

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Director of Regulation & Enforcement
Date of Meeting:	Tuesday 26th March 2019
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Extra Supermarket, 187 High Street, Erdington, Birmingham, B23 6SY
Ward affected:	Erdington
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption off the premises) to operate from 8:00am until 9:00pm (Monday to Sunday).

Premises to remain open to the public from 8:00am until 9:00pm (Monday to Sunday).

2. Recommendation:

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

3. Brief Summary of Report:

An application for a Premises Licence was received on 31st January 2019, in respect of Extra Supermarket, 187 High Street, Erdington, Birmingham, B23 6SY.

Representations have been received from two responsible authorities and from other persons.

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

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

5. Relevant background/chronology of key events:

Paromstor Ltd applied on 31st January 2019 for the grant of a Premises Licence for Extra Supermarket, 187 High Street, Erdington, Birmingham, B23 6SY.

Representations have been received from West Midlands Police and Trading Standards, as responsible authorities. See Appendices 1 and 2.

Representations have been received from other persons. See Appendices 3 and 4.

The application is attached at Appendix 5.

Site Location Plans at Appendix 6.

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

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

When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-

- a. The prevention of crime and disorder;
- b. Public safety;
- c. The prevention of public nuisance; and
- d. The protection of children from harm.

6. List of background documents:

Copies of the representations as detailed in Appendices 1 - 4
Application Form, Appendix 5
Site Location Plans, Appendix 6

7. Options available

To Grant the licence in accordance with the application.

To Reject the application.

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

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

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

Entered 21

From: bw licensing <
Sent: 04 February 2019 14:43
To: Licensing Online;
Cc: Compliance Direct ,
Subject: RE: ON-LINE GRANT - EXTRA SUPERMARKET, 187 HIGH STREET, ERDINGTON, BIRMINGHAM, B23 6SY

Licensing,

- West Midlands Police formally make representation to the grant of this licence on the grounds that if granted the licensing objectives, the prevention of crime and disorder will not be promoted.
- West Midlands Police are aware that in 2018 Birmingham City Council Trading Standards Department conducted a visit on the premises where they found a quantity of illicit tobacco. The licence in place at the time was taken to review where the licensing committee saw fit revoked it.
- West Midlands Police are not satisfied that there has been a change of ownership at the shop and believe that the person(s) involved with the old revoked licence still have day to day control.
- Also, the area in which this shop is located is in the middle of a Cumulative Impact Zone (CIZ). This was created by the local council as the area of Erdington is saturated with both on and off alcohol sales. This has had a detrimental effect on the area with it being subject to a large amount of alcohol related crime, disorder and ASB.
- West Midlands Police are not satisfied that the applicant will be able to promote the licensing objectives.

Regards

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

Entered
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From: Martin Williams on behalf of Trading Standards
Sent: 05 February 2019 13:23
To: Licensing Online;

Subject: RE: ON-LINE GRANT - EXTRA SUPERMARKET, 187 HIGH STREET, ERDINGTON, BIRMINGHAM, B23 6SY - Trading Standards objection to new application

Dear Licensing,

I wish to object to the new licence application for Paromstor Ltd for Extra Supermarket 187 High St. Erdington for the reasons listed below;

The proposed PLH company is the same operating company for which the licence was revoked for on 14th August 2018.

This company was subject to criminal proceedings by Birmingham Environmental Health and is still undergoing investigation by Trading Standards for the items seized that formed the subject of the licence review.

The proposed DPS; Jiger Patel told us he was the manager of the shop on the day of the seizure on 24th May 2018 and was involved in purchasing alcohol. He is presently a director of Paromstor Ltd. He has been a director of the company previously and had given a 11 month backdated notification of cessation as a person with significant control of the company on 27th July 2017 - backdated to 31 August 2016.


(There are many other backdated activities listed against this company which give cause for concern)

During the licence review process the owners said that the business was being sold. This has not happened with one of the other directors at the time Mr Rashmikanth Patel still very much involved in the business after our action.

