That he accepted to go and meet them and tried to come to an agreement. He met another man, not Mr Mustafa.
- d) That it was the first time he had met Mr Mustafa.
- e) When he met up with the other guy, he felt it was kind of a threat to say "you can be neighbours come and eat or hate each other" – Mr Mustafa left and closed the conversation.
- f) That there was a school opposite.
- g) That the issue with funds was not on his side.
- h) That the bank appointed a surveyor to make an evaluation of the building, however, the gentleman he met refused to see them.
- i) That he couldn't understand the customer base as it was a quiet road of offices.
- j) That they were concerned about the area and if the applicant was going to run a legitimate business then they would have no concerns. They were worried about how the applicant and associates presented themselves.
- k) That other companies didn't see the notice, so didn't object.

Lyn Davis made the following points: -

- a) That she lived locally and had also worked in the area.
- b) That she was aware of the premises and the building had been knocked through so there was no exit from the back, the fire exit was the frontage.
- c) That the windows had metal bars and shutters on them.
- d) That her concern was that the premises would be open to anyone, and there were schools locally.
- e) That there were flats being built at the end of the street.
- f) There had been incidents of cars being broken into, including her own car.
- g) That CCTV wouldn't cover the whole road.
- h) That the persons at the meeting were not the same people who presented when they had a meeting with them before the hearing.
- i) They had asked the applicant lots of questions before and had no responses back from them that gave them confidence.

- j) That there was no passing trade through that area in the evenings.
- k) That she lived in the area.

In answer to Members questions Lyn Davis made the following points: -

- a) The area was industrial.
- b) There wasn't really a community in that area.
- c) That she was satisfied that Mr Mustafa was the owner/applicant.
- d) That there was only street parking.

In answer to Members questions Mr Malas made the following points: -

- a) That the applicant had not talked about security before, that was newly presented at the meeting.
- b) That if they ran a legitimate business he was satisfied.
- c) That he was unsure what food they would serve.

Both Lyn Davis and Mr Burns tried to make points and cross examine, however, the Chairman advised both parties that the opportunity had passed, and everyone would now be invited to make closing submissions.

In summing up, Mr Malas made the following points: -

- ❖ That he had submitted the reasons why he didn't want the application granted.
- ❖ If the business was a good business which would aid the community, then good luck to them.
- ❖ That he made an objection due to concerns over what the applicant intended to do.

Lyn Davis added that there was an issue with the fire exit and there was no way to get out of the building.

In summing up, Ms De Silva, made the following points: -

- ❖ That she did not say school children would be attending the premises, she said the school would be finished before the shop opened.
- ❖ That in the submissions Mr Malas had made he wished the applicant luck and said he was confident they were legitimate.
- ❖ That there were three fire exits demonstrated on the plans submitted with the application.

- ❖ It was a legitimate business and would be good for the area.
- ❖ The food was grilled foods.
- ❖ That they had proposed measures to deal with ASB.
- ❖ They submitted that the application be granted.

At this stage (1340 hours) the meeting was adjourned and all parties with the exception of the Members, Committee Lawyer and Committee Manager withdrew from the meeting.

At 1505 the meeting was reconvened, and all parties were invited to re-join the meeting (However, Cllr Eustace left the meeting as he had another appointment to attend) and the decision of the Sub Committee was announced: -

06/091019

**RESOLVED:-**

That the application by Mr Aram Mustafa for a premises licence in respect of Flame Café Lounge, 77 Buckingham Street, Hockley, Birmingham B19 3HU, BE REFUSED.

In reaching this decision, the Sub-Committee was mindful of the promotion of the Licensing Objectives in the Act 2003. The Sub-Committee's reasons for refusing this application for a premises licence are due to their concerns regarding the impact of the proposed operation given the proposed management.

At the start of the meeting the Sub-Committee noted that there had been no objection from the Responsible Authorities. They were mindful that Licensing is a permissive regime, and that in the absence of objections it is expected that applications will be granted provided there is evidence that an applicant has the capability to promote the licensing objectives. They also noted that there was no application for alcohol permission in the instant application.

The Sub Committee carefully considered the operating schedule put forward by the applicant, and the likely impact of the application, but upon hearing from Mr Mustafa, they were not at all persuaded that he understood the licensing objectives. It was observed that when he was asked directly to state the four licensing objectives, he was unable to name even one of them, despite conferring twice in the meeting with his assistant. This did not inspire confidence at all in an applicant who wished to operate a 150-capacity café premises until 02.00 hours daily, situated in a light industrial type area.

The Sub-Committee also heard representations from other persons, and took these into account as far as they related to Licensing. They disregarded the submissions relating to Planning/

Property issues. The Sub-Committee gave consideration to whether any measures could be taken to ensure that the four licensing objectives were adequately promoted and that therefore the licence might be granted; however Members considered that nothing would mitigate their concerns over the applicant and his ability to uphold the licensing objectives in this locality. Accordingly, the Sub-Committee resolved to refuse the application.

The Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the information contained in the application, the written representations received and the submissions made at the hearing by the applicant, his legal adviser, and those making representations.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

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07/091019 **ANY OTHER URGENT BUSINESS**

There were no matters of urgent business.

