

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B

TUESDAY, 04 MAY 2021 AT 10:00 HOURS

**IN ADJOURNED - NOW TAKING PLACE ON 5 MAY 2021 AT
11:30AM, [VENUE ADDRESS]**

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 Chair 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

1 - 20

4 MINUTES

To confirm and sign the Minutes of the meeting held on 9 March 2021.

To confirm and sign the Minutes of the meeting held on 30 March 2021.

To confirm and sign the Minutes of the meeting held on 6 April 2021.

21 - 90

5 LICENSING ACT 2003 PREMISES LICENCE – GRANT EUROPEAN AND ASIAN MINI MARKET, 290 ALUM ROCK ROAD, ALUM ROCK, BIRMINGHAM, B8 3DD

Report of the Interim Assistant Director of Regulation and Enforcement.
N.B. Application scheduled to be heard at 10:00am.

6 **OTHER URGENT BUSINESS**

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

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B 9 MARCH 2021

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY 9 MARCH 2021 AT 1100 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Nagina Kauser in the Chair;

Councillors Nicky Brennan and Adam Higgs.

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

- 1/090321 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.

2/090321 **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

- 3/090321 No apologies were submitted.
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MINUTES

- 4/090321 The Minutes of the meeting held on 25 August 2020 were confirmed and signed by the Chairman.
The Minutes of the meeting held on 1 September 2020 were confirmed and signed by the Chairman.
The Minutes of the meeting held on 22 September 2020 were confirmed and signed by the Chairman.
The Minutes of the meeting held on 6 October 2020 were confirmed and signed by the Chairman.
The Minutes of the meeting held on 17 November 2020 were confirmed and signed by the Chairman.
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**LICENSING ACT 2003 PREMISES LICENCE – GRANT – THE RHODEHOUSE,
1ST FLOOR, 123 THE PARADE, SUTTON COLDFIELD, B72 1PU.**

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

(See document No. 1)

On Behalf of the Applicant

Leo Charalambides - Barrister
Terry Monaghan – Applicant
Carl Moore - Agent

Those Making Representations

No one making representations attended the meeting.

* * *

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

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

Afterwards, the Chairman invited the applicant or their representative to outline their application, at which stage Leo Charalambides made the following points: -

- a) That it was an interesting application.
- b) The applicant is the sole director who already had other local business in the area including an accident repair company.
- c) The applicant was keen to give back to the community and that was the reason behind the application.

- d) The venue had been used for licensing activity in the past.
- e) The hours applied for were modest.
- f) The capacity of the venue was about 200 people.
- g) West Midlands Police and Environmental Health had agreed conditions with the applicant.
- h) They hoped that the premises (in the daytime) would be used as a work space and community facility offering tea and coffee. Further, 25% of the profits would go back into the community.
- i) The DPS was very experienced and had ran large venues before.
- j) The applicant's daughter would also be working within the company. She is a University graduate and would be involved in the Human Resources/Health and Safety side of the business.
- k) Carl Moore covered all the basics and the additional conditions.
- l) The representations were considered, and they were content that the public aspects were covered by the operating schedule.
- m) There was also detailed correspondence between the applicant and the objectors which was included in the paperwork. The residents had the applicants contact details and they had dealt with it in an open way.

In answer to questions from Members, Leo Charalambides, on behalf of the applicant made the following points: -

- a) That they had reduced the hours, considered the role of SIA staff and would have additional provision if necessary.
- b) They would risk assess all events.

The Chairman invited the applicant and their representative to make a closing submission, however, they did not wish to add anything.