Given the above information I think this new application shows that the operating company and its officers/staff are too closely associated with the previous regime and there will be no significant change in the poor management of the shop resulting in similar breaches of legislation as before

Martin Williams
 Trading Standards Officer
 Birmingham Trading Standards
 P O Box 16586
 Birmingham
 B33 3EH

www.birmingham.gov.uk/tradingstandards

 Follow @bhamts

CAB Consumer Advice Line: 08454 04 05 06

CAB Website: <http://www.adviceguide.org.uk/>

Fair Regulation for all - achieving a safe, clean, green and fair trading city for residents, business and visitors

ENTERED
ON

From: Councillor Gareth Moore
Sent: 25 February 2019 15:13
To: Licensing
Cc: Councillor Robert Alden
Subject: Objection to Extra Supermarket, 187 High Street, Erdington Ref: 109782

Dear Licensing

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

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

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

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

It is also worth noting that these premises were previously licenced but the licence was revoked following an investigation by Trading Standards. The premises had been found to be selling non-duty paid cigarettes and alcohol, and we are concerned that since these premises are known to have engaged in such activity, it will become associated with this again.

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

Many thanks

Gareth

COUNCILLOR GARETH MOORE

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

Conservative Group Secretary
 The Council House, Victoria Square, Birmingham, B1 1BB }

ENTERED
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From:
Sent: 27 February 2019 16:53
To: Licensing
Subject: Ref: License Application - Extra Supermarket, 187 High Street, Erdington (Ref: 109782)

The Erdington BID wish to object to the above application.

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

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

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

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



Birmingham
Application for a premises licence
Licensing Act 2003

For help contact
licensingonline@birmingham.gov.uk
 Telephone: 0121 303 9896

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

187/CDL/2019

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Jiger Rashmikan

* Family name

Patel

* E-mail

Main telephone number

Other telephone number

Include country code.

☒ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

☒ Yes

☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

09701520

Business name

PAROMSTOR LIMITED

If the applicant's business is registered, use its registered name.

VAT number

-

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

☐ A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /

* Nationality

Documents that demonstrate entitlement to work in the UK

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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 for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

The premises is a smaller super-market style operation. It serves fresh meats, general grocery and alcohol (if the licence is granted). The premises is situated in ground floor and in a busy shopping area. The premises do not sell tobacco products. The first floor is used for storage only.

<p>Continued from previous page...</p> <p>If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend</p> <div style="border: 1px solid black; width: 100px; height: 20px; margin-left: 100px;"></div>
Section 6 of 21
PROVISION OF PLAYS
<p>See guidance on regulated entertainment</p> <p>Will you be providing plays?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
Section 7 of 21
PROVISION OF FILMS
<p>See guidance on regulated entertainment</p> <p>Will you be providing films?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
Section 8 of 21
PROVISION OF INDOOR SPORTING EVENTS
<p>See guidance on regulated entertainment</p> <p>Will you be providing indoor sporting events?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
Section 9 of 21
PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS
<p>See guidance on regulated entertainment</p> <p>Will you be providing boxing or wrestling entertainments?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
Section 10 of 21
PROVISION OF LIVE MUSIC
<p>See guidance on regulated entertainment</p> <p>Will you be providing live music?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
Section 11 of 21
PROVISION OF RECORDED MUSIC
<p>See guidance on regulated entertainment</p> <p>Will you be providing recorded music?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
Section 12 of 21
PROVISION OF PERFORMANCES OF DANCE
<p>See guidance on regulated entertainment</p> <p>Will you be providing performances of dance?</p>

Continued from previous page...

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes

☒ No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises ☒ Off the premises ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth

dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="LN/000013616"/>
Issuing licensing authority (if known)	<input type="text" value="LB Islington"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

not applicable

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

none

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

none

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

Staff

1. There shall be a personal licensee on the premises at all times that alcohol is offered for sale.
2. The Designated Premises Supervisor shall be a full-time member of staff at the premises.
3. All staff working at the premises shall receive documented training from an accredited licensing course provider:
 - a. in the conditions of this licence, including mandatory conditions
 - b. in the contents of the Challenge 25 scheme
 - c. in the restrictions on selling alcohol to persons under 18 years of age and how to deal with under age requests
 - d. in the contents of Home Office guidance on recognition of fake ID
 - e. in the contents of the premises age verification policy.
4. The training shall be refreshed at least quarterly.
5. Training records, including the dates of training of each members of staff shall be available to any responsible authority within one hour on request by a Police Officer or an authorised officer of the Licensing Authority.