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**Meeting ended 1511**

.....CHAIRMAN

<b>Report to:</b>	<b>Licensing Sub Committee C</b>
<b>Report of:</b>	<b>Assistant Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Wednesday 6<sup>th</sup> November 2019</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Variation</b>
<b>Premises:</b>	<b>Moreish, 337-339 Soho Road, Handsworth, Birmingham B21 9SD.</b>
<b>Ward affected:</b>	<b>Soho &amp; Jewellery Quarter</b>
<b>Contact Officer:</b>	<b>Shaid Yasser, Senior Licensing Officer, 0121 303 9896 <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

<b>1. Purpose of report:</b>
<p>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 on the premises) to operate from 11:30pm until 04:00am (Thursday to Saturday).</p> <p>To extend the provision of Regulated Entertainment consisting of Live Music and Recorded Music, (to operate indoors only), from 11:00pm until 04:00am (Thursday to Saturday).</p> <p>To extend the provision of Late Night Refreshment, to operate indoors only, from 11:30pm until 04:00am (Thursday to Saturday).</p> <p>Premises to remain open to the public 10:00am to 00:00am (Sunday to Wednesday) and 10:00am to 04:00am (Thursday to Saturday).</p> <p>The application also seeks that the current condition, "Last entry to the premises will be 22:00 hours," to be amended to "Last entry to the premises will be 23:00 hours."</p>

<b>2. Recommendation:</b>
To consider the representations that have been made and to determine the application.

<b>3. Brief Summary of Report:</b>
<p>A Variation application was received on 17<sup>th</sup> September 2019 in respect of Moreish, 337-339 Soho Road, Handsworth, Birmingham B21 9SD.</p> <p>Representations have been received from two responsible authorities and from a local Ward Councillor.</p>

<b>4. Compliance Issues:</b>
<b>4.1 Consistency with relevant Council Policies, Plans or Strategies:</b>
The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.

<p><b>5. Relevant background/chronology of key events:</b></p> <p>Ransford Gordon applied on 17<sup>th</sup> September 2019 to vary the Premises Licence for Moreish, 337-339 Soho Road, Handsworth, Birmingham B21 9SD.</p> <p>Representations have been received from West Midlands Police and Environmental Health, as responsible authorities. See Appendices 1 &amp; 2.</p> <p>A representation has been received from a local Ward Councillor, which is attached at Appendix 3.</p> <p>The application, including supporting documents, 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> <ol style="list-style-type: none"> <li>The prevention of crime and disorder;</li> <li>Public safety;</li> <li>The prevention of public nuisance; and</li> <li>The protection of children from harm.</li> </ol>
<p><b>6. List of background documents:</b></p> <p>Copies of the representations are detailed in Appendices 1 – 3</p> <p>Application Form, Appendix 4</p> <p>Current Premises Licence, Appendix 5</p> <p>Site Location Plans, Appendix 6</p>
<p><b>7. Options available</b></p> <p>To grant the variation application</p> <p>To refuse the whole or part of the application</p> <p>To modify the conditions of the Licence</p>

Entered JS. 15/10/2019

**From:** Abdool Rohomon  
**Sent:** 15 October 2019 09:49  
**To:** Licensing  
**Cc:** rob.edg.  
**Subject:** Moreish - Soho Road

Dear Licensing

West Midlands Police have received the application to vary the above premise licence. The variation seeks to substantially increase the hours of operation until 04.00am for what is described in the application as a domino event premises. West Midlands Police have reservations that the extension to the hours is purely for what is described in the application. These reservations are based on the recent history of the premises and the use of Temporary Event Notices which have been purely for Birthday parties and not domino events.

West Midlands Police have requested conditions to be imposed on the licence, we have not seen as yet written proof that the conditions have been agreed by the premise licence holder. Therefore West Midlands Police formally object to this application on the basis of the prevention of crime and disorder and public safety. The variation hours substantially increase the risk of crime and disorder and public safety in a difficult area.

If and when written confirmation is received from the premise licence holder, West Midlands Police will reconsider their position

regards

**Abs Rohomon**

**PC 4075 Rohomon**  
**BW Licensing**  
**Police headquarters**  
**Lloyd House**  
**Colmore Circus**  
**Birmingham**  
**B4 6NQ**

**Internal :**  
**External :**

**Follow us on Twitter - @brumcopslicensing**

**West Midlands Police**  
**Tel.**

**Email:**  
**Website:** [www.west-midlands.police.uk](http://www.west-midlands.police.uk)  
**Twitter:** [www.twitter.com/brumpolice](https://www.twitter.com/brumpolice)  
**Facebook:** [www.facebook.com/westmidlandspolice](https://www.facebook.com/westmidlandspolice)  
**YouTube:** [www.youtube.com/westmidlandspolice](https://www.youtube.com/westmidlandspolice)

**Vision statement - Serving our communities, protecting them from harm**

Entered JS 15/10/2019

**From:** Licensing  
**Subject:** FW: Licensing Act 2003 Premises Licence Variation - Moreish. 337-339 Soho Road. B21 9SD  
**Importance:** High

**From:** Martin Key  
**Sent:** Tuesday, October 15, 2019 10:47 AM  
**To:** Licensing  
**Cc:** rob.edge; bw.licensing  
**Subject:** Licensing Act 2003 Premises Licence Variation - Moreish. 337-339 Soho Road. B21 9SD  
**Importance:** High

Hi

I, Martin Key, as a representative of Environmental Health, formally raise a representation to the requested variation of the above premises licence application. My representation(s) concern the likely effect of the grant of the licence on the promotion of the licensing objective relating to the prevention of public nuisance.

