

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C

WEDNESDAY, 16 DECEMBER 2020 AT 10:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

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

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chairman to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

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

3 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3 - 28

4 MINUTES

To confirm and sign the Minutes of the meeting held on 26 August 2020.

To confirm and sign the Minutes of the meeting held on 9 September 2020.

To confirm and sign the Minutes of the meeting held on 23 September 2020.

29 - 54

5 LICENSING ACT 2003 PREMISES LICENCE – VARIATION SELECT XPRESS, 1164 – 1166 WARWICK ROAD, ACOCKS GREEN, BIRMINGHAM, B27 6BS

6 **OTHER URGENT BUSINESS**

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

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C 26 AUGUST 2020

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE C HELD ON WEDNESDAY 26 AUGUST 2020 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Mike Leddy in the Chair;

Councillors Mary Locke and Martin Straker-Welds.

ALSO PRESENT

Bhapinder Nandhra – Licensing Section
Joanne Swampillai – Legal Services
Phil Wright – Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

NOTICE OF RECORDING/WEBCAST

- 1/260820 The Chairman advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public would record and take photographs except where there are confidential or exempt items.

2/260820 **DECLARATION OF INTERESTS**

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

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/260820 Apologies were submitted on behalf of Neil Eustace and Councillor Mary Locke was the nominee Member.
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**LICENSING ACT 2003 PREMISES LICENCE – GRANT AFRICAN VILLAGE, 2
BARKER STREET, LOZELLS, BIRMINGHAM, B19 1EL**

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

(See document No. 1)

On Behalf of the Applicant

Mr S Aguh – Premises Licence Holder (applicant)

Mr K Mukulu – Counsel Amity Chambers representing the Premises Licence Holder

Those Making Representations

Councillor W Zaffar – Ward Councillor

The Chairman introduced the Members and officers present and asked if there were any preliminary points for the Sub-Committee to consider. No preliminary points were made.

At 1021 the meeting was adjourned due to technical difficulties.

At 1023 the meeting was reconvened.

The Chairman then explained the hearing procedure prior to inviting the Licensing Officer, Bhapinder Nandhra to outline the report.

Mr K Mukulu made the following points on behalf of the applicant:-

- a) The applicant had accepted the amendments to the opening times and the conditions requested by Environmental Health and documented in the papers.
- b) The applicant had also accepted the conditions proposed by Licensing Enforcement.
- c) The objections related to anti-social behaviour and parking and the Premises License Holder had addressed those points in the additional statement that he had submitted to the Sub-Committee.
- d) Paragraph 8 of the additional statement confirmed that the Premises Licence Holder had negotiated with a nearby premises owner to use their carpark.
- e) The parking on the pavement referred to by Councillor Zaffar could have been anyone and could not be confirmed to be associated to the applicant premises and paragraphs 8 and 9 in the additional statement deals with that issue in more detail.
- f) The applicant intended to put up signs in the restaurant advising patrons about parking in designated parking places.

- g) Regarding anti-social behaviour the applicant intended to employ appropriately badged security staff so that when the premises closed at night customers could be ushered out and loitering would be prevented. Persons leaving would do so via an exit on to Lozells Road thus avoiding Barker Street which was residential in nature.
- h) The amended hours agreed would alleviate concerns relating to anti-social behaviour.
- i) Submissions relating to a previous licenced premise in the area should be dismissed as the issues were not connected to the application premises.
- j) The representations from Councillor Zaffar made reference to the fact that the applicant had ran a business with the same name at Birchfield Road which was the subject of a number of complaints from residents. The applicant stressed that the previous premises had longer opening hours while the current application was for a restaurant closing earlier. The applicant also highlighted that he had never received any complaints about the premises at Birchfield nor had Councillor Zaffar provided any evidence of such complaints.
- k) The Sub-Committee was asked to grant the licence.

In answer to Members questions Mr K Mukulu and Mr S Aguh made the following points: -

- a) In order to attract the 'right clientele' the applicant would make it clear to prospective customers that the premises were a restaurant and the behaviour expected of customers. Any advertising would include the words 'best behaviour would be appreciated'. In addition, there would be security staff to deal with any issues that arose.
- b) There would be CCTV in operation and any footage would be provided to the police if requested.
- c) Whilst the capacity of the premises was 85 that would not be the figure for operating with Covid restrictions due to the size of the premises.
- d) Customers would be 'sign posted' to the parking which was on Heathfield Road near Villa Cross and a 2-3-minute walk from the restaurant. There was parking for 12 cars.
- e) There would be 4 security staff on duty on Friday and Saturday nights and 2 to 3 on the other nights.
- f) The licenced area being applied for was orange on the plans submitted. The main entrance was off Barker Street which went into a glass lobby before customers went through into the waiting area. The exit to Lozells Road to be used at the end of the evening was the emergency exit top right on the plan.

- g) Although the plans did not show seating the premise was to operate as a restaurant and not a bar. There would be no standing except for staff and maybe customers in the waiting area

Councillor Zaffar presented his representations and made the following points: -

- a) He was raising the concerns of local residents as the local Councillor.
- b) He was pro-business particularly local business and he welcomed the fact that the building was to be brought back after several years and the diversity of offer to the Lozells area and the wider area. The proposals would create employment and benefit the local economy.
- c) However, residents had grave concerns about the licensing of the premises due to the nature of the area in which they were situated which had had problems in the past. The reduction in hours was acknowledged.
- d) Whilst there were no licenced premises currently in the vicinity of the premises there had been a number operating in the past in the Villa Cross area which had either moved on or had the licences revoked. Whilst the applicant had not been connected to any of these it demonstrated the environment in which the proposed premises would operate.
- e) One premises which had no connection to the applicant was at the other end of Barker Street. Following issues, the licence was revoked, a position supported by local residents, police and the Sub-Committee who took the decision. The reason for the revoking of the licence was the Landlady could not control the clientele using the premises. These people were not from Lozells and would come and park in haphazardly in the surrounding streets. It was acknowledged that the Landlady had tried various measures to deal with the issues without success.
- f) As a Ward Councillor he had received many complaints from local residents, some who were very distressed, mostly following Friday and Saturday nights. Issues raised were people drinking and urinating on the street and in resident's gardens.
- g) Work was being undertaken by the City Council to create a low traffic neighbourhood in Lozells to reduce the amount of through traffic on residential roads such as Barker Street. The application would create more traffic. The ability for traffic to travel down Barker Street because of parking was so bad double yellow lines had had to be introduced.
- h) There appeared to be no evidence of the additional parking the applicant was providing. However, 12 spaces for 4 security staff, other staff and 85 customers was insufficient. Therefore, the premises would add to the parking difficulties in the area.
- i) It was noted that a petition that had been collected before the licence had been applied for could not be considered at the meeting. The reason that this petition was started was because a sign had gone up outside the premises

with the words African Village Bar and Restaurant which was the same name of a premises on Birchfield Road.

At this point Mr K Mukulu asked if Councillor Zaffar was seeking to reintroduce the petition. Councillor Zaffar explained that he was merely indicating that 430 local residents had signed a petition on the strength of a sign put up by the applicant.

