

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee B</b>
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Tuesday 12<sup>th</sup> February 2019</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Variation</b>
<b>Premises:</b>	<b>Mace Convenience Store, Harborne Service Station, 231 Court Oak Road, Harborne, Birmingham, B17 9AD</b>
<b>Ward affected:</b>	<b>Quinton</b>
<b>Contact Officer:</b>	<b>Bhupinder Nandhra, Senior Licensing Officer, 0121 303 9896 <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### **1. Purpose of report:**

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

To permit the provision of late night refreshment to operate from 11:00pm until 05:00am, (Monday to Sunday).

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

### **2. Recommendation:**

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

### **3. Brief Summary of Report:**

Variation application received on 21<sup>st</sup> December 2018 in respect of Mace Convenience Store, Harborne Service Station, 231 Court Oak Road, Harborne, Birmingham, B17 9AD.

Representations have been received from other persons.

### **4. Compliance Issues:**

#### **4.1 Consistency with relevant Council Policies, Plans or Strategies:**

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

<b>5. Relevant background/chronology of key events:</b>
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<p>PKD Retail Limited applied on 21<sup>st</sup> December 2018 to vary the Premises Licence for Mace Convenience Store, Harborne Service Station, 231 Court Oak Road, Harborne, Birmingham, B17 9AD.</p> <p>Representations have been received from other persons. See Appendices 1 - 11.</p> <p>The application is attached at Appendix 12.</p> <p>The current Premises Licence is attached at Appendix 13.</p> <p>Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 14.</p> <p>Site Location Plans at Appendix 15.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ul style="list-style-type: none"><li>a. The prevention of crime and disorder;</li><li>b. Public safety;</li><li>c. The prevention of public nuisance; and</li><li>d. The protection of children from harm.</li></ul>
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<b>6. List of background documents:</b>
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<p>Copies of the representations are detailed in Appendices 1 – 11</p> <p>Application Form, Appendix 12</p> <p>Current Premises Licence, Appendix 13</p> <p>Conditions agreed with West Midlands Police, Appendix 14</p> <p>Site Location Plans, Appendix 15</p>
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<b>7. Options available</b>
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<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>
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**From:**  
**Sent:** 11 January 2019 11:33  
**To:** Licensing  
**Subject:** 109388. Mace Convenience Store, B17 9AD

To whom it may concern,

I wish to object to the license application made above, This is a residential area already well served with shops selling alcohol. I believe that granting this license will result in an increase in anti-social behavior and litter in the surrounding streets. Additionally, the noise generated by shops until 5am will cause disturbances to residences and increased traffic on an already busy road. Queens Park is over the road and already has issues with drug abuse and dealing at night, this can only serve to provide these people with an incentive to stay longer and/or attract further activity.

Many thanks

Tennal Lane.

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**From:**  
**Sent:** 11 January 2019 11:50  
**To:** Licensing  
**Subject:** 109388 objection

I write to object about the Mace convenience store opening longer hours at the petrol station on Hampton court road B179ah because of the noise, light pollution and the fact that there has been several robberies and thefts for alcohol and food and the police won't respond.

There is frequent drug dealing on that forcourt which has been reported too.

\_\_\_\_\_ Earl's Court road

And

\_\_\_\_\_ Earl's Court road

And

\_\_\_\_\_ Hampton Court Road

Sent from my iPhone

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**From:**  
**Sent:** 11 January 2019 11:57  
**To:** Licensing  
**Subject:** Objection to license application 109388

Hello,

I'm writing to raise my concerns about the following licence application:

Ref - 109388

Licence Holder name - PKD Retail Limited

Premises name - Mace Convenience store

I am a resident on Hampton Court Road, situated in very close proximity to Mace Convenience Store. I wish to raise a concern about increased crime and potential signification public nuisance, particularly in the form of noise and light pollution, caused by the extension of the application to extend the hours for the sale of alcohol to midnight, and to provide late night refreshments (LNR) until 5am.

This extension of these hours would go against the nature of this very quiet residential street.

There are no other late night shops in the vicinity, which is a reason that we moved from our previous home situated in a busier town centre area and moved to this location.