Product restriction and display

6. No beers, ciders or lagers above 5.6% ABV will be sold or offered for sale.
7. No white cider will be sold or offered for sale.
8. No cider in bottles of 1 litres or above will be sold or offered for sale.
9. No single cans of beer, cider or lager will be sold or offered for sale.
10. All spirits shall be kept on a shelf behind the sales counter
11. All alcohol that is displayed for sale shall be located within the view of the cashier.
12. There will be no "end of aisle" alcohol display or promotion.
13. No alcohol shall be consumed on the premises.

b) The prevention of crime and disorder

14. CCTV

- a. Installed CCTV systems that meet the standard to be approved in writing by the Chief Community Safety Officer shall operate and record video images at all times that the premises are open to the public.
- b. The system shall capture head and shoulders images of persons entering the premises and monitor the alcohol display areas and sales points.
- c. The system shall operate and record video images at all times that the premises are open to the public.
- d. The system shall display on any recording the correct date and time of the recording.
- e. All CCTV shall be kept for not less than 31 days and be made available to a police officer or an authorised officer of any responsible authority within one hour of any request. A member of staff capable of operating the CCTV will be present during the opening hours of the premises.

Incident book

15. An incident book shall be kept and maintained at the premises, which shall be made available to a police officer or an authorised officer of any responsible authority within one hour of any request. The incident book shall be used to record the date and time of any incident, the name of the staff member and a brief description of the customer concerned. All incidences of the following shall be recorded in the incident book within 24 hours and retained for a minimum of 12 months:

- a. Any attempted underage alcohol purchase.
- b. Any attempted purchase of alcohol by a person who appears to be under 25 years of age and who fails to produce proof of age.
- c. Any theft or attempted theft of alcoholic drinks.
- d. Any acts of violence or criminal damage
- e. Any refusal of sale to a person who is or appears to be drunk.
- f. Any other incidents involving crime or disorder
- g. Any attempted purchase of alcohol by a street drinker.

Excluded persons

16. Any person found to be responsible for violence, disorder or other criminal activity on the premises or immediately outside shall be permanently excluded from the premises.
17. The Police may provide a photograph and description of any person to be excluded, in which case that person shall be excluded from the premises.

Continued from previous page...

18. The identity and description of any excluded person shall be entered into the incident book.
19. All reasonable steps shall be taken to ensure that the excluded persons are prevented from entering the premises.
20. All reasonable steps shall be taken to ensure that the identity and description of excluded persons are known to all relevant staff members.

c) Public safety

Covered in General

d) The prevention of public nuisance

Litter

21. At least one receptacle for the disposal of used packaging shall be provided on the premises. The receptacle shall be emptied and cleaned on a daily basis.
22. A prominent sign shall be displayed at all exit points to the premises requesting that customers dispose of their litter in the bin provided.
23. Refuse shall be cleared from the front of the premises at least once during the course of the licensable activity.

e) The protection of children from harm

Age verification

24. The premises will operate a Challenge 25 policy that ensures that any person attempting to purchase alcohol that is, or appears to be, under the age of 25 shall provide documented proof that he/she is over 18 years of age.
25. Proof of age shall only comprise of a passport, a photo card driving licence, Proof of Age Standards Scheme (PASS) proof of age identity card or a Ministry of Defence identity card.
26. A copy of a written age verification policy shall be kept on the premises and made available for inspection by a police officer or authorised officer of the Council.
27. All reasonable steps shall be taken to verify that any documents produced by persons attempting to purchase alcohol are genuine and relate to the person producing them.
28. The premises shall install and maintain a till prompt system to prompt the seller to check age and ask for ID whenever an age-restricted product is sold.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

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- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at <https://www.tax.service.gov.uk/business-rates-find/search>

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 - £1,000.00

Capacity 10000 -14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

* Fee amount (£)

315.00

DECLARATION

1

Continued from previous page...