The application is for variation to Thursday, Friday and Saturday for:-

- Live indoor music between extended from 20.00 – 23.00 to 20.00 – 04.00
- Recorded indoor music between 20.00 – 23.00 to 20.00 – 04.00
- Late night refreshment from 23.00- 23.30 to 23.00 – 04.00
- Alcohol for on sales from 10.00 – 23.30 to 10.00 – 04.00

The applicant has not provided any effective operational controls to address noise or nuisance for this significant extension of operating hours with live and recorded music and given the current hours it is not unexpected that the only existing conditions relevant to nuisance are the requirement for warning signs. In addition the applicant has not submitted a copy of the current licence and plan. I am concerned that the grant of the licence would potentially result in noise nuisance to neighbouring properties due to noise breakout from the building, noise escape from live and recorded music, noise from patrons accessing and egressing the premises and noise and odour from the kitchen extraction system. The applicant suggest that the extension is for regular dominoes league meetings but I note that the premises signage advertises availability for party booking. I have seen draft conditions that have been proposed by the police (which have yet to be finalised+ but these do not address my concerns.

The planning permission for the site was issued in 2012 and was limited to a 23.30 terminal hour due to the concerns over impact on the residential amenity and there are outstanding conditions related to noise and odour on this planning permission that have not been discharged. I am concerned that the hours of use for such a small building with no noise mitigation measures in the building design, located in an area with adjacent residential use are not appropriate:

The application is for operations that do not benefit from planning permission, lacks any effective controls to mitigate potential impacts and given the location and design of the premises and the requested scope and hours of this application I would recommend refusal of the application on the basis that it would not meet the licensing objective relating to the prevention of public nuisance. I do not believe that this concern can be dealt with solely by the use of appropriate conditions.

Best Regards



Entered to 16/10/19

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**From:** Councillor Chaman Lal  
**Sent:** 15 October 2019 17:02  
**To:** Licensing  
**Subject:** RE: Objection to Licensing variation application number 112726 Moreish 337-339  
Soho Road , Handsworth , B21 9SD

Dear Licensing Committee

I wish to object to the Licensing variation application 112726 for late night opening to the public, serving refreshments, sale of alcohol, playing of live and recorded music until 4am on the grounds of public nuisance to the local residents.

The Soho Road already suffers from prostitution , anti- social and criminal behaviour which could get worse by allowing licensed premises to stay open late night/early morning attracting criminals to the area.

Kind regards.

112726  
Beps 6/10/15.10.19

### 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 Mr Ransford Gordon

(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  
3977

#### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
337-339 Soho Road, Handsworth,			
Post town	Birmingham	Postcode	B21 9SD
Telephone number at premises (if any)		N/A	
Non-domestic rateable value of premises		£19,750	

#### Part 2 – Applicant details

Daytime contact telephone number		<p>BCC REGULATION &amp; ENFORCEMENT LICENSING SECTION DATE RECEIVED</p> <p>REF NO 009478/000359</p> <p>INITIALS f 190 cc</p>	
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	

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

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

The restaurant is generally used by those of 35 years and over, and has a regular weekend "dominoes" league, with away team travelling from afar.

Extending the hours for :

- Sale & Supply of alcohol
- Regulated Entertainment
- Late Night Refreshment

on Thursday, Friday and Saturday from 2330 hrs to 0400 hrs

The addition of some extra conditions as listed, to be included in the operating schedule.

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:

N/A

#### Part 4 Operating Schedule

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

**Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply**

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

**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

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here (please read guidance note 5)</u>		
Tue					
Wed			<u>State any seasonal variations for performing plays (please read guidance note 6)</u>		
Thur					
Fri			<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 (please read guidance note 7)</u>		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur					
Fri			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 (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			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 (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<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 7)		
Sat					
Sun					



E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed					
Thur	2300	0400			
			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 (please read guidance note 7)		
Fri	2300	0400			
Sat	2300	0400			
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue					
Wed					
Thur	2300	0400	<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Fri	2300	0400			
Sat	2300	0400	<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 (please read guidance note 7)</u>		
Sun					

G

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

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" 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 5)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur	2330	0400			
Fri	2330	0400			
Sat	2330	0400	<b><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></b> (please read guidance note 7)		
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption</b> – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur	2330	0400			
Fri	2330	0400			
Sat	2330	0400			
Sun					
			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		

K

<p><b>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</b> (please read guidance note 10).</p> <p><b>Not applicable</b></p>
---

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	1000	0000	
Tue	1000	0000	
Wed	1000	0000	
Thur	1000	0400	
Fri	1000	0400	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)
Sat	1000	0400	
Sun	1000	0000	

**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.**

Amend the current condition "Last entry to the premises will be 2200 hours" to now read "Last entry to the premises will be 2300 hours"

Please tick as appropriate

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

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

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



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

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

The restaurant is generally used by those of 35 years and over, and has a regular weekend "dominoes" league, with away team travelling from afar.