The street is comprised of families and elderly people who have chosen to live in a quiet location away from late night shops and alcohol sales, and we have not requested this service. The extension of the licencing hours would therefore be most likely of value to people outside of this vicinity travelling in to buy alcohol or late night refreshments.

Noise from car engines and car doors late into the night will disrupt sleep, as will people's voices.

People buying alcohol at that time of night will likely have been drinking previously and therefore likely to speak more loudly / shout and make noise. This street is almost silent at night time currently. The park opposite may be the destination for people to drink alcohol.

The applicant states that they will place a sign next to the exit requesting that customers 'respect the needs of the local community when leaving the premises'. Is there an evidence base to demonstrate that such signs have an effect on people's behaviour?

Additionally, I am concerned about the noise people make when walking or driving to and from the premises too. Should this licence be granted, a shop on the other end of the street, which currently closes by 9pm may be encouraged to apply for a similar extension for competition.

I understand that the garage used to be late-opening and that residents complained about the noise and disruption. There is a car vacuum there that is very noisy and people used in the night.

The business currently closes by, I believe, 9pm. These late night hours will mean that lighting is on throughout the night. There are properties all around.

As a homeowner, I am concerned about the impact this could have on my quality of life and sleep, and worried that it will affect my sale price and saleability of my property in future, as this will be a less desirable place to live.

In regards to prevention of crime - there have been a number of crimes committed at the shop in recent times (see posters on shop window stating this), to which I believe the police have failed to attend. Additionally, I have heard reports that the police have been informed about a drug dealing operating from the garage forecourt. It is likely that the incidence of crime is likely to increase with these extended opening hours throughout the night.

Finally, please advise me in plenty of time if you need to know my full address and contact details in order to accept this objection.

Many thanks,

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**From:**  
**Sent:** 11 January 2019 14:02  
**To:** Licensing  
**Subject:** Application 109388 Mace Convenience Store B17 9AD

Dear sir or madam,

I would like to register an objection to the above application on the grounds of public nuisance. This store is located in a residential area and immediately opposite Queens Park. Residents are likely to experience nuisance in the form of increased traffic late at night, together with car doors slamming and so on. Queens Park is already showing signs of drinking litter and vandalism (stashes of abandoned cans and bottles in corners, broken tree plantings etc), and a late license will only encourage people to buy drink and cross over into the park to consume it. Given the City's financial straits, I am surprised that any scheme should be considered which is going to endanger or damage a valuable public amenity such as the Park and necessitate a higher level of clean-up and repair.

\_\_\_\_\_ Grosvenor Road, Harborne B17 9AL

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**From:** >  
**Sent:** 11 January 2019 19:37  
**To:** Licensing  
**Subject:** Objectiin to extending opening times for sales of alcohol and other salesLicense application number 109388 Mace Convenience Store Court Oak Road B17 9ad

I object to the above application by Mace Stores for an extension of the sale of Alcohol until midnight and other sales until 5 am. With the garage/Mace Stores been both on a corner and near a park in a quiet village type residential area, I believe this will be create a public nuisance from the extra traffic noise when working people are sleeping. There would also most definitely be the danger of anti social behaviour particularly for the young and vulnerable hanging around late at night around garage corner and park causing anti social behaviour. Also a danger to public safety, from extra noise and pollution for residents. I do not feel there is a need for a late night shop within this area considering the close proximity to Hagley Rd, Hagley Rd West, Asfa at Oldbury and Wolverhampton Rd where there are already shops, restaurants and availability of Alcohol for sale. It is unfair to bring the World and its wife to a quiet residential area during the night. It is a sad state of affairs that the 24/7 society is fuelled by big companies like Mace. I shall be tli g as many people as possible to stop shopping at Mace. Regards, ,



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**From:** \_\_\_\_\_  
**Sent:** 12 January 2019 18:56  
**To:** Licensing  
**Subject:** Objection to change in opening times

I have been made aware that Mace convenience store on Court Oak Road Harborne has applied for extended opening hours. As a resident of Hampton Court Road for over 25 years I have lived on the road when it used to be open 24 hrs previously. The noise from vehicles coming and going, loud voices in the middle of the night not to mention it becoming a place for late night emergency drinking supplies is something I do not want to have on my doorstep. I strongly oppose this proposal. If I need to complete any further forms please do not hesitate to contact me.