Councillor Zaffar continued by making the following points:-

- j) The provision of security at a restaurant where families would go did not give the impression of a safe environment. The fact that the applicant and his representative had already said security staff would be available suggested that they are expecting the premises to attract the wrong clientele. Other restaurants in the vicinity catering for local residents did not have security.
- k) He felt that if the licence was to be granted it would have a detrimental impact on the local community and the situation that had happened with the licenced premises on Baker Street a few months ago would be recreated. The local residents were relieved when that licence had been revoked as the illegal barbeques and street parties stopped. That environment would be recreated if the license was granted for this restaurant because of the nature of the clientele who would be visiting the premises, would be similar to those visiting the closed premises on Barker Street and the African Village on Birchfield Road where the independent Birchfield Neighbourhood Forum had led a campaign.
- l) The area had many challenges with HMOs and previous riots which take time to recover from and further issues should not be encouraged.
- m) He had lived in the area all his life near the application premises and was familiar with the issues in the area. He could not endorse the application because of the impact on residents of Barker Street and felt that if granted a campaign to review the licence and calling for it to be revoked would be started. The Sub Committee would be looking at the licence again very soon. He felt that a restaurant without a licence would be welcomed.
- n) The premises was surrounded by parking restrictions because it was on a junction. He had been sent pictures of a vehicle which it was hard not to connect to the premises parked on the pavement between the railings and the restaurant. The only way it could have got there was by driving up on to the pavement at the traffic lights. The vehicle could have been connected to refurbishment work at the premises or delivering to it. It raised the question how deliveries would be made to the premises as no details had been given.
- o) He asked the Sub-Committee to understand the environment in which the premises were situated and the issues in the last 12 months with a licenced premises at the other end of Barker Road. The provision of security staff and the operation of the premises as a restaurant and not a night club as the premises on Birchfield Road did, together with reduced hours, would not be sufficient to deter people who would see the name of the restaurant and believe it to be operating in the same way as the premises at Birchfield Road.

The fact that the name was the same and it was operated by the same person was worrying.

In answer to Members questions Councillor Zaffar made the following points: -

- a) He had not been convinced by what he had heard in the meeting and emphasised that the applicant had known of his representations made on behalf of local residents but had not reached out to him or the local community. He had objected to other licensing applications where the applicant had put in some interventions which had allowed him to withdraw the representations. There had been no reassurances before the meeting or in the meeting. The residents feared that the premises would operate as a night club in the residential area as the same clientele would be attracted by name and the fact the former premises were not far away. He himself felt that the premises would be more of a bar than a restaurant which was reflected in the name on the signs where the word bar was first.
- b) There were no conditions in the licence which would deal with the main issue of anti-social behaviour as had happened with other premises nearby.
- c) He was disappointed that the police had not made representations as he was aware of conversations between local residents and the Neighbourhood Policing Team and the Neighbourhood Policing Team and the Police licensing Team. The police could not deal with the issues at the other premises which led them to seek a review. He had spoken to an experienced local police officer who feared the same problems may arise again.
- d) He did not see the situation with the premises closing at 2330 hours as different to that of the former premises which had longer opening hours as he felt the same clientele would be attracted. Also, the premises had the same name and operator. Whilst the bar would close at 2330 hours that would not stop the people going out onto the streets of Lozells and causing problems in the area. He highlighted that the former premises on Birchfield Road had a large carpark and was in a busier environment with less residential property nearby. The application premises had residential property a couple of doors down Barker Street.
- e) He believed the licensed premises would just attract people to congregate outside in the street which the applicant would find difficult to deal with. There was an issue in the area of illegal parties and people roamed from one licenced premise to another impacting on the quality of life of local residents.

In summing up, Councillor Zaffar explained that the issue was about peoples' lives, who should feel safe and secure in their own homes. Having the prospect of a licenced premises opening late so close to residents' homes had made them remember the problems they recently experienced with another premises in the vicinity. Despite reassurances from the applicant and his representative and the conditions put forward by Council Officers, residents were still not convinced and he requested that the Sub-Committee refuse the licence in order for residents to enjoy the peaceful life they have enjoyed since the other premises licence was revoked.

In summing up, Mr K Mukulu confirmed in order to comply with Covid guidelines on social distancing the restaurant would reduce its capacity from 85 to 22 persons seated. With reference to the security staff that the applicant intended to put in place, that should reflect on him positively for having the foresight to realise at times when alcohol is consumed by people issues may arise that require trained staff to deal with them. If Councillor Zaffar did not wish to attend a restaurant with security staff than that was his personal preference and should not be used against the applicant. Councillor Zaffar had made reference to anti-social behaviour and the applicant was providing security staff and CCTV to mitigate against that issue. It would appear that no conditions could be put forward by the applicant that would satisfy Councillor Zaffar.

Councillor Zaffar had made much of the fact that the premises would have the same name and operator as the closed African Village premises in Birchfield Road and therefore likely to attract the same clientele. The two premises had different opening hours with the proposed premises operating as a restaurant (not a nightclub) until 2330 hours. The two should not be linked for the purposes of the application.

The applicant had used the formal procedure to deal with the representations made by Councillor Zaffar rather than reach out to him beforehand and no weight should be put on this. The applicant was acting in a professional manner.

At 1125 the meeting was adjourned due to technical difficulties.

At 1127 the meeting was reconvened.

Mr Mukulu asked Mr Mr Aguh to address the issue of deliveries who explained that there was a garden at the rear which could be made into an off-road delivery area.

Mr Mukulu continued by noting the reference to the lack of Police representations by Councillor Straker Welds and Councillor Zaffar's apparent concern. It should be noted that the Police had the resources and the knowledge and intelligence to judge whether this type of application would create the type of issues raised by Councillor Zaffar. It was a material point that the Police had chosen not to make representations on the application which suggested that they viewed that application without reference to the Birchfield Road premises and that the two had different characteristics.

The Sub-Committee should ignore reference to illegal parties as there was no evidence that the applicant would encourage such parties and as he has made an application for a licence through the appropriate channels indicate his willingness to abide by the law.

Mr Mukulu noted that no evidence had been put forward to substantiate the concerns of the Birchfield Neighbourhood Forum. However professional Council Officers from Environmental Health had looked at the application and proposed conditions which were agreeable to the applicant.

The applicant, in his statement to the Sub-Committee, had addressed the issues raised by Councillor Zaffar, particularly parking, which was anecdotal. He confirmed that when he visited the premises, he had been able to park a couple of minutes walk away which suggested parking was available. The applicant was putting up appropriate signs highlighting where parking was available including the parking he had arranged with a third party.

There was no evidence linking the situation at the Public House up the road which had had its licence revoked, which was a drinking establishment and the application premises which was a restaurant serving alcohol and any suggestion that it was going to be anything different was misleading.

In conclusion Mr Mukulu invited the Sub-Committee to grant the licence bearing in mind that the Police who would be concerned with anti-social behaviour had not made representations and Environmental Health Officers had sought and agreed with the applicant some concessions in the form of conditions.