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

It wishes to amend the licence current condition "Last entry to the premises will be 2200 hours" to now read "Last entry to the premises will be 2300 hours"

Staff training will be both comprehensive and reviewed on a regular basis; with records being retained at the premises; and made available for inspection by any Responsible Authority at reasonable notice

**c) Public safety**

**d) The prevention of public nuisance**

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

**Challenge 25** - A strict Challenge 25 will be in place and posters will be prominently displayed.

**Staff training** will be both comprehensive and reviewed twice yearly; with records being retained at the premises; and made available for inspection by any Responsible Authority at reasonable notice.

**Children** will not be allowed on the premises after 2130 hrs, except when there is a

private function; and only then when accompanied by an adult.

**Checklist:**

**Please tick to indicate agreement**

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

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

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

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

Signature	
Date	16 September 2019
Capacity	Agent on behalf of the applicant

**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)**

Rob Edge  
Licence Leader Ltd

**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)**

## BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003PREMISES LICENCE

Premises Licence Number:

3977 / 1

**Part 1 - Premises details:**

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Moreish 337-339 Soho Road Handsworth	
<b>Post town:</b>	<b>Post Code:</b>
Birmingham	B21 9SD
<b>Telephone Number:</b>	
Not Specified	

<b>Where the licence is time limited the dates</b>
N/A

<b>Licensable activities authorised by the licence</b>	
E	Live music
F	Recorded music
L	Late night refreshment
M1	Sale of alcohol by retail (on the premises)

<b>The times the licence authorises the carrying out of licensable activities</b>			
Sunday - Thursday	10:00	-	23:30 M1
	20:00	-	23:00 E ,F
Friday - Saturday	10:00	-	23:30 M1
	20:00	-	23:00 E ,F
	23:00	-	23:30 L

<b>The opening hours of the premises</b>			
Monday - Thursday	07:00	-	23:30
Friday - Saturday	07:00	-	00:00
Sunday	10:00	-	23:30

<b>Where the licence authorises supplies of alcohol whether these are on and/or off supplies</b>
On Supplies Only

BIRMINGHAM CITY COUNCIL

Part 2

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</b> Mr Ransford Gordon	
<b>Post town:</b>	<b>Post Code:</b>
<b>Telephone Number:</b> Not Specified	
<b>Email</b>	
<b>Registered number of holder for example company number or charity number (where applicable)</b> N/A	
<b>Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</b> Janice Jeffers	
<b>Post town:</b>	<b>Post Code:</b>
<b>Telephone Number:</b> N/A	
<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
<b>Licence Number</b> 6837/1	<b>Issuing Authority</b> BIRMINGHAM CITY COUNCIL

Dated 04/07/2013

Carolyn Bennett  
Senior Licensing Officer  
For Director of Regulation and Enforcement

## BIRMINGHAM CITY COUNCIL

### Annex 1 – Mandatory Conditions

No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises— (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to— (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

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.

The responsible person must ensure that— (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures— (i) beer or cider: ½ pint; (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and (iii) still wine in a glass: 125 ml; (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

(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

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**BIRMINGHAM CITY COUNCIL**

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.

Each individual assigned to carrying out a security activity must be licensed by the Security Industry Agency.

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**BIRMINGHAM CITY COUNCIL**

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

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

No enforceable conditions identified from operating schedule.

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

No enforceable conditions identified from operating schedule.

**2c) Conditions consistent with, and to promote, public safety**

No enforceable conditions identified from operating schedule.

**2d) Conditions consistent with, and to promote the prevention of public nuisance**

No enforceable conditions identified from operating schedule.

**2e) Conditions consistent with, and to promote the protection of children from harm**

No enforceable conditions identified from operating schedule.



## **BIRMINGHAM CITY COUNCIL**

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

#### **3a) General committee conditions**

Training - The Licence Holder shall ensure appropriate staff training to be satisfactorily completed and recorded. Training records can be made available for inspection upon reasonable request by a relevant officer of a Responsible Authority.

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

CCTV - To be installed to the specifications and locations of West Midlands Police (Licensing Department at Steelhouse Lane Police Station)

CCTV - To be recording at all times premises are open for any licensable activity. Whichever system used, all images are to be held for a minimum of 28 days.

CCTV - All images held are to be available immediately on request by any of the responsible authorities.

For any non-standard night, the DPS will provide risk assessment of the night/event to West Midlands Police (Licensing Department at Steelhouse Lane Police Station) at least 28 days before the event, or less with agreement between DPS and the Police.

Door Supervisors - SIA registered door staff will be used from 2100 hours to closing time, Monday to Sunday. All door staff working at the premises are to sign on duty when they start work and off duty when they finish.

Door Supervisors - When door staff are used, the premises will retain a profile of all door supervisors that have worked at the premises in the last three months.