Kind regards

\_\_\_\_ Hampton Court Road

Sent from my iPhone

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**From:**  
**Sent:** 13 January 2019 10:09  
**To:** Licensing  
**Subject:** Licence objection - 109388

Hi

I'd like to log an objection to the following licence application please:  
**109388. Mace Convenience Store, B17 9AD.**

I am concerned about 2 aspects of this:

- 1 - Public nuisance - this is an application for a late night and an overnight licence in a quiet residential area with residents very close by who are very likely to be disturbed by vehicles and shoppers.
- 2 - Crime - the local area has experienced a significant increase in crime (theft, burglary, car crime etc.) as well as regular local drug dealing outside this premises and the nearby park area (all reported to the police already). We are concerned that an overnight licence and late sales of alcohol will only exacerbate this issue.

Kind regards

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**From:**  
**Sent:** 14 January 2019 12:33  
**To:** Licensing  
**Subject:** license extension objection

Application Number - 109388 Mace Store B17 9AD

I would like to object to this application to extend the opening hours and sell alcohol as I feel there would be potential for a dramatic increase in noise, nuisance and unsocial behaviour which will affect residents, other business and the children's nursery next door to the site.

\_\_\_\_\_ Hampton Court Rd, B17 9AF

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**From:**  
**Sent:** 15 January 2019 18:47  
**To:** Licensing  
**Subject:** Public Nuisance

Hi there,

I've noticed there is a sign for Mace Convenience Store (the shop at the garage) on the corner of Hampton Court Rd/ Court Oak Rd has applied to extend its licence to sell alcohol until midnight and to stay open until 5am for other sales.

My partner and I, live at \_\_\_\_\_ Court Oak, and wish to say that we do not want the hours to be extended. Not only because of nuisance it would cause at all hours of the night but also public safety.

There has been enough chaos with the local court oak pub opening quite late serving alcohol. Harborne is a nice quiet place with a local park. We do not want young adults and adults being able to take advantage of the potential late hours, leaving more empty bottles and rubbish in the park for kids and dogs to find, noise throughout the night and causing nuisance.

I apologise for the rant but I we are both serious about not wanting the garage hours extended. I hope you can take our comments into consideration when reviewing.

Kind regards,

\_\_\_\_\_ court oak road, B17 9AD)

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**From:**  
**Sent:** 16 January 2019 21:41  
**To:** Licensing  
**Subject:** Objection to License Application 109388 Mace Convenience Store B17 9AD

I make a formal objection to the application 109388 due to public nuisance due to potential noise at late hours.

Kind regards,

\_\_\_\_ Queens Park Road  
Harborne  
Birmingham  
B32 2LB

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**From:**  
**Sent:** 17 January 2019 10:45  
**To:** Licensing  
**Subject:** Licensing objection / Ref - 109388

I'm writing to raise my concerns about the following licence application:  
Ref - 109388  
Licence Holder name - PKD Retail Limited  
Premises name - Mace Convenience store

I am a resident on Hampton Court Road, situated in very close proximity to Mace Convenience Store. I wish to raise a concern about increased crime and potential signification public nuisance, particularly in the form of noise and light pollution, caused by the extension of the application to extend the hours for the sale of alcohol to midnight, and to provide late night refreshments (LNR) until 5am.

This extension of these hours would go against the nature of this very quiet residential street.

There are no other late night shops in the vicinity, which is a reason that we moved from our previous home situated in a busier town centre area and moved to this location.

The street is comprised of families and elderly people who have chosen to live in a quiet location away from late night shops and alcohol sales, and we have not requested this service. The extension of the licencing hours would therefore be most likely of value to people outside of this vicinity travelling in to buy alcohol or late night refreshments.

Noise from car engines and car doors late into the night will disrupt sleep, as will people's voices.

People buying alcohol at that time of night will likely have been drinking previously and therefore likely to speak more loudly / shout and make noise. This street is almost silent at night time currently. The park opposite may be the destination for people to drink alcohol.

The applicant states that they will place a sign next to the exit requesting that customers 'respect the needs of the local community when leaving the premises'. Is there an evidence base to demonstrate that such signs have an effect on people's behaviour?

Additionally, I am concerned about the noise people make when walking or driving to and from the premises too. Should this licence be granted, a shop on the other end of the street, which currently closes by 9pm may be encouraged to apply for a similar extension for competition.