At this stage the meeting was adjourned in order for the Sub Committee to make a decision and all parties left the meeting. The Members, Committee Lawyer and Committee Manager conducted the deliberations in private and the decision of the Sub-Committee was sent out to all parties as follows: -

4/260820

RESOLVED:-

That the application by Simeon Aguh for a premises licence in respect of African Village, 2 Barker Street, Lozells, Birmingham B19 1EL, **BE REFUSED**. In reaching this decision, the Sub-Committee was mindful of the promotion of the licensing objectives in the Act, particularly the prevention of public nuisance.

The Sub-Committee's reasons for refusing this application for a premises licence are due to concerns expressed by the local Ward Councillor regarding the impact of the proposed operation on the particular locality of the premises, near to residential properties. The Ward Councillor made detailed representations relating to the Barker Street area, and the likely effect on people living in the vicinity.

The Sub-Committee carefully considered the operating schedule put forward by the applicant and the likely impact of the application, but was not persuaded that that the proposed operation of the premises adequately took into account the needs of local residents.

The application had stated that the premises was to be a restaurant. The applicant's legal representative addressed the Sub-Committee and confirmed that "this is a restaurant where alcohol will be served". Security guards would be on duty – four on Friday and Saturday nights, two/three on other nights.

The main issues raised by the Ward Councillor were parking and antisocial behaviour. Whilst the applicant had arranged for 12 parking spaces in a car park which was "two to three minutes away", it was observed by the Ward Councillor that the capacity of the premises was 85 persons; even allowing for the reduction in numbers required by the ongoing Covid-19 pandemic, the applicant expected to

be able to seat around 22 persons. Twelve parking spaces would therefore not be sufficient for customers, staff and the security personnel.

Regarding the risk of antisocial behaviour, the Ward Councillor stated that the sale of alcohol would lead to the same problems which had been experienced in the past in the Barker Street vicinity. Local residents had also made their views on this aspect plain to the Ward Councillor – that the risk of antisocial behaviour was a great worry to them. The Ward Councillor's fears were not speculative, but were based on his direct knowledge of problems created by alcohol-licensed premises which had operated in the area in the past. The Ward Councillor noted in particular that the applicant had arranged for four security guards to be on duty at weekends; the Sub-Committee agreed that this seemed unusual for a premises describing itself as a restaurant.

The Sub-Committee observed that the Ward Councillor was supportive of local businesses; he remarked that a restaurant would expand the food offer available in Barker Street, create jobs and contribute to the local economy. However, the issue was the sale of alcohol, which had been found to create problems in the area in the past, and to adversely affect the lives of residents as a result. The Sub-Committee therefore determined that the correct course was to refuse the application; the premises would be able to operate as a restaurant, but without the alcohol licence which would put the licensing objectives at risk.

The Sub-Committee gave consideration to whether any measures could be taken to ensure that the licensing objectives were adequately promoted and that therefore the licence might be granted. However, Members considered that neither modifying conditions of the licence, refusing the proposed Designated Premises Supervisor nor excluding any of the licensable activities from the scope of the licence would mitigate the concerns raised by those making representations. The terminal hour had already been brought forward, and regulated entertainment (recorded music) removed, from the scope of the application.

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

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

The meeting ended at 1147 hours.

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CHAIRMAN

eeBIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C 9 SEPTEMBER, 2020
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MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE C HELD ON WEDNESDAY 9 SEPTEMBER, 2020 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Mike Leddy in the Chair;

Councillors Mary Locke and Martin Straker-Welds.

ALSO PRESENT

Shaid Yasser – Licensing Section
Joanne Swampillai – Legal Services
Louisa Nisbett – Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

NOTICE OF RECORDING/WEBCAST

- 1/090920 The Chairman advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public would record and take photographs except where there are confidential or exempt items.

2/090920 **DECLARATION OF INTERESTS**

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

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/090920 Apologies were submitted on behalf of Neil Eustace, Councillor Mary Locke was the nominated Member.
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LICENSING ACT 2003 PREMISES LICENCE – GRANT –, BIRMINGHAM, B

Report of the Interim Assistant Director of Regulation and Enforcement was submitted:-

(See document No. 1)

On Behalf of the Applicant

Robert Botkai, Representing the Applicant
Andrew Fox, Area Manager, Motor Fuel Group (MFG)
Andrew Sanders, MFG
John Mahon, MFG
Andy Murphy, Regional Manager

Those Making Representations

Councillor Gareth Moore

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Following introductions by the Chairman, the Chairman enquired if there were any preliminary points for the Sub-Committee to consider. The Chairman then explained the hearing procedure following which the main points of the report were outlined by Shaïd Yasser, Licensing Officer. In response to Councillor Gareth Moore, Shaïd Yasser confirmed that the supplementary evidence submitted had been circulated to all parties.

Robert Botkai, representing the Applicant made the following points with regards to the application and in response to questions from Members:-

- a) The site was previously a MRH site and they had merged with MRG the previous year. A current licence was held.
- b) The company were experienced in running 616 - 24 hours licensed petrol stations in other locations across England and Wales. They sought to match the Gravelly Hill premises with the hours offered at all the other sites.
- c) Robert Botkai made reference to the Licensing policy and informed that they had consulted with West Midlands Police and Licensing Enforcement Officers to offer agreed conditions.
- d) No representations had been made by WMP in terms of the conditions.
- e) With regard to the objections received and suggested conditions to include on the licence, any agreed conditions should be capable of being complied with. It was not possible to have a condition on a licence requiring the holder not to serve people believed to be street drinkers or with a drink problem. He had also not seen a condition on a licence to have no alcohol only sales.

- f) They already worked with the police. With regard to people congregating at the petrol station they would encourage people to move on however they would expect staff to call the police when necessary rather than put themselves at risk.
- g) They already had conditions to cover most of the suggested ones and had agreed to 4 out of the 7 suggested. They did not expect the number of alcohol sales to be high during the night.
- h) WMP had not raised any objections. The police could take immediate action against them if there were problems and residents were welcome to contact them. Generally speaking there would not be any problems if they worked responsibly.
- j) The concerns raised were reflected within the conditions. They understood the implications for the Cumulative Impact Zone which began on the other side of the roundabout.
- k) In reply to a question there was a night pay window and they could refuse a sale if there were any concerns. Cashiers were trained to diffuse a situation or to call the police if necessary.
- l) The type of people using their service was dependent on the time of day. The 7 suggested conditions on the list had either been already included or added as a condition. Conditions 1 and 3 could not be complied with as any condition must be enforceable.
- m) Staff received training in the store and online. Training was refreshed every 6 months. Most of their premises were already single manned at night. Risk assessments were carried to ensure staff were safe.

In making representations Councillor Gareth Moore made the following points with regards to the application and in response to questions from Members:-

- a) He was grateful for the opportunity to speak but was not opposing the application outright. The premises was close to his Ward. Erdington had a significant problem with street drinking and people congregating in the early hours causing a significant problem for local businesses.
- b) He had campaigned extensively against this and the existence of the Cumulative Inclusion Zone policy which was renewed by Birmingham City Council showed that there were significant problems in the area mostly at Six Ways, Erdington. .
- c) Street drinkers sat on the benches all day. He was largely concerned about the number off licences, takeaways and late night drinking issues. There was already a late night off licence and people simply drank in the street.