A profile will consist of proof of ID (copy passport, photo driving license, SIA badge) and proof of address dated within the last 6 months (copy bank statement, utility bill etc). No proof of address needed if proof ID is photo driving license.

Door staff profiles must be retained at the premises and be made available for inspection immediately on request of any the responsible authorities.

Door staff will work past the closing time of the premises for a period until all patrons have dispersed from the locality. Door staff will patrol areas around collection points for taxis by the premises to prevent disorder.

Last entry to the premises will be 2200 hours.

The premises will have an incident book and record all incidents that occur inside or immediately outside the premise, irrelevant if any of the emergency services have been called. This incident book can be inspected at any time by any regulatory body.

Where an event takes place using any of the licensable activities with an external promoter then the DPS must give notification to (Licensing Department at Steelhouse Lane Police Station) at least 28 days before the event on the first occasion, and any other occasion where the same promoter is used for a different event.

Recommendations will be provided in writing and will become conditions for use of that event. These recommendations must be retained by the premises for inspection.

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

N/A

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**BIRMINGHAM CITY COUNCIL**

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

Nuisance - The applicant shall erect prominent, clear and legible signage inside the premises requesting patrons to be considerate of local residents when entering or leaving the premises and to only use the designated smoking area within the curtilage of the premises.

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

N/A

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**BIRMINGHAM CITY COUNCIL**

**Annex 4 – Plans**

The Plan of the premises with reference number **81571-3977/1 (Drawing No 0712-1407)** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please ring the Licensing Section on 0121 303 9896 to book an appointment.

## **Site Operations & Training Manual**

This Operation Training Manual contains instructions and guidance covering policies and procedures. The intention of this manual is to:

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

### **The Training Regime**

Either the Licensing Consultant, PLH or DPS will train all on-site staff. They will be required to read the training material provided and then satisfactorily pass the subsequent test before being authorised to sell alcohol. It is important that all staff members understand this information, should a staff member not satisfy the trainer 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 must be undertaken at least twice per year; to sell alcohol and some refresher quizzes will take place in order to ensure staff are kept up to date with current legislation.

### **Due Diligence Measures**

- Training Statement, to be signed by staff member and countersigned by Designated Premises Supervisor (DPS).
- Staff Authorisation sheet, to be signed by staff member and countersigned by Designated Premises Supervisor (DPS).

All staff training will be recorded as well as individual staff authorisations to sell alcohol. All staff will be issued with their own confirmation of having received their initial training, keeping the originals for premises records, and being made available to Responsible Authorities as required.

All current staff listed on the authority record and it will 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-authorised to sell alcohol on a regular basis this should form part of their refresher training and they are indicating by signing the authority sheet again that they are still fully conversant with the legislation relating to the sale of alcohol.

New staff members will be then be added as they join, subsequently signing again on a regular basis thereafter, after each refresher. The alcohol training and authority sheets are for quick reference by any of the responsible authorities, which may visit the 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. There are large penalties for those selling outside permitted hours, plus a possible review of the premises may be called.

### **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. It is an offence to sell alcohol to anybody from premises without a premises licence and/or without a named Designated Premises Supervisor who is in possession of a personal licence.

### **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 holder of the premises licence
- The Designated Premises Supervisor (DPS) if any, for the Premises Licence
- An individual aged over 18 authorised in writing to sell alcohol for consumption on or 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. The premises will operate a Challenge 25

scheme, and this will be a condition of our licence, then each customer wishing to purchase alcohol who is unknown to the staff 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**

### **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 serious 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 may be prosecuted. They could also lose their job.

### **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.

### **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 down. 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.

***Staff Guidance - 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.

**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. Don't 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 company policy of **'no proof of age, no sale.'**



## Staff Training

Staff member [Full name]	
DPS or Personal Licence Holder delivering training [Full name]	