I understand that the garage used to be late-opening and that residents complained about the noise and disruption. There is a car vacuum there that is very noisy and people used in the night.

The business currently closes by, I believe, 9pm. These late night hours will mean that lighting is on throughout the night. There are properties all around.

As a homeowner, I am concerned about the impact this could have on my quality of life and sleep, and worried that it will affect my sale price and saleability of my property in future, as this will be a less desirable place to live.

In regards to prevention of crime - there have been a number of crimes committed at the shop in recent times (see posters on shop window stating this), to which I believe the police have failed to attend. Additionally, I have heard reports that the police have been informed about a drug dealing operating from the garage forecourt. It is likely that the incidence of crime is likely to increase with these extended opening hours throughout the night.

Finally, please advise me in plenty of time if you need to know my full address and contact details in order to accept this objection.

Many thanks,

109388

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

**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 PKD RETAIL LIMITED**

*(Insert name(s) of applicant)*

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

**Premises licence number**  
4072/1

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
MACE CONVENIENCE STORE HARBORNE SERVICE STATION 231 COURT OAK ROAD HARBORNE			
Post town	BIRMINGHAM	Postcode	B17 9AD

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£41000

**Part 2 – Applicant details**

Daytime contact telephone number		<div style="text-align: center;">BCC REGULATION &amp; ENFORCEMENT LICENSING SECTION DATE RECEIVED  <b>21 DEC 2018</b>  REF NO ..... INITIALS .....</div>	
E-mail address (optional)			
Current postal address if different from premises address			
Post town			Postcode



**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

**Part 3 - Variation**

Please tick as appropriate

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

X Yes

☐  
No

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

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

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

TO EXTEND THE HOURS FOR THE SALE OF ALCOHOL FOR CONSUMPTION OFF  
THE PREMISES FROM THE EXISTING HOURS TO 24 HOURS A DAY 7 DAYS A  
WEEK AND TO ADD THE LICENSING ACTIVITY OF LATE NIGHT REFRESHMENT  
FROM 23.00 UNTIL 05.00 HOURS – ALSO 7 DAYS A WEEK.

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:

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

**Part 4 Operating Schedule**

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

**Provision of regulated entertainment**

**Please tick all that apply**

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

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

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

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

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

A

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

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

**B**

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

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
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 5)
Fri			
Sat			
Sun			

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

D

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

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

E

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

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

F

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



**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

G

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

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

H

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

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon	23.00	05.00	<b><u>Please give further details here</u></b> (please read guidance note 3)  THE PROVISION OF HOT PIES, SAVOURIES, SOUP, HOTDRINKS ETC CONSISTENT WITH A TAKEOUT SERVICE FOR CONSUMPTION ON OR OFF THE PREMISES			
Tue	23.00	05.00				
Wed	23.00	05.00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)			
Thur	23.00	05.00				
Fri	23.00	05.00	<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 5)			
Sat	23.00	05.00				
Sun	23.00	05.00				

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>	
				Off the premises	X	
				Both	<input type="checkbox"/>	
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)			
Mon	00.00	24.00				
Tue	00.00	24.00				
Wed	00.00	24.00				
Thur	00.00	24.00				<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 5)
Fri	00.00	24.00				
Sat	00.00	24.00				
Sun	00.00	24.00				

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 8).</p> <p>NONE</p>
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**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b><u>State any seasonal variations</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon	00.00	24.00	
Tue	00.00	24.00	
Wed	00.00	24.00	
Thur	00.00	24.00	
Fri	00.00	24.00	<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 5)
Sat	00.00	24.00	
Sun	00.00	24.00	

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

RESTRICTION IN THE NUMBER OF HOURS ALCOHOL CAN BE SOLD FOR CONSUMPTION OFF THE PREMISES AND NO CURRENT PERMISSION TO PROVIDE LATE NIGHT REFRESHMENT

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

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.