- d) He had real concerns about a 24 hours licence for alcohol virtually on the edge of the Ward.
- e) He appreciated the police had not objected to the application however when people realised there was a 24 hours licenced premises at the location it would result in anti-social behaviour when they used the premises.
- f) He hoped to agree some conditions with the applicant today.
- g) There were a number of well known individuals who were street drinkers however they were still sold alcohol. His suggested condition would force business owners to stop selling them alcohol.
- h) The problem was not reflected in the crime statistics. He would support the police to get resources to deal with the problem however he did not think the police wanted every ASB incident to be reported.
- i) It is worth noting that other premises had already agreed the majority of the conditions he had suggested and he hoped that if the Sub-Committee was minded to grant the variation they did so with the conditions included.
- j) The crime statistics reported to the police during the last 6 months were in close proximity to six ways. The statistics had been impacted by Covid-19 however there was a clear theme of anti-social behaviour. Violent offences were relevant and accounted for 39% of the offences in close proximity to the application site. There were serious concerns about this location.
- k) Not all petrol stations were close to CIZ areas. It was not clear who was running the premises as there was no DPS named on the licence. It was not known if the DPS had any experience of working in Erdington where there were significant problems. The person needed to be aware of the challenges faced.
- l) He had not received any information before today or during the hearing other than that staff will be trained. In order to ensure compliance the conditions and licence hours he had suggested should be agreed.
- m) In reply to questions Councillor Moore felt that if the suggested conditions were agreed the Council would have powers to force the applicant to comply with the conditions. The businesses that had already agreed to these conditions were mostly off licences. He was concerned that the public would use the premises as a 24 hours off licence. The premises were primarily an off licence.

In summing up, having made representations Councillor Gareth Moore made the following points:-

- It was noted that the applicant had agreed to two of the conditions and this would give additional safeguarding. The premises should not operate 24

hours as the Cumulative Inclusion Zone was nearby. The crime statistics showed that there were issues in close proximity of the premises.

- If the Sub-Committee was minded to grant the licence it should be with a reduction in the operating hours.

In summing up, in support of the application Robert Botkai made the following points: -

- An off licence was a small part of what the premises were offering as the store was already there. There was no suggestion that there were issues or that the premises being open 24 hours would cause an issue.
- Caution was urged in using the crime data as evidence. If crime was an issue it would have been raised by West Midlands Police. He agreed with 2 of the suggested conditions with a small amendment because the 2 suggested conditions were legal and enforceable :-
 - No alcohol to be served to customers who are believed to be street drinkers or are believed to consume alcohol within the vicinity of the premises and High Street
 - Any street drinkers who congregate within the vicinity of the store to be asked to move on by staff, or if needed reported to West Midlands Police
- He believed that smaller operators had agreed with the suggested conditions as they were told they would not get the licence. Cumulative Inclusion Zone's changed regularly.
- If the licence was agreed they would bring in an experienced DPS however the premises licence holder was responsible for the sale of alcohol and not the DPS. They did not believe the store would be a magnet for problems. The company was an experienced one and had not been reviewed at any time. They were happy to stay in touch with the Councillors. The premises could not be compared with Heron Food.
- It was requested that the application be granted.

At this stage the meeting was adjourned in order for the Sub Committee to make a decision and all parties left the meeting. The Members, Committee Lawyer and Committee Manager conducted the deliberations in private and decision of the Sub-Committee was sent out to all parties as follows: -

4/090920 **RESOLVED:-**

That the application by Motor Fuel Limited to vary the Premises Licence in respect of MRH Six Ways, Six Ways Filling Station, Gravelly Hill North, Erdington, Birmingham, B23 6BJ under section 34 of the Licensing Act 2003 BE GRANTED, with the addition of those conditions agreed with West Midlands Police and with Licensing Enforcement in advance of the meeting, namely:

1. A digital CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose
2. The CCTV system shall be capable of producing immediate copies on site. Copies of recordings will either be recorded digitally on to CD/DVD or other equivalent medium
3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police or other authorised officer for inspection on request.
4. The precise positions of the camera may be agreed, subject to compliance with Data Protection legislation, with the police from time to time
5. The system will display, on any recording, the correct time and date of the recording
6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity
7. There will be no sales/supplies of beer, lager or cider with an ABV over 6%
8. There will at all times be adequate levels of staff maintained at the premises. Such staff levels will be disclosed, on request, to the licensing authority and police
9. Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises
10. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence
11. Signage informing customers of the age verification policy adopted at the premises will be prominently displayed
12. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive training in age restricted sales. Training records will be available for inspection by a police officer or other authorised officer on request. Further:
 - Induction training must be completed and documented prior to the sale of alcohol by the staff member
 - Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months
13. There shall be no sale of single cans of beer, lager or cider from the premises.

14. No more than 20% of the shop display area will be used for the display of alcohol.

15. All cashiers shall be trained to record refusals of sales of alcohol in a refusals log/register. This log/register will be available for inspection by a police officer or other authorised officer on request. The log/register will contain:

- details of the time and date the refusal was made;
- the identity of the staff member refusing the sale;
- details of the alcohol the person attempted to purchase.

16. The entrance door to the shop will be closed to customers between the hours of 2300 and 0600. Any sales between these hours will be made through the night pay window.

And with the following two conditions agreed with a person making representations:

17. No alcohol to be served to customers who are believed to be street drinkers or are believed to consume alcohol within the vicinity of the premises and High Street

18. Any street drinkers who congregate within the vicinity of the store to be asked to move on by staff, or if needed reported to West Midlands Police

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 Sub-Committee carefully considered the written representations made by the Ward Councillor, who also attended the meeting and addressed the Sub-Committee directly. 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.

Once the applicant company had volunteered to accept the two conditions relating to street drinkers, the only remaining issue was the hours. The objection regarding 24-hour operation seemed to focus on the potential for antisocial behaviour caused by patrons, and the potential for an increase in crime, but the style of operation and the agreed conditions covered this. The applicant company was highly experienced in managing petrol stations with 24-hour licences. Moreover the Sub-Committee was impressed by the cooperative attitude displayed by the applicant company during the meeting, in accepting the two conditions relating to street drinkers.

There was no reason to believe that the premises would not be properly managed given that the applicant was so experienced, 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 legal representative and by those making representations (the Ward Councillor).

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.

OTHER URGENT BUSINESS

There was no other urgent business.

Please note, the meeting ended at 1133 hours.

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C 23 SEPTEMBER 2020
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MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE C HELD ON WEDNESDAY 23 SEPTEMBER 2020 AT 1400 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Mike Leddy in the Chair;

Councillors Mary Locke and Martin Straker-Welds.

ALSO PRESENT

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

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

NOTICE OF RECORDING/WEBCAST

- 1/230920 The Chairman advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public would record and take photographs except where there are confidential or exempt items.

2/230920 **DECLARATION OF INTERESTS**

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

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/230920 Apologies were submitted on behalf of Councillor Neil Eustace and Councillor Mary Locke was the nominated Member.
-

LICENSING ACT 2003 PREMISES LICENCE – GRANT – EUROPEAN MINI MARKET, 205 HOLYHEAD ROAD, HANDSWORTH, BIRMINGHAM, B21 0AS

Report of the Interim Assistant Director of Regulation and Enforcement was submitted:-

(See document No. 1)

On Behalf of the Applicant

The applicant did not attend.