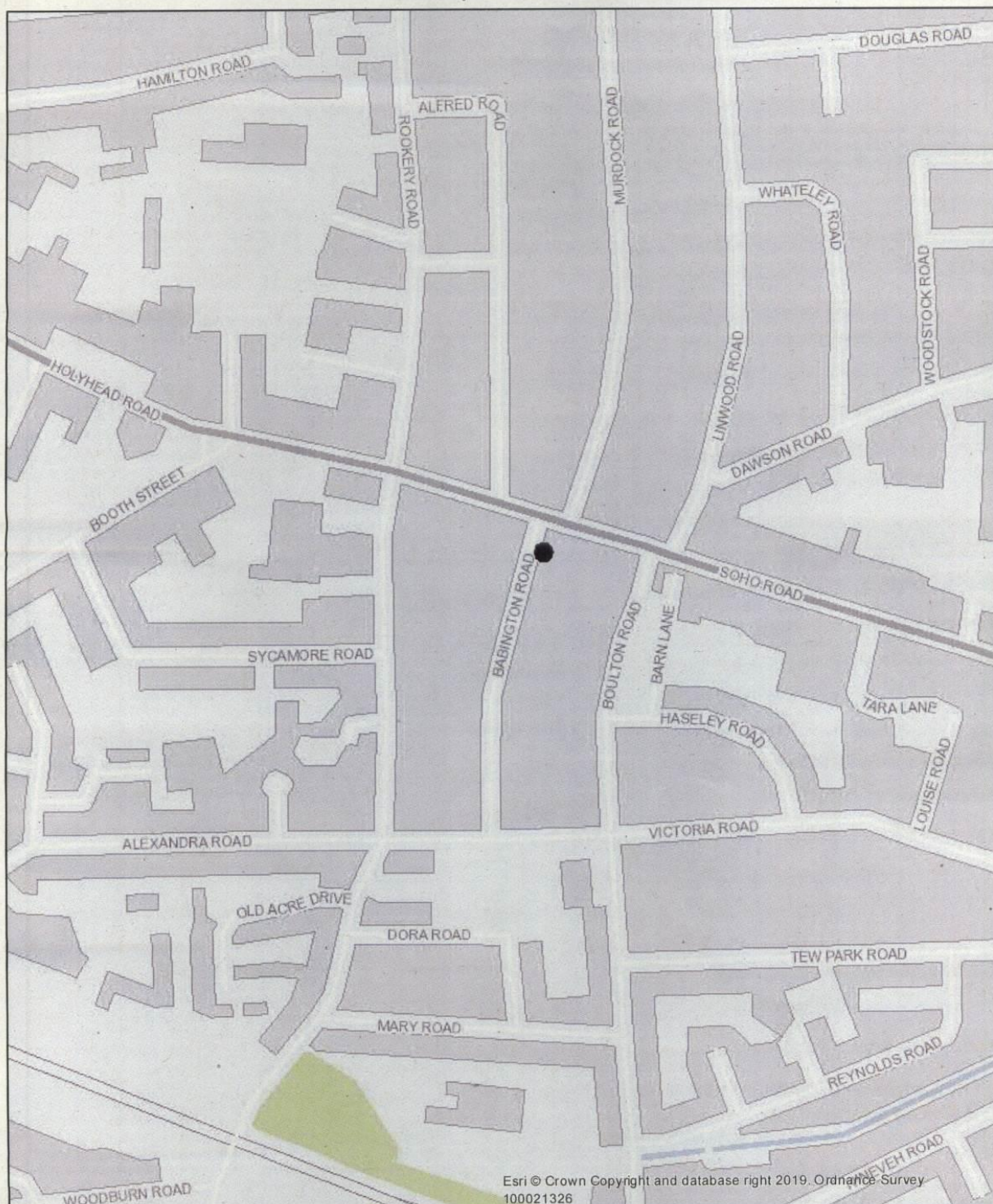
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This is paramount to our business and to demonstrate that we are showing our best endeavours to comply with the requirements of our premises licence and the licensing objectives of 2003 Licensing Act.

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 has to have a licence to sell alcohol. That staff understand what the licence requires 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? Challenge 25	
6. What our policy is, for the types of proof of age (ID) staff should accept?	

7. How to operate the 'till prompt' system installed?			
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).			



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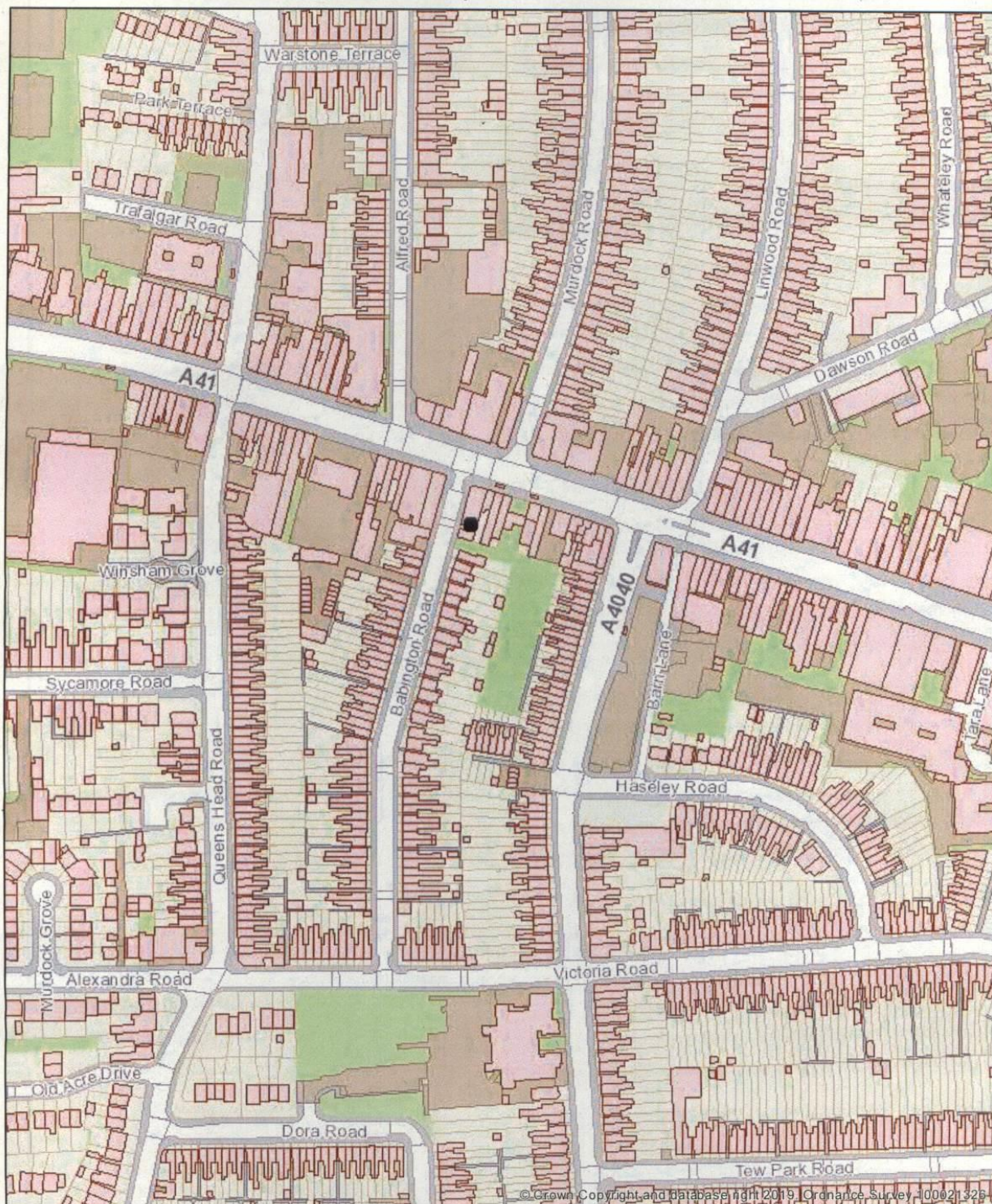
Date of Map Creation: 16/10/2019

