



BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE B

TUESDAY 1 SEPTEMBER 2020

Rose Supermarket ,159 Hagley Road, Edgbaston, Birmingham, B16 8UQ

That the application by Rose Supermarket (Brum) Ltd for a premises licence in respect of Rose Supermarket ,159 Hagley Road, Edgbaston, Birmingham B16 8UQ, **BE GRANTED.**

Those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will form part of the licence issued together with those conditions as agreed with West Midlands Police and Licensing Enforcement, as follows:

- The premises will install/update CCTV to the recommendations and specifications of West Midlands Police Central Licensing Team. There will be cameras that cover the frontage of the premises. These cameras will have the capability of capturing evidential quality images in low light conditions. CCTV images/recordings will be held for a minimum of 31 days, display the correct time & date stamp and be downloadable immediately on request of any of the responsible authorities.
- If for any reason the CCTV hard drive needs to be replaced the previous/old hard drive will be kept on site for a minimum of 31 days and made immediately available to any of the responsible authorities on request.
- All staff will receive training prior to commencing employment on their responsibilities under the Licensing Act 2003, the licensing objectives and underage sales. No staff will work at the premises while it is carrying out licensable activity until this training has been completed. Refresher training will be conducted a minimum of every 12 months. Staff training will be documented and signed & dated by both the trainer & trainee. Training records are to be made immediately available to any of the responsible authorities on request and the training records shall remain on site for a period of three months from the date the employment ceases.
- Fire training: All serving and newly-appointed staff are to be trained in the action to be taken in case of fire and their duties with respect to the evacuation of the premises prior to commencing employment. This training will be documented and signed by each member of staff as having been completed. The documentation will remain at the premises and will be produced on request to any responsible authority.
- An incident log (which may be electronically recorded) shall be kept at the premises for at least six months from the date of the last entry, and made available on request to any responsible authority, and will be used to record incidents that occur within the premises and also directly outside the premises, in particular the following incidents, including pertinent

details:

- (a) all crimes reported to the venue, or by the venue to the police
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service
- There will be no posters or advertisement of alcohol outside the premises or in the front window.
 - The licence holder will take appropriate measures to ensure that people are discouraged from congregating in groups outside the premises.
 - Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the premises and will be refused service.
 - The premises licence holder will have a written age verification policy – Challenge 25. A copy of the age verification policy must be signed and dated by all members of staff to confirm they have read and understand the policy in operation. The signed copy of the policy must be maintained at the premises and available for inspection by any Responsible Authority on request.

The Sub-Committee carefully considered the written representations made by other persons, none of whom attended the meeting. However, the Members were not convinced that there was an evidential and causal link between the issues raised and the effect on the licensing objectives. The objections seemed to focus on noise and drunkenness caused by people congregating in the area, but the agreed conditions covered this. The Sub-Committee also observed that other premises in the area were licensed to later hours.

The Sub-Committee deliberated the operating schedule put forward by the applicant and the likely impact of the application, including the agreed conditions, and concluded that by granting this application, the four licensing objectives contained in the Act will be properly promoted. The applicant had three to four years' previous experience of running licensed premises in Walsall/ Bromsgrove, and would be operating the shop together with his son. The intention was that the son would undertake the Personal Licence qualification. There was no reason to believe that the premises would not be properly managed, and so the Sub-Committee resolved to grant the application with the agreed conditions.

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 a premises licence, the written representations received and the submissions made at the hearing by the applicant's 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.