Those Making Representations

Abdool Rohomon – West Midlands Police (WMP)
Rakesh Sami – Soho Road Bid

* * *

The Chairman introduced the Members and officers present and the Chair asked if there were any preliminary points for the Sub-Committee to consider.

At which stage PC Rohomon alerted the Committee to an email which WMP received from the applicant prior to the hearing. He had not sent the email to licensing and advised that the Committee have sight of it, or he would read it out.

The chairman confirmed that they had not received the email and PC Rohomon could read it out once the Licensing Officer had read the report.

The Chairman then explained the hearing procedure prior to inviting the Licensing Officer, Bhapinder Nandhra to outline the report.

PC Rohomon read out the following email set out below: -

“Hi, I am aware that the police service have not supported my license application due to various reasons outlined. There are no such reasons declared in the terms and conditions that may object my application. When the police said that there is a lot of crime in the area and there are too many alcoholics, I believe that there are many other off licenses in the area where customers can buy their alcohol. If this is the case, then you should not point out my application regarding crime and beggars. You should then revoke licenses from every store in Handsworth. Me and my staff have trained for various situations. We have CCTV installed in the shop and outside the store. I have trained my staff to ask under aged customers for their license if they are planning to buy alcohol or cigarettes. If this is the case, I think you should've outlined this when I started my application that you are not taking any more license applications in the area.”

Afterwards, the Chairman invited PC Rohomon to outline the representation on behalf of WMP, PC Rohomon made the following points: -

- a) That the shop was not very wide, and the trading space was around 21 feet.
- b) On the left-hand side of the shop there was a huge beer fridge as well as a shelf for alcohol. The volume for non-alcoholic goods was limited to two aisles. A high proportion was allocated to alcohol. Therefore, it was not just a general grocery shop, but instead an alcohol shop with a bit of groceries.
- c) The applicant should be mindful of the area, look at crime statistics and address the issues within the application. The application was limited and there didn't seem to be anything within it that addressed the problems in the area.
- d) The area was covered by two police units, and both had made representations.
- e) The supporting documentation included statements from officers who dealt with the issues in the area.
- f) The area suffered from high levels of drug dependants and crime such as street robberies, violent crime and public order offences. There were issues with alcohol and drug misuse which meant the local officers were having to deal with those issues daily.
- g) The area was considered a priority by WMP and needed controlling.
- h) The Soho Road BID had made an objection and they were usually promoters of business.
- i) There had been an increase in the use of a drug called Mamba in the area which had a profound impact on people.
- j) There had also been a surge of sex workers in the area.
- k) That granting the licence would have a negative impact on the area, especially for residents and business owners.
- l) The neighbourhood team were struggling to deal with the issues.
- m) The officers were clearly struggling, and it was evident from their statements.
- n) The plan indicated that a good majority of the shop was being allocated to alcohol.
- o) The application should be refused.

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

- a) That it was a small shop which was highly saturated with alcohol.

- b) That a shop of that size wouldn't need that much alcohol if it was a general convenience store.
- c) Even with the support of the BID they were struggling with the on-going issues in the area, another alcohol dependent store was only going to add to those issues.
- d) That it wasn't the only premises they had objected to in the area, this was the third or fourth.
- e) He didn't know how many PSPO notices had been issued.
- f) The shop was only small, and the proportion of groceries was much smaller in relation to alcohol.
- g) That most of the shop was taken over by alcohol – it was detailed in the plan and because the applicant hadn't attended that's all they had to go off.
- h) They expected there to be more groceries.
- i) They already had significant problems in the area and another premises would only add to the issues.
- j) They weren't singling out a certain type of alcohol that was the cause of the issues. It was a problem with all alcohol.
- k) The applicant should understand the risks and threats in the area and detail what they would do to reduce those risk in order to reassure the Committee.
- l) The operating schedule was limited.
- m) That there were premises nearby selling alcohol.

The chairman then invited Soho Road BID to make his submissions, at which stage Rakesh Somi made the following points: -

- a) There were 2 or 3 licensed premises which were only 2 or 3 doors away and a few on the same stretch of road.
- b) That the services were at breaking point and another licensed premises would have a negative impact on businesses in the area and residents.
- c) There had been up to 10 people outside his office drinking and causing nuisance.
- d) They completely opposed the licence.

Another representative of Soho Road BID, Bob Baloo, made some additional comments: -

- a) That he was the chairman for the BID.
- b) They were experiencing massive issues.
- c) Licensed premises were selling alcohol which was then being consumed on the streets at all hours, including early morning. This was causing a negative impact on Soho Road.
- d) He had been attacked by street drinkers.
- e) It was a major issue.
- f) That he could not see any positive reason to grant the licence.
- g) That limiting the hours wouldn't help as the premises wouldn't follow it.
- h) They were having issues with the police as they weren't coming out and doing anything. WMP just hadn't got the resources, so everyone was getting 'away with murder' on Soho Road.
- i) That he had emailed Licensing and Trading departments of Birmingham City Council but they weren't doing anything. They took photos daily of the issues and still nothing was being done.
- j) There was no duty of care, the premises in the area were regularly serving to drunks.

In answer to Members questions Rakesh Somi made the following points: -

- a) They were concerned for their staff's safety so were looking at employing security staff.
- b) That they had never seen the area so bad.
- c) They weren't being listened to.
- d) That they had a blanket policy not to support applications in the area.

The chairman invited the representatives of Soho Road BID to make a closing submission, at which stage Rakesh simply stated that the area had worsened in 12 months with a significant increase in anti-social behaviour. The area was suffering from alcohol related issues and this premises would add to it.

Then the Chairman invited WMP to make their closing submission at which stage PC Rohomon made the following points: -

- That there were 6 other licensed premises within Holyhead Road and a further 11 beyond Holyhead Road on Soho Road. All of which were off licences only.

- That the frustrations from the BID were justified, they were getting more and more concerned about the amount of alcoholism in the area and were even considering private security to protect themselves.
- The local police officer did not want this licence granted due to the extent of the problems in the area.
- The premises was small and proposed a high density of alcohol.
- There were no grounds to grant the application.

At this stage the meeting was adjourned in order for the Sub Committee to make a decision and all parties left the Teams meeting. The Members, Committee Lawyer and Committee Manager conducted the deliberations in private and decision of the Sub-Committee was sent out to all parties as follows: -

4/230920

RESOLVED:-

That the application by Nawzad Ahmed for a premises licence in respect of European Mini Market, 205 Holyhead Road, Handsworth, Birmingham B21 0AS, **BE REFUSED**. In reaching this decision, the Sub-Committee was mindful of the promotion of the licensing objectives in the Act, particularly the prevention of crime and disorder.

The Sub-Committee's reasons for refusing this application for a premises licence are due to concerns expressed by West Midlands Police and by the management of the Soho Road Business Improvement District, both of whom addressed the Sub-Committee regarding the impact of the proposed operation on the particular locality of the premises, namely an area fraught with social problems and lawlessness.