Map Created By:

Scale: 1:4,000







**Birmingham**  
City Council

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## **Site Operations & Training Manual**

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DPS or Personal Licence Holder delivering training [Full name]	

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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? Challenge 25	
6. What our policy is, for the types of proof of age (ID) staff should accept?	

7. How to operate the 'till prompt' system installed?			
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).			

[illegible]



## VENUES 2019

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**WASPS**  
**165/167 CLAPHAM MANOR STREET**  
**CLAPHAM**  
**SW4 6DB**

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**HAMPTON HAWKS**  
**10 HAMPTON ROAD**  
**ASTON**  
**B6 6AE**

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**BRADFIELD GIANTS**  
**86 BELLENDEN ROAD**  
**PECKHAM**  
**SE15 4RQ**

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**REVOLUTION ALLSTARS**  
**MOREISH RESTAURANT AND BAR**  
**337-339 SOHO ROAD**  
**HANDSWORTH**  
**BIRMINGHAM**  
**B21 9SF**

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**BRIXTON IMMORTALS**  
**297-299 COLHARBOUR LANE**  
**BRIXTON**  
**SW9 8RP**

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**SOHO JAGUARS**  
**REMINISCE CLUB**  
**178 SOHO HILL**  
**HANDSWORTH**  
**B19 1AG**

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**CLAPHAM EAGLES**  
**165/167 CLAPHAM MANOR STREET**  
**CLAPHAM**  
**SW4 6DB**

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**UNITED FRIENDLY**  
**THE FLOWER POT**  
**137 SPON LANE**  
**WEST BROMWICH B70 6AS**

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**COSMOPOLITON TIGERS**  
**HENRY PRINCE COMMUNITY HALL**  
**ST JOHN'S DRIVE**  
**GARRETT LANE**  
**SW18 4UW**

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**WOLVES OF WOLVERHAMPTON**  
**THE HERITAGE CENTRE**  
**CLIFFORD STREET**  
**WHITMORE REANS**  
**WV6 0AA**

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**CROYDON UNITED**  
**448 PORTLAND ROAD**  
**SOUTH NORWOOD**  
**SE25 4PQ**

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**Moreish**

**Premises Licence Application**

**Birmingham City Council  
Licensing Sub-Committee  
6 November 2019**

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**Overview of application lodged on behalf of the applicant**

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Acting for the applicant, we have liaised extensively with Responsible Authorities; and have offered much in mediation.

We have discussed this application in detail with Police Licensing team, and signed their suggested conditions; in addition to producing a template form for submission when other events take place. We have also made contact with Environmental Health in order to find a solution, as yet we are awaiting a response; and are hopeful to find middle ground.

We believe we have offered a comprehensive suite of conditions within the operating schedule, which will fully uphold the licensing objectives. We do not believe that this type of premises will add to any negative cumulative effect of any of the licensing objectives.

The following documents were used for the application and mediation:

- Premises Licence and Site Operations Training Manual
- ACDL League fixtures
- List of venues for 2019
- Challenge 25
- Agreed conditions with WM Police licensing
- Template form for submission to police licensing
- Incident Log book
- Refusals Register
- Staff Training

**Moreish**  
**337-339 Soho Road, Handsworth,**  
**Birmingham, B21 9SD.**

**EVENT BOOKING DETAILS**

The primary use of the premises between the hours of 2330 – 0400 will be for the playing of Dominoes in an organised Domino league. Domino competitions must be being played through these hours, with the sale of alcohol and regulated entertainment being ancillary for the usage of the premises.