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15).

THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name
* Capacity
* Date / /
dd mm yyyy

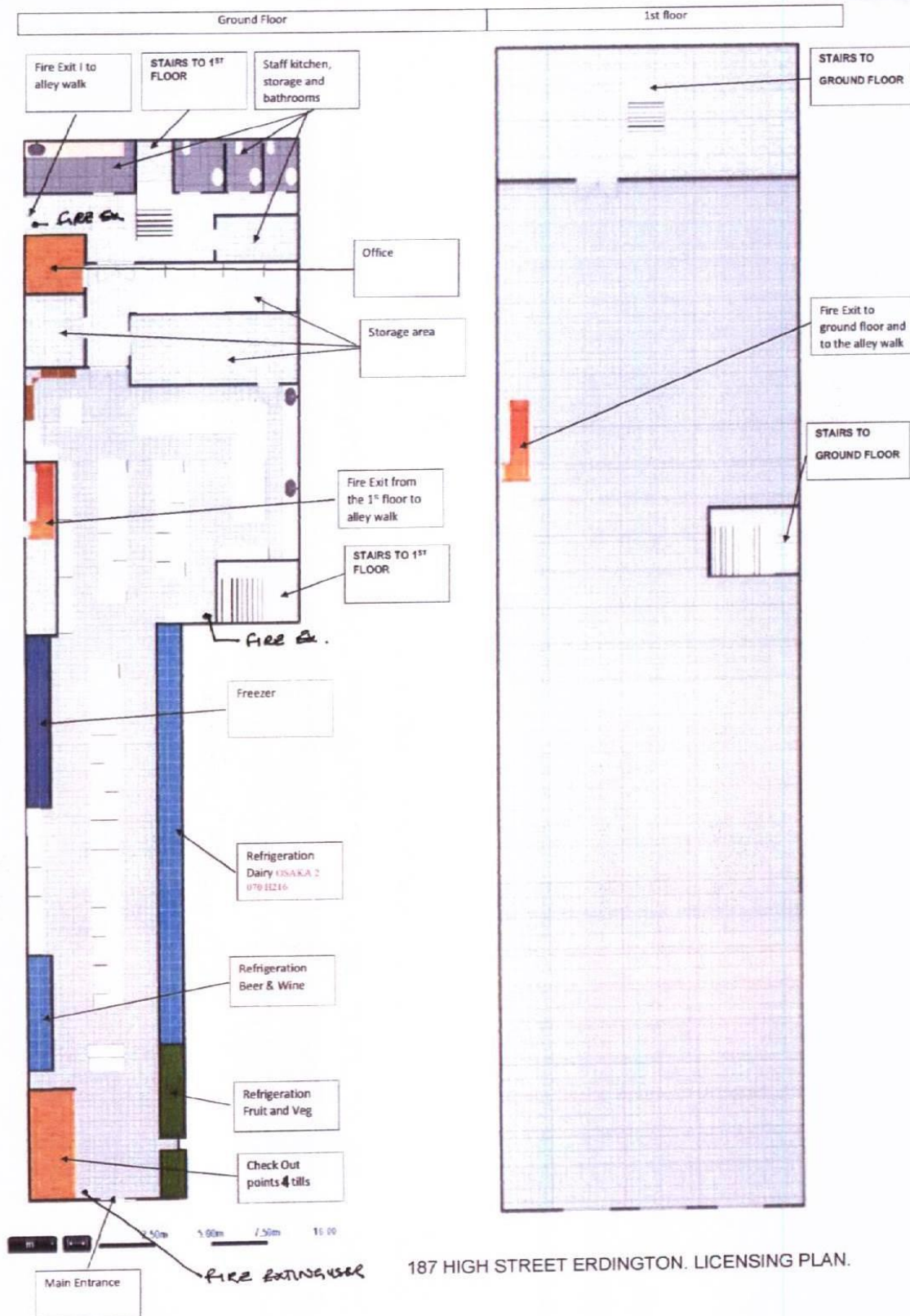
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/birmingham/apply-1> to upload this file and continue with your application.