At the start of the meeting West Midlands Police confirmed that they had received an email from the applicant confirming that he would not be attending the meeting. No such email had been received by the City Council.

The Police referred to the hand-drawn Plan of the premises submitted by the applicant, which was included in the Report. The Plan showed that within the small convenience store, there was only 21ft of trading space. Within the trading space, the majority of the area was taken up by a large beer fridge and further shelving for wines, cigarettes and other alcohol. Only a small area was marked on the Plan as 'groceries'. It was therefore to be assumed that the premises would be dependent on alcohol sales to be viable. The sale of groceries would be ancillary to the sale of alcohol. Unfortunately the applicant had not attended the meeting, and so the Sub-Committee had to take the Plan at face value, without the opportunity to ask questions of the applicant about the detail of his proposals for the sale of alcohol.

The Police had also submitted statements from three Police Sergeants from the neighbourhood policing team, who dealt regularly with the area. These statements gave a detailed account of the disproportionate amount of crime, antisocial behaviour, street drinking, drug use, rough sleeping and aggressive begging (all of which were alcohol related), and also an increase in the presence of sex workers, in and around Soho Road. These problems were persisting despite the imposition of a Public Space Protection Order in 2017. One of the Police Sergeants observed that residents in the vicinity had complained to Police that they were “afraid to go shopping” and that they had “never seen Soho Road so bad”.

The Police considered that the application was of a poor standard and noted that it had failed to address local issues. There was nothing in the application to show that the applicant understood either the area in which he wished to operate, or the impact that a new alcohol-licensed premises would have; nor had the applicant attended the meeting so that the Sub-Committee could ask questions. Three senior Police Officers had confirmed that they were struggling to deal with crime in the area as it was. The applicant’s own Plan showed that the vast majority of the shop floor would be used to display alcohol; from this it was obvious that the business would be dependent on alcohol sales, which would inevitably put the licensing objectives at risk. It was therefore the recommendation of the Police that the application be refused.

Two members of the Soho Road BID management team then addressed the meeting and wholeheartedly supported the Police representations. They stated that the area was “at breaking point” and confirmed that all of the problems outlined by Police were predominantly caused by alcohol. They felt that the area had badly deteriorated in recent times. One of the BID management team, a person whose family had been local residents for sixty years, remarked that he viewed the current situation with crime and antisocial behaviour as “worse than the riots” [the Handsworth Riots of some decades ago]. There had even been talk of engaging private security guards to try to gain some control of the area.

The BID management team was particularly worried about the style of operator, noting that some current operators in and around Soho Road showed a lack of responsibility – for example, the levels of antisocial behaviour rather suggested that some local shops were prepared to sell alcohol to customers who were already drunk. The Sub-Committee agreed that management style was of paramount importance in any ‘difficult’ area; it was therefore very unfortunate that the applicant had not attended the meeting to address the Sub-Committee directly – particularly given that the applicant’s own Plan showed that such a high percentage of shop floor space was to be used for alcohol.

The Sub-Committee carefully considered the operating schedule put forward by the applicant, and the likely impact of the application, but was not confident that either the applicant or the proposed operation of the premises could uphold the licensing objectives in the Soho Road area, for an obvious reason – the applicant had not attended the meeting to address the Sub-Committee. The operating schedule as submitted was not satisfactory for an area with the type of issues seen in and around Soho Road. Increased availability of alcohol in the Soho Road vicinity would inevitably undermine the licensing objectives, unless the licence was carefully conditioned to mitigate the concerns raised by those making representations. However, the Sub-Committee found itself unable to properly assess the additional conditions required without any opportunity to hear from the applicant.

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

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

Please note, the meeting ended at 1535.

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Interim Assistant Director of Regulation & Enforcement
Date of Meeting:	Wednesday 16th December 2020
Subject:	Licensing Act 2003 Premises Licence – Variation
Premises:	Select Xpress, 1164 – 1166 Warwick Road, Acocks Green, Birmingham, B27 6BS
Ward affected:	Acocks Green
Contact Officer:	Bhupinder Nandhra, Senior Licensing Officer, 0121 303 9896 licensing@birmingham.gov.uk

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 only), to operate 24hours (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 2nd November 2020 in respect of Select Xpress, 1164 – 1166 Warwick Road, Acocks Green, Birmingham, B27 6BS.

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.

<p>5. Relevant background/chronology of key events:</p> <p>Vanniyasingam Gunaseelan applied on 2nd November 2020 to vary the Premises Licence for Select Xpress, 1164 – 1166 Warwick Road, Acocks Green, Birmingham, B27 6BS.</p> <p>Representations have been received from Other Persons. See Appendices 1 and 2.</p> <p>The application is attached at Appendix 3.</p> <p>Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 4.</p> <p>The current Premises Licence is attached at Appendix 5.</p> <p>Site Location Plans at Appendix 6.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ul style="list-style-type: none"> a. The prevention of crime and disorder; b. Public safety; c. The prevention of public nuisance; and d. The protection of children from harm.
<p>6. List of background documents:</p> <p>Copy of the representation as detailed in Appendices 1 and 2</p> <p>Application Form, Appendix 3.</p> <p>Conditions agreed with West Midlands Police, Appendix 4.</p> <p>Current Premises Licence, Appendix 5.</p> <p>Site Location Plans, Appendix 6.</p>
<p>7. Options available</p> <p>To grant the variation application</p> <p>To refuse the whole or part of the application</p> <p>To modify the conditions of the Licence</p>

From:
Sent: 29 November 2020 19:34
To: Licensing
Subject: Application to sell alcohol licence - Acocks Green

Dear Sir / Madam ,

I am writing to express my concern at the application to sell alcohol 24 hours at the Michael's Drinks Stop 1164 Warwick Road, Acocks Green.

I do not believe that this will be a positive move forward for the area which is close to a school and is a family area. I believe that this will attract anti social behaviour and isn't required in Acocks Green. There are already plenty of supermarkets nearby that are open til late most days.

Many thanks,

From:
Sent: 30 November 2020 02:36
To: Licensing
Subject: Objection

Dear Sir/Madam,

To whom it may concern. I write to strongly object to the selling of alcohol at the New 24/7 store currently trading as Select Express previously known as Michael's drink stop in Acocks Green Village Birmingham.

I live and work in the area and do not agree to the trading hours of this new store as it does not abide by the current government guidelines and covid 19 restrictions, as do other nearby stores which close for business at 10pm. We currently have a 24/7 hour convenience store in the local area and believe we do not need another store of the same stature. I believe this store is not abiding by the rules and is currently trading as a 24/7 hour store for its own financial gain.

I have many growing concerns due to it being near many schools in the area where my nephew and nieces attend and parents who have very young children who could be easily influenced into buying and selling alcohol to younger minors. Please consider my concerns when making your decision as I have also raised my concerns with the local schools in the area.

Kind regards



Birmingham
Application to vary a premises licence
Licensing Act 2003

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

* required information

Section 1 of 18

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

Your reference 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

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

☐ 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.

Continued from previous page...