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: -

5/090321 **RESOLVED:-**

That the application by The Rhodehouse Limited for a premises licence in respect of The Rhodehouse, 1st Floor, 123 The Parade, Sutton Coldfield B72 1PU **be granted** with the following hours:

- Amended Hours for Alcohol: Sunday to Friday – 09:00-23:30; Saturday 09:00-00:00
- Amended Hours for Regulated Entertainment: Sunday to Friday – 11:00-23:00; Saturday 11:00-23:30
- Amended Operating Hours: Sunday to Friday – 08:00-00:00; Saturday 08:00-00:30hrs

The licence shall also be subject to all the conditions agreed in advance of the meeting with the responsible authorities, namely West Midlands Police and Environmental Health, as follows:

- 1) External doors and windows shall be kept closed, other than for access and egress, whenever regulated entertainment is provided (i.e. music levels that require customers to raise voices)
- 2) Customers will not be permitted to carry open bottles or glasses beyond the licensed area. Exception is the outdoor smoking terrace on the 1st Floor
- 3) No licensable activities are to be carried out on the 1st floor smoking terrace
- 4) The premises will risk assess its standard operating procedures covering seven days a week, included in this risk assessment will be any security provisions. A copy of risk assessment to be made available to West Midlands Police Licensing Department
- 5) The premises shall risk assess the need for SIA registered door supervisors. This shall be documented and kept on the premises
- 6) The premises shall maintain an incident register, with details of incidents that occur inside and immediately outside the premises. The incident book will be available for inspection at any time by any responsible authority
- 7) There will always be a staff member on site, fully trained in the operation of the CCTV who will be able to download selected footage onto a storage device to be readily available for the licensing authorities
- 8) In the event of the hard disk drive being replaced for any reason, the old hard drive must be kept at the premises for 31 days and readily available to the licensing authorities
- 9) The outside terrace shall only be used for customers to smoke between 10am and 11.30pm Monday to Saturday and 10 to 10.30pm Sunday
- 10) The Designated Premises Supervisor shall be responsible for ensuring that the smoking terrace does not create a nuisance to neighbours at their property, and if necessary restrict the number of people utilising the smoking areas at any one time
- 11) Notices shall be displayed near the entrances, exits and rear smoking area of the premises advising customers who wish to use the outside smoking facilities that they should do so with respect for the nearby residents and keep noise levels to a

minimum

- 12) There shall be a lobbied area created at the ground floor entrance to the premises or alternatively the first floor entrance. This will ensure that whilst regulated entertainment is taking place one door will remain closed whilst persons are entering and exiting the site

In addition the licence will also include a further condition, agreed (in advance of the meeting) between the applicant and a neighbouring resident, namely:

- All the windows of the premises (9 in total) overlooking the neighbouring residence will have vinyl screens placed on the inside so that there is no visibility of the neighbouring residence. When viewed from the outside, and from the neighbouring residence, the vinyl screens will be blank without any images

Those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will also form part of the licence issued.

Counsel for the applicant company explained the plans, and the Sub-Committee considered that all aspects were satisfactory. The Sub-Committee took into account the written representations made; these were covered by the agreed conditions. 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.

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 counsel for the applicant company and those making representations.

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

Please note, the meeting ended at 1058.

BIRMINGHAM CITY COUNCIL

<p>LICENSING SUB-COMMITTEE B 30 MARCH 2021</p>

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY 30 MARCH 2021 AT 1100 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Phil Davis in the Chair;

Councillors Nicky Brennan and Adam Higgs.

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

- 1/300321 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.

2/300321 **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

- 3/300321 Apologies were submitted on behalf of Councillor Nagina Kauser and Councillor Phil Davis was the nominated substitute Member.

LICENSING ACT 2003 PREMISES LICENCE – GRANT – WINE O’CLOCK, 4 SILVER STREET, KINGS HEATH, BIRMINGHAM B14 7QU

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

(See document No. 1)

On Behalf of the Applicant

Ramesh Trishima – Applicant
Patrick Burke – Agent

Those Making Representations

Mrs Idris, on behalf of Mr Idris – Resident

* * *

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

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

Afterwards, the Chairman invited the applicant or their representative to outline their application, at which stage Patrick Burke made the following points: -

- a) That the premises previously operated as a hardware essential goods store.
- b) The applicant knew the area and the local residents well and had previous experience working in pubs and nightclubs in London and France.
- c) The applicants Nephew had experience running off licences.
- d) The road the premises was situated on was busy and commercial, there were other shops such as Aldi close by.
- e) His client had already spent time and money refurbishing the shop and making it look nice.
- f) The applicant wanted to specialise in quality goods; no cheap 2 for 1 offers. He would be selling quality beers, wines and spirits.
- g) The objection at Appendix 1 suggested that the new licence would increase public nuisance, drinking culture and the impact on school children. However, there was no evidence and no Responsible Authorities had made any objections to the application.