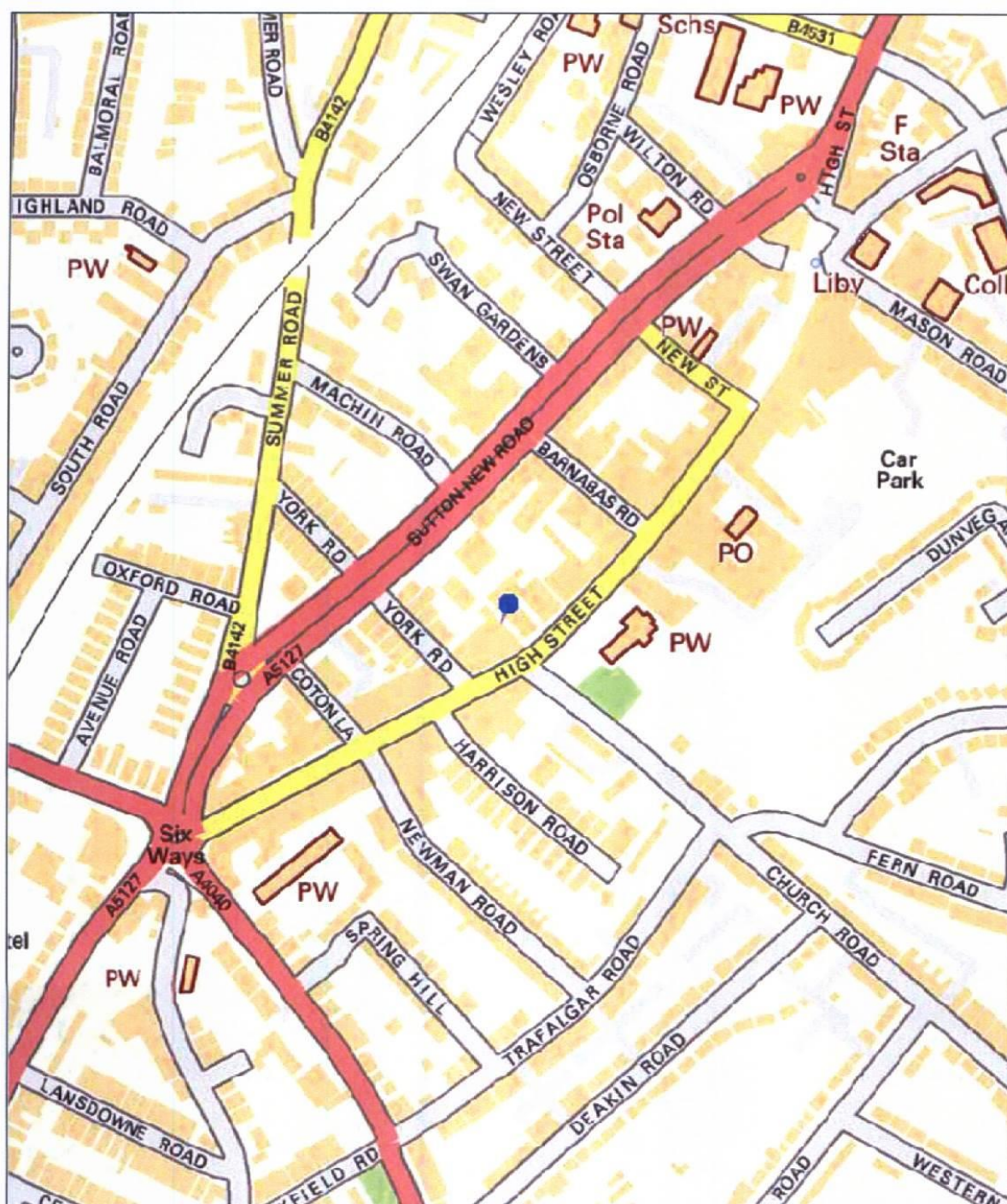
Don't forget to make sure you have all your supporting documentation to hand.