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"/>

Agent Details

* First name	<input type="text" value="Naga"/>	
* Family name	<input type="text" value="Rajesh"/>	
* E-mail	<input type="text"/>	
Main telephone number	<input type="text"/>	Include country code.
Other telephone number	<input type="text"/>	
<input type="checkbox"/> 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 private individual acting as an agent

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

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	<input type="text" value="06100860"/>
Business name	<input type="text" value="Preradic Ltd"/>
VAT number	<input type="text" value="-"/> <input type="text" value="None"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text" value="Director"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

Building number or name	31
Street	Ramsay Garden
District	
City or town	Romford
County or administrative area	
Postcode	RM3 7NT
Country	United Kingdom

Section 2 of 18

APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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	1164-1166 [Select Xpress - Formerly known as Michaels Drink Stop]
Street	Warwick Road
District	
City or town	Acocks Green
County or administrative area	
Postcode	B27 6BS
Country	United Kingdom

Premises Contact Details

Telephone number	
Non-domestic rateable value of premises (£)	10,750

Section 3 of 18

Continued from previous page...

VARIATION

Do you want the proposed variation to have effect as soon as possible? ☒ Yes ☐ No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

☐ Yes ☒ No

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 to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

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

Change the name of the premises to Select Xpress (Formerly known as Michaels Drink Stop)
Amend the sale of alcohol (off sales) to 00:00 to 23:59, Monday to Sunday

Section 4 of 18

PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Continued from previous page...		<input type="radio"/> Yes	<input checked="" type="radio"/> No
Section 7 of 18			
PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS			
See guidance on regulated entertainment			
Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?			
<input type="radio"/> Yes		<input checked="" type="radio"/> No	
Section 8 of 18			
PROVISION OF LIVE MUSIC			
See guidance on regulated entertainment			
Will the schedule to provide live music be subject to change if this application to vary is successful?			
<input type="radio"/> Yes		<input checked="" type="radio"/> No	
Section 9 of 18			
PROVISION OF RECORDED MUSIC			
See guidance on regulated entertainment			
Will the schedule to provide recorded music be subject to change if this application to vary is successful?			
<input type="radio"/> Yes		<input checked="" type="radio"/> No	
Section 10 of 18			
PROVISION OF PERFORMANCES OF DANCE			
See guidance on regulated entertainment			
Will the schedule to provide performances of dance be subject to change if this application to vary is successful?			
<input type="radio"/> Yes		<input checked="" type="radio"/> No	
Section 11 of 18			
PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE			
See guidance on regulated entertainment			
Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?			
<input type="radio"/> Yes		<input checked="" type="radio"/> No	
Section 12 of 18			
PROVISION OF LATE NIGHT REFRESHMENT			
Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?			
<input type="radio"/> Yes		<input checked="" type="radio"/> No	
Section 13 of 18			

Continued from previous page...

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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.

Continued from previous page...

N/A

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

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

N/A

Section 14 of 18

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.

Provide 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.

N/A

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 00:00

End

Start

End 23:59

Provide 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 00:00

End

Start

End 23:59

WEDNESDAY

Start 00:00

End

Start

End 23:59

THURSDAY

Start 00:00

End

Start

End 23:59

Continued from previous page...

FRIDAY

Start 00:00

End

Start

End 23:59

SATURDAY

Start 00:00

End

Start

End 23:59

SUNDAY

Start 00:00

End

Start

End 23:59

State any seasonal variations.

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

N/A

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

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

N/A

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

N/A

☒ I have enclosed the premises licence

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

Continued from previous page...

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

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

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

The premises will be managed and controlled by a responsible person at all time.
The Designated Premises Supervisor will be on the premises or contactable during the operating hours.

b) The prevention of crime and disorder

Police will be reported for any incidents of a criminal nature.
A comprehensive Internal & External CCTV will be installed and the recordings will be kept for minimum of 30 days. Also these recordings will be available for any responsible authorities.

c) Public safety

Fire safety equipment are installed and will be maintained on the premises.
The Emergency Exit will be kept free from obstructions at all time.
Staff will be fully trained in alcohol sales and fire safety/evacuation procedures.

d) The prevention of public nuisance

Adequate bins will be available for customers to dispose of their litter.

e) The protection of children from harm

EPOS terminal with till prompt for alcohol & tobacco sale
The Challenge 21 Policy will be strictly followed and the relevant signs will be on display.
A register of refusal of sales will be kept and maintained on the premises.
Spirits will be located behind the counter Area.

Section 17 of 18

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 18 of 18

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 (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

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"/>

DECLARATION

I/WE UNDERSTAND THAT 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.

☐ 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	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

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/change-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, 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.

From: Mark Swallow
Sent: 19 November 2020 08:32
To: Licensing
Cc: 'Naga Rajesh'
Subject: SELECT EXPRESS APPLICATION TO VARY PREMISES LICENSE

Good Morning Licensing,

With regard to the premises license application for Select Xpress (Formerly Michaels Drink Stop) Ref 1016064. West Midlands Police have reviewed this application and are happy that if the below conditions are added to the licence, together with the operating conditions already offered by the applicant then the licensing objectives will be met and promoted. The conditions have been agreed with the applicant as per below email chain who is also copied to this email.

Dear Mark,
Thank you for the email. We are happy with the amendments to those two additional conditions. we are happy accept the all other conditions in full.

Thank you
Best Regards,

Naga Rajesh BSc(Hons), ACP
Licensing Consultant

The agreed conditions are:

- CCTV that is approved by West Midlands police and able to capture images particularly outside under conditions of low lighting will be fitted in the premises. Images will be retained for a period of at least 31 days and will be made available to any of the responsible authorities to view or copies produced on request. 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 in the Licencing Act 2003, the Licencing objectives and in relation to CSE and their role in combatting this. No staff will work at the premises until this training has been completed and the required refreshments have been completed. Refresher training should take place once a year.
- All staff Licencing Act 2003, Licencing Objective and CSE training will be documented and sign by both the trainer and trainee. No staff to work at the premises until this training has been completed. Training records to be made available to any of the responsible authorities on request.
- No persons will be allowed into the premises if 18 years old or younger unless they are accompanied by an adult between 2300 and 0500 hours.
- A challenge 25 policy will be operated by the premises with notices informing customers of the policy. The only forms of acceptable identification shall be a photographic driving license, a valid passport, a recognised form of photographic identification incorporating the PASS logo or a valid military identification. Notices will be displayed in the premises stating this.
- An Incident/Refusals Book will be maintained at the premises and made available to any of the appropriate authorities on request.

- Single cans or bottles of beers, ciders and alcopops of less than 75 ml or plastic cups to accompany purchases of alcohol are not to be sold.
- A list of persons that cause issues will be maintained by the premises and the management will not serve alcohol or tobacco products to these individuals at any time. This list can be populated by the management or any other responsible authorities.
- The management will take part in local neighbourhood watch or similar schemes.

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

Regards and thanks

MARK SWALLOW
WEST MIDLANDS POLICE LICENSING DEPARTMENT.
101 801 1795.