- h) The objection at Appendix 2 also raised concerns of drunken behaviour and an incident at another store which was not relevant to this application.
- i) There was also reference to drug dealing, however West Midlands Police had made no objection.
- j) That the objections were based on speculation and cited the case of *Daniel Thwaites plc v Wirral Borough Magistrates' Court [2008] EWHC 838 (Admin)*.
- k) That there were 5 objections from residents, yet no objections from any of the responsible authorities.
- l) His client was looking to open a quality premises selling quality goods.
- m) There were about 30 houses and none of those residents had objected.

In answer to questions from Members, Patrick Burke, on behalf of the applicant made the following points: -

- a) They did not reach out to objectors because there were more than 4 and therefore, it was not something they would usually do.
- b) CCTV would cover the front of the shop and the inside too.
- c) That it was not the kind of premises which would sell super strength, cheap beers. The alcohol would not be the type of products that would attract street drinkers.

The Chairman invited Mrs Idris to make her submission, at which stage Mrs Idris made the following points: -

- a) That she had been living in the area for 15 years and although it was a beautiful area there were issues with men drinking. It wasn't good for her kids.
- b) That there were already 7 off licences in the area and they didn't need another one.
- c) She was scared to go out with the children. One of her children had special needs and it wasn't good for the children.
- d) No matter what hours were applied for, it would not make them feel safe. There were drunks and junkies everywhere.

The Chairman invited the applicant and their representative to make a closing submission, at which stage Patrick Burke on behalf of the applicant made the following points: -

- His client lived in the area and knew it well and although there were 5 objections but none of which were from anyone living on that street.

- That his client was very brave to take this business on given the current circumstances with the Covid-19 Pandemic.
- The premises was not going to be a normal 'Lifestyle Express' it was going to be a quality off licence selling premium products.
- There were no objections from any responsible authorities.

The Chairman invited Mrs Idris to make a closing submission, at which stage she made the following points: -

- She was scared and felt she had to ask her husband to go to the shop with her.
- She didn't feel safe taking the children out either.

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: -

4/300321

RESOLVED:-

That the application by World Wine Store Limited for a premises licence in respect of Wine O'Clock, 4 Silver Street, Kings Heath, Birmingham B14 7QU, **BE GRANTED** with the hours of operation to be from 09.00 hours to 22.00 hours daily. Those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will also form part of the licence issued.

The Sub-Committee deliberated the operating schedule put forward by the applicant company, and the likely impact of the application - in particular the offer to shorten the operating hours. The Sub-Committee concluded that by granting this application, the four licensing objectives contained in the Act will be properly promoted.

The director of the applicant company explained via his representative that he was experienced in the licensed trade – pubs and clubs in France, and restaurants in London. He lived locally and knew the area well, running a mobile phone shop round the corner from the instant premises. He had invested money in the premises, and had made arrangements for his nephew to assist him in the running of the shop.

Members carefully considered the representations made by other persons, namely local residents (one of whom addressed the Sub-Committee directly in the meeting), but were not convinced that there was an evidential and causal link between the issues raised

and the effect on the licensing objectives. The representations related to street drinking and other antisocial behaviour, which were perhaps attributable to existing premises in the area. Other issues, such as drug use, were not of great relevance to an application to operate as an off-licence. It was not likely that a carefully-managed new premises would add significantly to these problems.

The shop was based in the busy commercial area of Silver Street, which served thousands of residents in the surrounding district. The plan was to specialise in quality wines, beers and spirits – certainly not cheap high-strength alcohol, as favoured by street drinkers.