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

**M**

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

1. An electronic shunt lock will be fitted to the front entrance door so it can be remotely locked/opened from behind the counter.
2. A panic button will be fitted behind the counter and connected directly to the alarm company.
3. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of training utilising an appropriate licensing guidance manual prior to them being authorised to sell or supply alcohol. Such training shall consist of providing staff with an understanding of:
  - The need to ensure the responsible sale and supply of alcohol
  - Adopt Challenge 25 proof of age scheme.
  - The need to refuse the sale and supply of alcohol to persons who are intoxicated or underage
  - The need to seek credible age verification from persons seeking to be sold or supplied alcohol who may appear under the age of 18 years oldRecords of the training programme shall be maintained and made available to Authorised Officers upon request.
4. The Premises Licence holder shall provide a “refresher” training session to all relevant staff members annually.
5. The CCTV policy shall record for a minimum rolling period of 31 days
6. Prominent, clear notices shall be displayed at all exit points to advise customers to respect the needs of the local community when leaving the premises.
7. Spirits are to be located behind the counter and will not be self-service.
8. A refusals log to be maintained and used by all staff. The date & time of attempted age restricted product purchases plus the product name, description of the customer refused, reason for refusal, description of the product and the staff members name are all to be recorded.
9. All staff shall be trained in the requirements of the Challenge 25 policy. This means if a customer unknown to the staff member serving wishes to purchase alcohol and also appears to be under 25 years of age then the staff member must ask for ID to prove that the customer is over 18 years of age. No ID no sale.

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

1. An electronic shunt lock will be fitted to the front entrance door so it can be remotely locked/opened from behind the counter.
2. A panic button will be fitted behind the counter and connected directly to the alarm company.
3. The CCTV policy shall record for a minimum rolling period of 31 days.
4. Spirits are to be located behind the counter and will not be self-service.

**c) Public safety**

1. The CCTV policy shall record for a minimum rolling period of 31 days

**d) The prevention of public nuisance**

1. Prominent, clear notices shall be displayed at all exit points to advise customers to respect the needs of the local community when leaving the premises.

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

1. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of training utilising an appropriate licensing guidance manual prior to them being authorised to sell or supply alcohol. Such training shall consist of providing staff with an understanding of:
  - The need to ensure the responsible sale and supply of alcohol.
  - Adopt Challenge 25 proof of age scheme.
  - The need to refuse the sale and supply of alcohol to persons who are intoxicated or underage.
  - The need to seek credible age verification from persons seeking to be sold or supplied alcohol who may appear under the age of 18 years old

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reason for refusal, description of the product and the staff members name are all to be recorded.

4. All staff shall be trained in the requirements of the Challenge 25 policy. This means if a customer unknown to the staff member serving wishes to purchase alcohol and also appears to be under 25 years of age then the staff me

**Checklist:**

**Please tick to indicate agreement**

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

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

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

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

Signature	
Date	20 <sup>th</sup> DECEMBER 2018
Capacity	AGENT

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

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</b>			
RICHARD BAKER RB RETAIL & LICENSING SERVICES LIMITED 23 MAGISTER DRIVE LEE ON THE SOLENT			
<b>Post town</b>	PORTSMOUTH	<b>Post code</b>	PO13 8GE
<b>Telephone number (if any)</b>			
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>			

**Notes for Guidance**

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

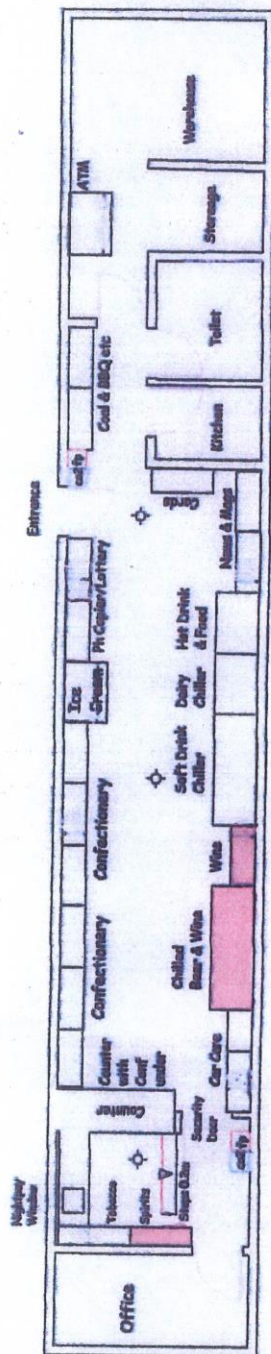
1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:

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Way, Birmingham, B7 4AZ.**

- a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.