LICENSING ACT 2003**PREMISES LICENCE**

Premises Licence Number:

4074 / 2

Part 1 - Premises details:

Postal address of premises, or if none, ordnance survey map reference or description	
Michaels Drink Stop 1164 - 1166 Warwick Road Acocks Green	
Post town:	Post Code:
Birmingham	B27 6BS
Telephone Number:	
Not Specified	

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	08:00	-	23:00 All
Tuesday	08:00	-	23:00 All
Wednesday	08:00	-	23:00 All
Thursday	08:00	-	23:00 All
Friday	08:00	-	23:00 All
Saturday	08:00	-	23:00 All
Sunday	10:00	-	22:30 All
Christmas Day: 12:00 - 15:00 and 19:00 - 22:30	00:00	-	00:00 All
Good Friday	08:00	-	22:30 All

The opening hours of the premises			
Monday	08:00	-	23:00
Tuesday	08:00	-	23:00
Wednesday	08:00	-	23:00
Thursday	08:00	-	23:00
Friday	08:00	-	23:00
Saturday	08:00	-	23:00
Sunday	10:00	-	22:30
Christmas Day: 12:00 - 15:00 and 19:00 - 22:30	00:00	-	00:00
Good Friday	08:00	-	22:30

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

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence Mr Vanniyasingam Gunaseelan	
Post town:	Post Code:
Telephone Number: Not Specified	
Email N/A	

Registered number of holder for example company number or charity number (where applicable)
--

Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Mrs Rajvinder Kaur Sunner	
Post town:	Post Code:
Telephone Number: N/A	

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol	
Licence Number SOL/PE/080/2005	Issuing Authority SOLIHULL

Dated 13/11/2020

SHAID YASSER
Senior Licensing Officer
For Director of Regulation and Enforcement

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 must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either— (a) a holographic mark, or (b) an ultraviolet feature.

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. (2) In this condition:— (a) “permitted price” is the price found by applying the formula $P = D + (D \times V)$, where— (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence— (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

The Licence Holder shall ensure that staff are trained with regard to the Licensing Act 2003, in particular in respect of the sale of alcohol. A log of training will be maintained and can be inspected by any Responsible Authority.

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

The Premises Licence Holder will ensure that CCTV camera system is in use with 24 hour recording facilities covering inside and outside of the premises to the satisfaction of West Midlands Police.

The Premises Licence Holder will ensure that there will be a zero tolerance policy towards drunken or anti-social behaviour to be in operation at all times.

CCTV to be installed / updated to the recommendations and specifications of West Midlands Police.

CCTV recordings and images to be downloadable and made immediately available on request of any of the responsible authorities.

CCTV images and recording to be kept / stored for a period of no less than 28 days.

CCTV signage to be prominently displayed throughout the premises sales area.

Refusals register to be signed off on a weekly basis by the DPS.

An incident log to be kept by the premises, to record all incidents at the premises whether the emergency services are contacted or not. This log to be signed off weekly by the DPS.

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

No enforceable conditions identified from operating schedule.

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

No enforceable conditions identified from operating schedule.

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

The Licence Holder will enforce age restrictions and only accept valid forms of ID such as proof of age cards, photo driving licence and passports.

The Licence Holder shall ensure there is appropriate and clearly visible signage confirming that alcohol will not be sold to under 18's.

A challenge 21 policy shall be enforced at the premises.

The premises Licence Holder shall ensure that a refusals register is maintained at the premises and is available for inspection by any Responsible Authority.

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

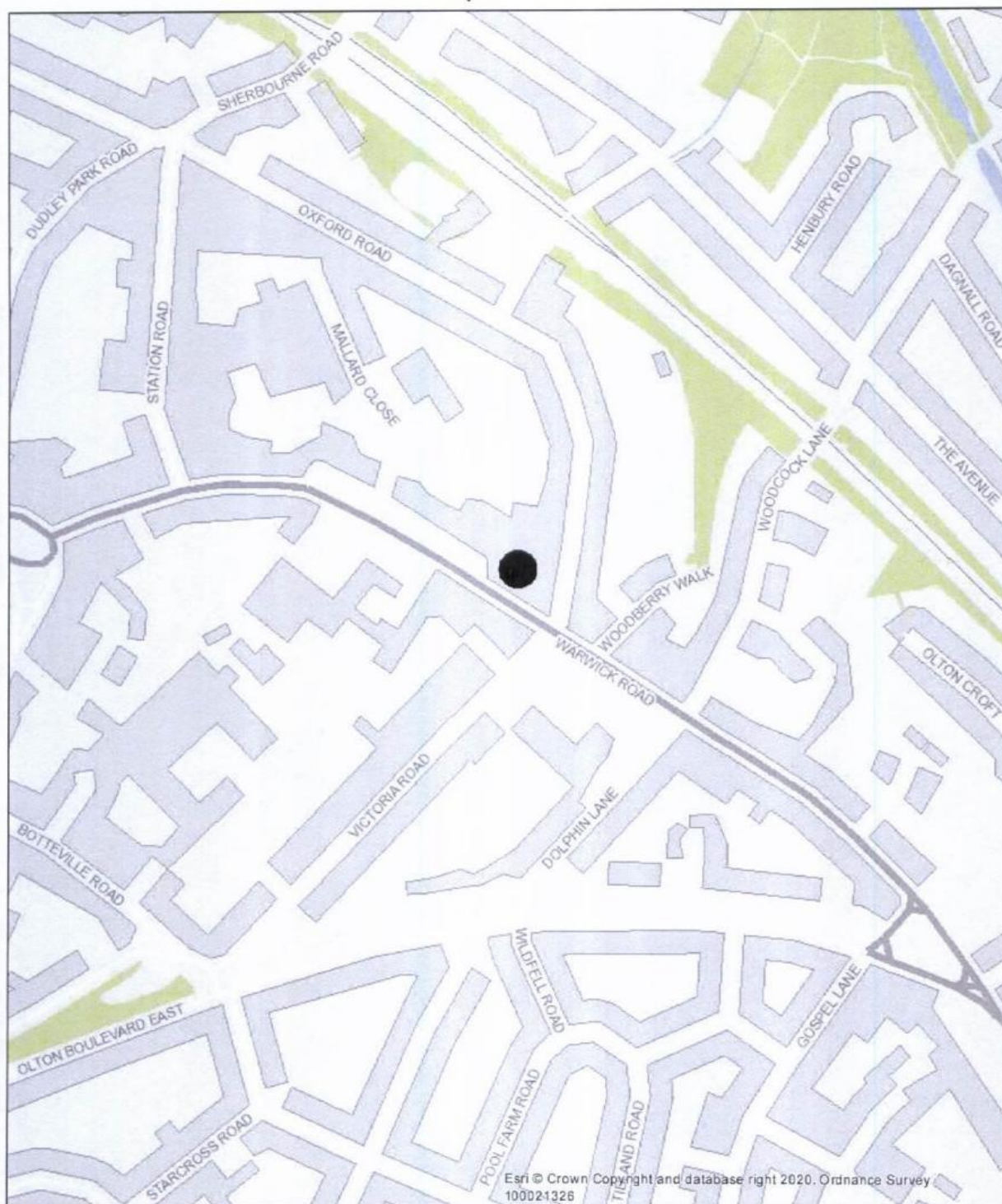
N/A

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

N/A

Annex 4 – Plans

The plan of the premises with reference number **117767-4074/2** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please call the Licensing Section on 0121 303 9896 to book an appointment.



Birmingham
City Council

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