Those making representations were keen to state that to grant a further licence in the area would have a negative impact on the licensing objectives, but the applicant company's representative cited the case of *Daniel Thwaites plc v Wirral Borough Magistrates' Court [2008] EWHC 838 (Admin)* in urging the Sub-Committee not to be unduly influenced by speculative representations. The submissions made by the applicant company's representative had made clear that there was no reason to think that either the operation, or the licence holder, would not be capable of upholding the licensing objectives. Moreover, the Sub-Committee noted that no representations had been made by West Midlands Police, and as the applicant company's representative pointed out, no resident of Silver Street had objected either.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under s182 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 company via its representative, and 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 1118.

BIRMINGHAM CITY COUNCIL

<p>LICENSING SUB-COMMITTEE B 6 APRIL 2021</p>
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MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY 6 APRIL 2021 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Nagina Kauser in the Chair;

Councillors Mike Leddy and Adam Higgs.

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

- 1/060421 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.

2/060421 **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

- 3/060421 Apologies were submitted on behalf of Councillor Nicky Brennan and Councillor Mike Leddy was the nominated substitute Member.

**LICENSING ACT 2003 PREMISES LICENCE – GRANT – CHURCH ROAD
CONVENIENCE STORE, 12 – 14 CHURCH ROAD, ASTON, BIRMINGHAM B6
5UP**

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

(See document No. 1)

On Behalf of the Applicant

Maninder Khurana – Applicant
Mr Dahlil – Business Partner
Patrick Burke – Agent

Those Making Representations

Lorna Harris – Resident
Sandra Drummond – Resident
Sarah Rumble – Resident

* * *

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

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

Afterwards, the Chairman invited the applicant or their representative to outline their application, at which stage Patrick Burke made the following points: -

- a) That the previous owners of the business sold it and then transferred the licence.
- b) The premises was situated in a parade of six shops. There was a wine shop, kebab shop, news agents, doctor's surgery and an empty shop.
- c) His client had taken over the lease, he had a wealth of experience and had worked in several shops around Birmingham.
- d) There had never been any issues in any of the shops his client had worked in.
- e) There wasn't any objections from any responsible authorities.
- f) The objection at appendix 1 expressed concerns regarding the opening time of 7am, however the shop was already open from 7am daily. The hostels in the area were backpacker hostels.

- g) Appendix 2 detailed concerns about drug dealing, drug consumption and rubbish. However, they had committed to providing adequate bins for rubbish. There was also a concern about loitering, but there was no evidence of this, or any objection from any responsible authorities.
- h) Appendix 3 suggested crime was on the up, yet there was no objection from West Midlands Police.
- i) The objections at Appendix 4, 5 and 6 should be disregarded as they weren't applicable, they were based on competition which was not a consideration under the Licensing regime.
- j) Appendix 7 was concerned with protecting children from harm but again there was no evidence to support that and no objections from responsible authorities.
- k) The petition was instigated by the shop next door and therefore they were concerned that the petition was not based on the licensing objectives.
- l) Appendix 8 and 9 raised concerns of anti-social behaviour and public nuisance, however again there was no evidence to support the concerns.
- m) In conclusion Mr Burke stated that the objections were based on speculation and cited the case of *Daniel Thwaites plc v Wirral Borough Magistrates' Court [2008] EWHC 838 (Admin)*.

In answer to questions from Members, Patrick Burke, on behalf of the applicant made the following points: -

- a) The premises was already operating 7am-10pm and they were applying for a licence to match the current opening hours. However, they would amend the licensable hours to 8am.
- b) The premises would be selling a standard selection of alcohol, much the same as the shop next door.
- c) The cheapest bottle of wine would be about £5.00.
- d) A 4 pack of Stella would be £6.49 and Carling £4.99.
- e) His client had worked in premises in Rubery and Cotteridge.
- f) The premises had been refurbished.
- g) His client had installed additional CCTV both inside and outside the premises. There would be a challenge 25 policy, refusals book, and they would provide staff training.
- h) That they understood the residents concerns but West Midlands Police hadn't raised any issues with the application.