**Licensing Department, Birmingham City Council, 1-3 Ashted Lock  
Way, Birmingham, B7 4AZ.**

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



#### Key

- Fire extinguisher Powder
- Fire extinguisher CO2
- CCTV camera

Mace Convenience Store  
 Harborne Service Station  
 231 Court Oak Road  
 Birmingham  
 B17 9AE

Scale- 1:100

Drawing Reference: RB/1311  
 Drawn by: R Baker RB Retail & Licensing  
 19<sup>th</sup> December 2018

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

## BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003PREMISES LICENCE

Premises Licence Number:

4072 / 1

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

Mace Convenience Store  
 Harborne Service Station  
 231 Court Oak Road  
 Harborne

**Post town:**

Birmingham

**Post Code:**

B17 9AD

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

N/A

**Licensable activities authorised by the licence**

M2 Sale of alcohol by retail (off the premises)

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

Monday – Sunday 06:00 - 23:00 M2

**The opening hours of the premises**

Monday - Sunday 00:00 - 23:59

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

Off Supplies Only

BIRMINGHAM CITY COUNCIL

Part 2

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</b> P K D Retail Limited	
<b>Post town:</b>	<b>Post Code:</b>
<b>Telephone Number:</b> Not Specified	
<b>Email</b> N/A	

<b>Registered number of holder for example company number or charity number (where applicable)</b> 8020328
---

<b>Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</b> Mr Peter Leslie Dyde	
<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>	<b>Issuing Authority</b>

Dated 15/02/2014



David Kennedy  
Senior Licensing Officer  
For Director of Regulation and Enforcement

## **BIRMINGHAM CITY COUNCIL**

### **Annex 1 – Mandatory Conditions**

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

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

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol:-

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 a holographic mark.



**BIRMINGHAM CITY COUNCIL**

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

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

Conditions as stated below under the appropriate licensing objective.

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

A incident log book shall be kept at the premises.

CCTV shall be maintained at the premises with all recordings kept for 28 days.

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

No enforceable conditions identified from the operating schedule

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

No enforceable conditions identified from the operating schedule

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

A challenge 25 policy shall be enforced at the premises.

A refusal register shall be kept at the premises.

**BIRMINGHAM CITY COUNCIL**

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

**3a) General committee conditions**

N/A

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

N/A

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

N/A

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

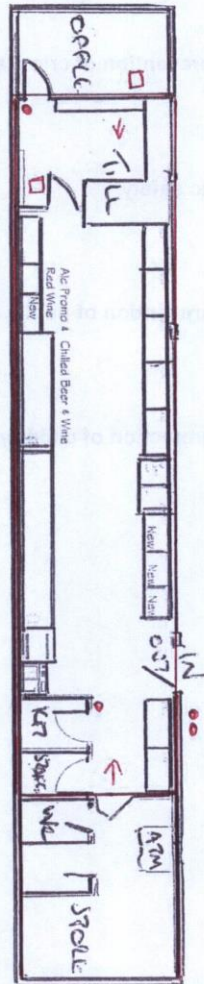
N/A

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

N/A

Annex 4 – Plans

**MR PETER DYDE, MACE CONVENIENCE STORE, HARBORNE SERVICE STATION,  
COURT OAK ROAD, BIRMINGHAM B17 9AD**  
Shop Layout Scale 1:100 OCTOBER '13  
LICENSING SOLUTIONS CIM 1013/01



Key:  
Cctv Camera →  
Cctv Monitor ◻  
Extinguisher ●

**ALCOHOL DISPLAY THROUGHOUT THE STORE  
WITHIN RED BORDER**

---

**From:** bw licensing <  
**Sent:** 09 January 2019 07:20  
**To:** Licensing  
**Cc:** i  
**Subject:** Mace - Convenience Store, Harborne Service Station.

Dear Licensing,

With regard to the premises application for Mace Convenience Store, Harborne Service Station, 231 Court Oak Rd, Birmingham B17 9AD.