When the premises operates through the hours of 2330-0400 for any other event/purpose than the above condition, then they must supply the following

Action required	Action Taken	Comments
A full completed risk assessment		
List of DJs		
Security provisions		
Name of promoter		
Copy of the flyer		
Noise management plan		

Event (Type)	
Date	
Hours of event	

To Birmingham Central Police Station (Licensing department), a minimum of 28 days before the event. Birmingham Central Police Station (Licensing department) retain the power to veto any such use of the premises, if any of the licensing objectives are/likely to be compromised. If the veto power is exercised, this will be done in writing to the Premise Licence holder, detailing the reasons why the veto has been used.

Premises Licence Holder \_\_\_\_\_  
Signed \_\_\_\_\_  
Dated \_\_\_\_\_ 2019



# UNDER 25?



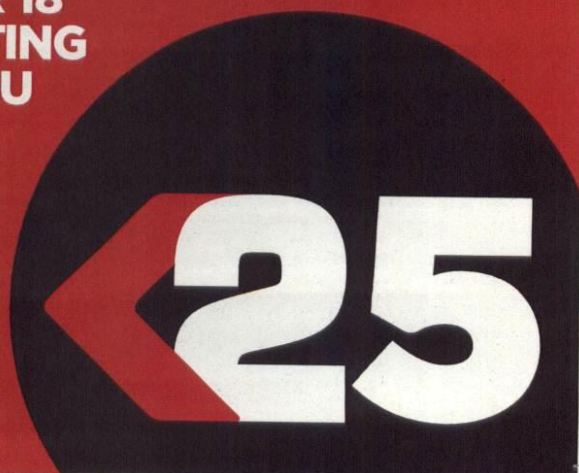
**IF YOU ARE LUCKY  
ENOUGH TO LOOK UNDER  
25 YOU WILL BE ASKED  
TO PROVE THAT YOU ARE  
AGED 18 OR OVER WHEN  
YOU BUY ALCOHOL**

**IF YOU ARE UNDER 18  
YOU ARE COMMITTING  
AN OFFENCE IF YOU  
ATTEMPT TO BUY  
ALCOHOL**

SCOTTISH  
BEER & PUB  
ASSOCIATION

[drinkaware.co.uk](http://drinkaware.co.uk)  
for the facts about alcohol

[WWW.CHALLENGE25.ORG](http://WWW.CHALLENGE25.ORG)





# REFUSALS LOG BOOK

**Moreish**

If a customer appears to be under 25 and fails to produce a valid ID photo, the sale should be **Refused** and recorded in this refusals log. Staff should write an entry whenever an age-related sale is refused.

**No ID - No Sale**

Licence Leader Limited  
Alcohol Licensing Services  
[www.licence-leader.co.uk](http://www.licence-leader.co.uk)

[www.licence-leader.co.uk](http://www.licence-leader.co.uk)





# **Incident Log Book**

## **Moreish**

**Please use a separate page in this log for each incident.**

**Do not put yourself or staff at risk, call 999 or 101 when appropriate**

**Staff should write an entry whenever an incident occurs.**

Licence Leader  
Alcohol Licensing Services  
[www.licence-leader.co.uk](http://www.licence-leader.co.uk)

## Incident Report Log

Incident Report Log			
Date of incident	Time of incident		
Location	Value of Losses/Damage		
Description of Incident			
Images available	YES/NO	Are still images available	YES/NO
Was it reported to West Midlands Police	YES/NO	Crime Number	
If reported to West Midlands Police, was it reported at the time of incident or afterwards:-			
Which staff member was involved with this incident			
What further action has been taken by Premises Licence Holder			
Final comments:			

Incident Report Log			
Date of Incident	Time of Incident		
Location	Value of Losses/Damage		
Description of Incident			
Images available	YES/NO	Are still images available	
Was it reported to West Midlands Police	YES/NO	Crime Number	
If reported to West Midlands Police, was it reported at the time of incident or afterwards:-			
Which staff member was involved with this incident			
What further action has been taken by Premises Licence Holder			
Final comments:			

Incident Report Log			
Date of Incident	Time of Incident		
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Incident Report Log			
Date of Incident		Time of incident	
Location		Value of Losses/Damage	
Description of Incident			
Images available	YES/NO	Are still images available	YES/NO
Was it reported to West Midlands Police	YES/NO	Crime Number	
If reported to West Midlands Police, was it reported at the time of incident or afterwards:-			
Which staff member was involved with this incident			
What further action has been taken by Premises Licence Holder			
Final comments;			



Incident Report Log	
Date of incident	Time of incident
Location	Value of Losses/Damage

Time of incident	Value of Losses/
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Value of Losses/Damage

Description of Incident

YES/NO

YES/NO

Crime Number
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If reported to West Midlands Police, was it reported at the time of incident or afterwards:-

Which staff member was involved with this incident

What further action has been taken by Premises Licence Holder

Final comments;