The Chairman invited Sandra Drummond to make her submission, at which stage Sandra Drummond made the following points: -

- a) That the residents in the area didn't think the licence was needed. It wouldn't benefit them in anyway and they were trying to build a community.
- b) That the applicant didn't live in the area and didn't have to witness what was going on.
- c) That the refurb wasn't complete, there was still work to do inside and outside.
- d) That Cotteridge was a different demographic and therefore it wouldn't be fair to compare them.
- e) The premises opened at 12noon, not 8am.
- f) That she wanted to start a resident's association. The community was working together for better.
- g) There was a lot of problems in the area and people suffering from mental health issues. A second off licence would not help or benefit the community.

At this stage in the meeting, Lorna Harris was invited to make her case and made the following points: -

- a) The hostels were not for backpackers.
- b) She was a counsellor and knew the issues in the area.
- c) Mothers were scared for their children's safety.
- d) There was alcohol all over the place.
- e) The other off licence shut at 3pm on a Sunday, and the owner had respect for the local community.
- f) She had grandchildren and wanted them to have freedom.
- g) That no one had petitioned for an alcohol shop, a meat shop would be better.

The Chairman invited Sarah Rumble to make her submissions, at which stage she made the following points: -

- a) That she had 3 children growing up here and didn't see the need for another off licence.
- b) The other off licence in the area opened at reasonable times and respected the residents.

- c) That it wasn't right opening an off licence that early in the morning when children were going to school.
- d) That she was angry at the applicant for trying to open another off licence.
- e) That the area could do with the meat shop that sold lamb and pork.

The Chairman invited Sarah Rumble to make a closing submission and as such she made the following points: -

- That she had nothing else to say, Lorna and Sandra had said everything.
- The area was becoming lovely, she had lived here for 23 years and she felt there wasn't a need for another off licence.

The Chairman invited Sandra Drummond to make her closing submission, at which point she made the following points: -

- That they didn't need another off licence.
- They were trying to build a community.
- They wanted to move forwards not backwards.

The Chairman invited Lorna Harris to make her closing submission and as such she made the following points: -

- That it had taken a lifetime to build anything of worth and they wanted to continue building the community up.
- Another off licence would destroy it.

The Chairman invited the applicant and their representative to make a closing submission, at which stage Patrick Burke on behalf of the applicant made the following points: -

- His client had a wealth of experience in this line of business and had worked in other shops.
- There were no representations from any of the responsible authorities.
- That his client was not looking to open an off licence, it was a store which included groceries and meat.
- That it was a brave thing to do opening a business with everything going on in the world currently.
- That they were refurbishing the shop.

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: -

4/060421

RESOLVED:-

That the application by Maninder Singh Khurana for a premises licence in respect of Church Road Convenience Store, 12 – 14 Church Road, Aston, Birmingham B6 5UP, **BE GRANTED** with the hours of operation to be from 08.00 hours to 22.00 hours daily. Those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will also form part of the licence issued.

The Sub-Committee deliberated the operating schedule put forward by the applicant company, and the likely impact of the application - in particular the offer to shorten the operating hours. The Sub-Committee concluded that by granting this application, the four licensing objectives contained in the Act will be properly promoted.

The director of the applicant company explained via his representative that he was experienced in the licensed trade – as a manager and staff member in retail premises. He was assisted by a business partner. He had invested money in the premises, and had made various improvements such as the installation of additional CCTV cameras and lighting inside and outside the shop.

Members carefully considered the representations made by other persons, namely local residents (three of whom addressed the Sub-Committee directly in the meeting), but were not convinced that there was an evidential and causal link between the issues raised and the effect on the licensing objectives. The representations related to a risk of increased antisocial behaviour and crime, which the residents felt were associated with a hostel nearby, but it was not likely that a carefully-managed new premises would add significantly to these problems. The plan was to offer alcohol at the recommended retail price, rather than offering cut-price promotions.

Those making representations were keen to state that to grant a further licence in the area would have a negative impact on the licensing objectives, but the applicant company's representative cited the case of *Daniel Thwaites plc v Wirral Borough Magistrates' Court [2008] EWHC 838 (Admin)* in urging the Sub-Committee not to be unduly influenced by speculative representations. The submissions made by the applicant company's representative had made clear that there was no reason to think that either the operation, or the licence holder, would not be capable of upholding

the licensing objectives. Moreover, the Sub-Committee noted that no representations had been made by West Midlands Police.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under s182 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 via his representative, and 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 1109.