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

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

- Between the hours of 23.00 and 06.00 the default for the electronic shunt door will be to set to the 'locked' position. Only to be opened by staff to customers who they wish to allow entry the main shop area.
- No alcohol to be allowed on the premises in open containers.
- CCTV will be downloadable and made available to any of the responsible authorities immediately on request
- CCTV will display the correct time and date stamp and record throughout the whole of the licensable activity.

If the above conditions are added to the premises licence then West Midlands Police have no objection to this application.

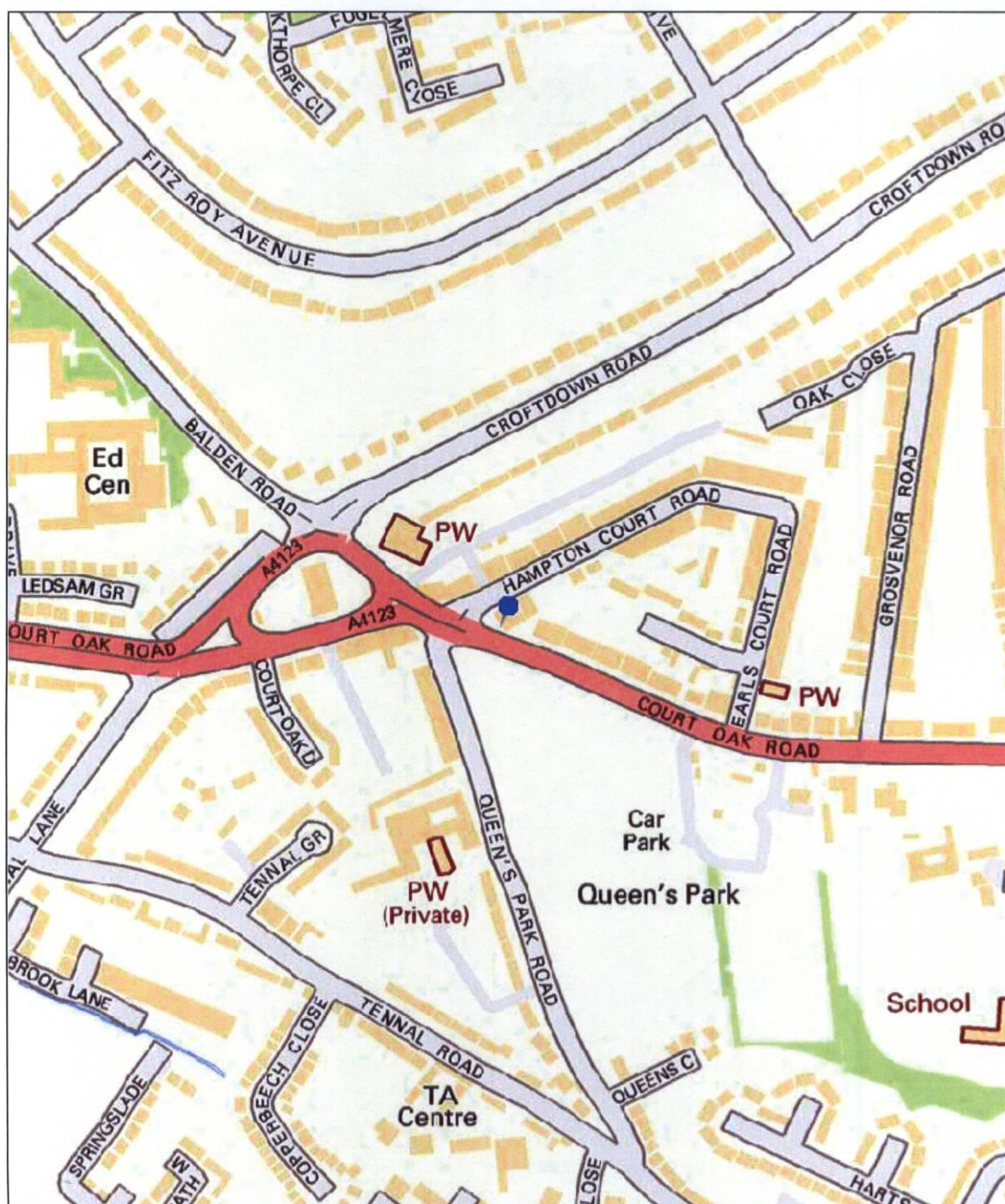
Regards

*Chris Jones* 55410  
Birmingham Central Licensing Team

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

(Sat nav postcode B4 6AT)