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

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



187 HIGH STREET ERDINGTON. LICENSING PLAN.



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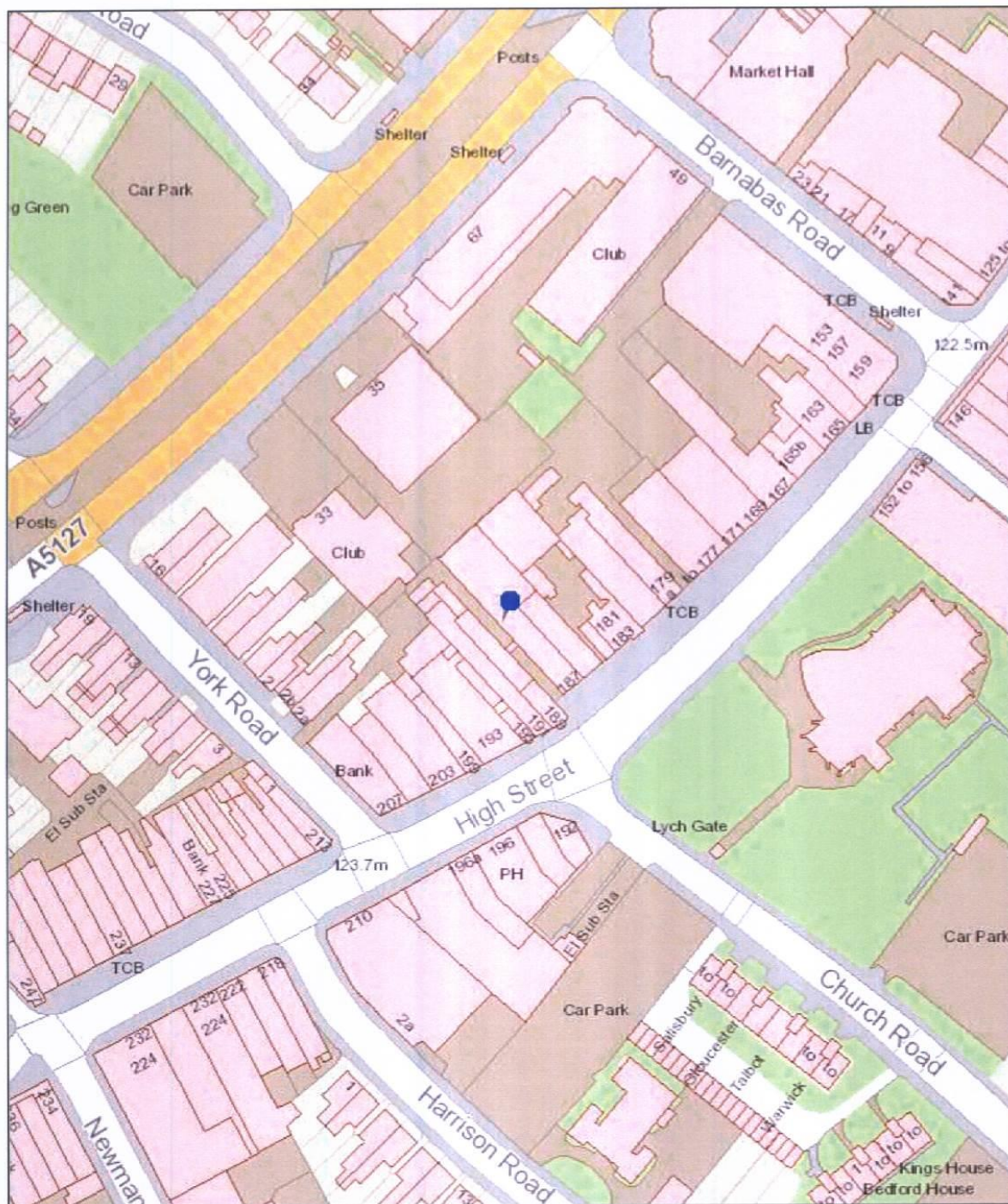
Notes

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Birmingham City Council

Map Created By:

Notes

Date of Map Creation: 11/02/2019



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