Contact us on 999 in an emergency or for all other matters please visit [WMPolice Online](#)



**Birmingham City Council**

Map Created By:

Date of Map Creation: 11/01/2019

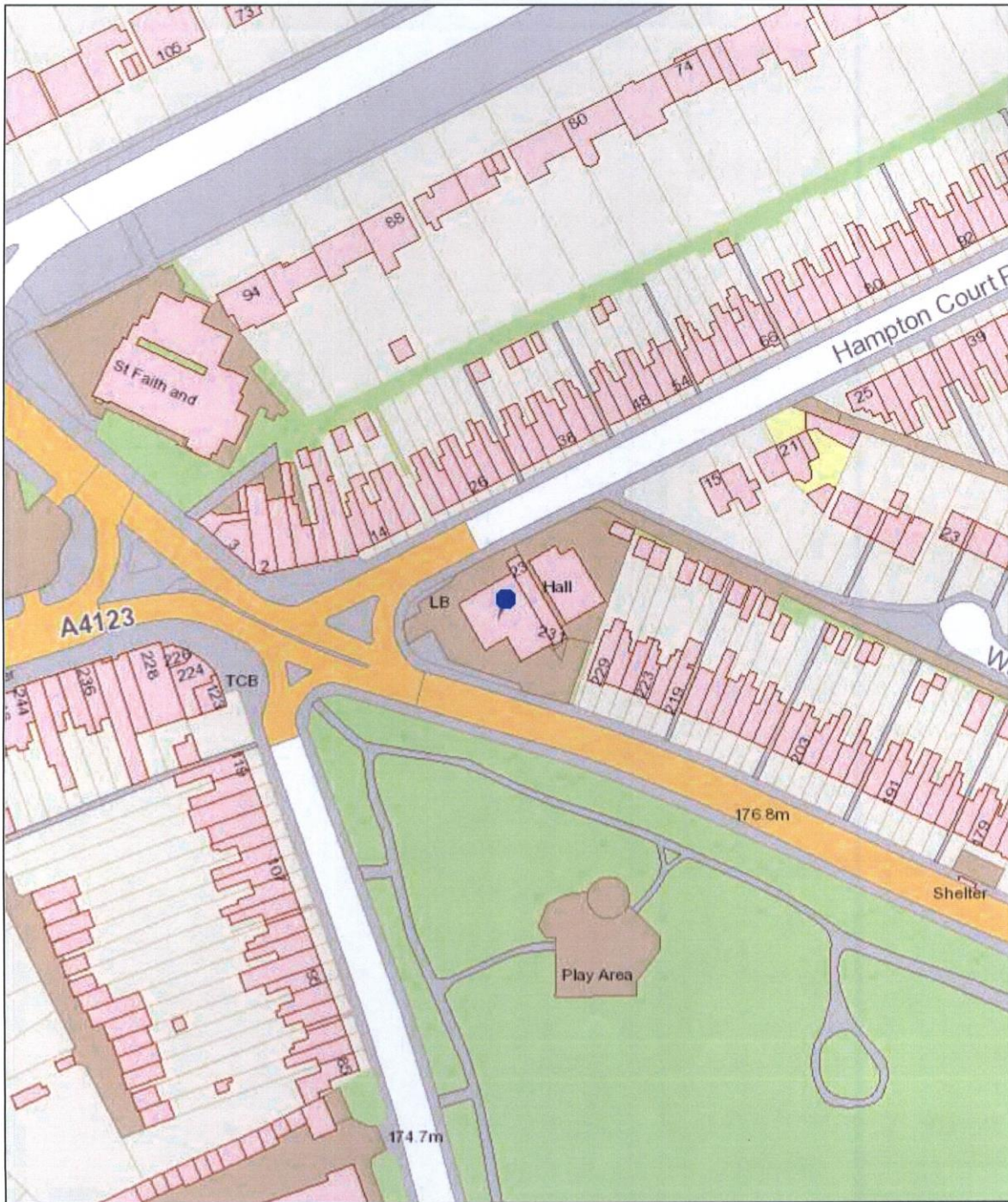
Notes



Scale:  
1:4,000

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