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Interim Assistant Director of Regulation & Enforcement
Date of Meeting:	Tuesday 4th May 2021
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	European and Asian Mini Market, 290 Alum Rock Road, Alum Rock, Birmingham, B8 3DD
Ward affected:	Alum Rock
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

To consider representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption off the premises) to operate from 08:00am until 11:00pm (Monday to Sunday).

Premises to remain open to the public from 08:00am until 11:00pm (Monday to Sunday).

2. Recommendation:

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

3. Brief Summary of Report:

An application for a Premises Licence was received on 8th March 2021 in respect of the European and Asian Mini Market, 290 Alum Rock Road, Alum Rock, Birmingham, B8 3DD.

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>Nabaz Ali-Pour applied on 8th March 2021 for the grant of a Premises Licence for the European and Asian Mini Market, 290 Alum Rock Road, Alum Rock, Birmingham, B8 3DD.</p> <p>Representations have been received from other persons, which are attached at Appendices 1 – 5.</p> <p>The application is attached at Appendix 6.</p> <p>Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 7.</p> <p>A condition has been agreed with Birmingham City Council Licensing Enforcement and the applicant, which is attached at Appendix 8.</p> <p>Site Location Plans at Appendix 9.</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 representations as detailed in Appendices 1 – 5</p> <p>Application Form, Appendix 6</p> <p>Conditions agreed with West Midlands Police, Appendix 7</p> <p>Condition agreed with Birmingham City Council Licensing Enforcement, Appendix 8</p> <p>Site Location Plans, Appendix 9</p>
<p>7. Options available</p> <p>To Grant the licence in accordance with the application.</p> <p>To Reject the application.</p> <p>To Grant the licence subject to conditions modified to such an extent as considered appropriate.</p> <p>Exclude from the licence any of the licensable activities to which the application relates.</p> <p>Refuse to specify a person in the licence as the premises supervisor.</p>

From: Councillor Mohammed Idrees

Sent: 05 April 2021 21:25

To: Bhapinder Nandhra

Cc: Licensing

Subject: Application For an Off License, 290 Alum Rock Road, Birmingham B8 3DD. Application No 118713

Dear Bhapinder Nandhra,

Reference to the above application by European & Asian Mini Market Supermarket for the sale of Alcohol off premises license. This application does not meet the four licensing objectives of the 2003 Licensing Act, which are.

1 Prevention of Crime and Disorder.

2 Public Safety.

3 Prevention of Public Nuisance.

4 The Protection of Children from harm.

There is already a very serious issue of crime and disorder. A lot of businesses have been raided by criminal gangs in the vicinity in the past. There is a money exchange business near to the premises and owner of the money exchange was attacked and thousands of pounds were snatched from him two years ago.

There is already a lot of antisocial behaviour happening in this particular vicinity late at night. Very loud music from the cars parked on Alum Rock Road near the premises is a regular occurrence.

There are three Primary Schools not far from the premises.

1 Nanson Primary School on Naseby Road.

2 Parkfield Primary School on Parkfield Road.

3 Shaw Hill Primary School on Anthony Road.

There are two Secondary Schools in the vicinity.

Rockwood Academy on Naseby Road and Eden Boys Leadership Academy which is opening in September this year on Alum Rock Road.

There are three Mosques not far of from the premises.

One on the corner of Alum Rock Road and Clodeshall Road. There is another one on Naseby Road and the third one is on the corner of Alum Rock Road and Ludlow Road.

There are two Churches' close by.

1 Pentecostal Church on the corner of Alum Rock Road and Naseby Road

2 Emanuel Church on Alum Rock Road.

Residents and business owners are vey concerned about their safety and the safety of their businesses.

As you can see from the pictures the business is already in breach of licensing law.

A few residents and business owners have reported to me that alcohol is being sold to their clients who are well known to them. The clientele this business is going to attract has no regard to the local community's culture and traditions which will harm the community cohesion.

I want to reserve the right to speak at the licencing sub committee meeting when the application is considered for a decision.

Kind regards

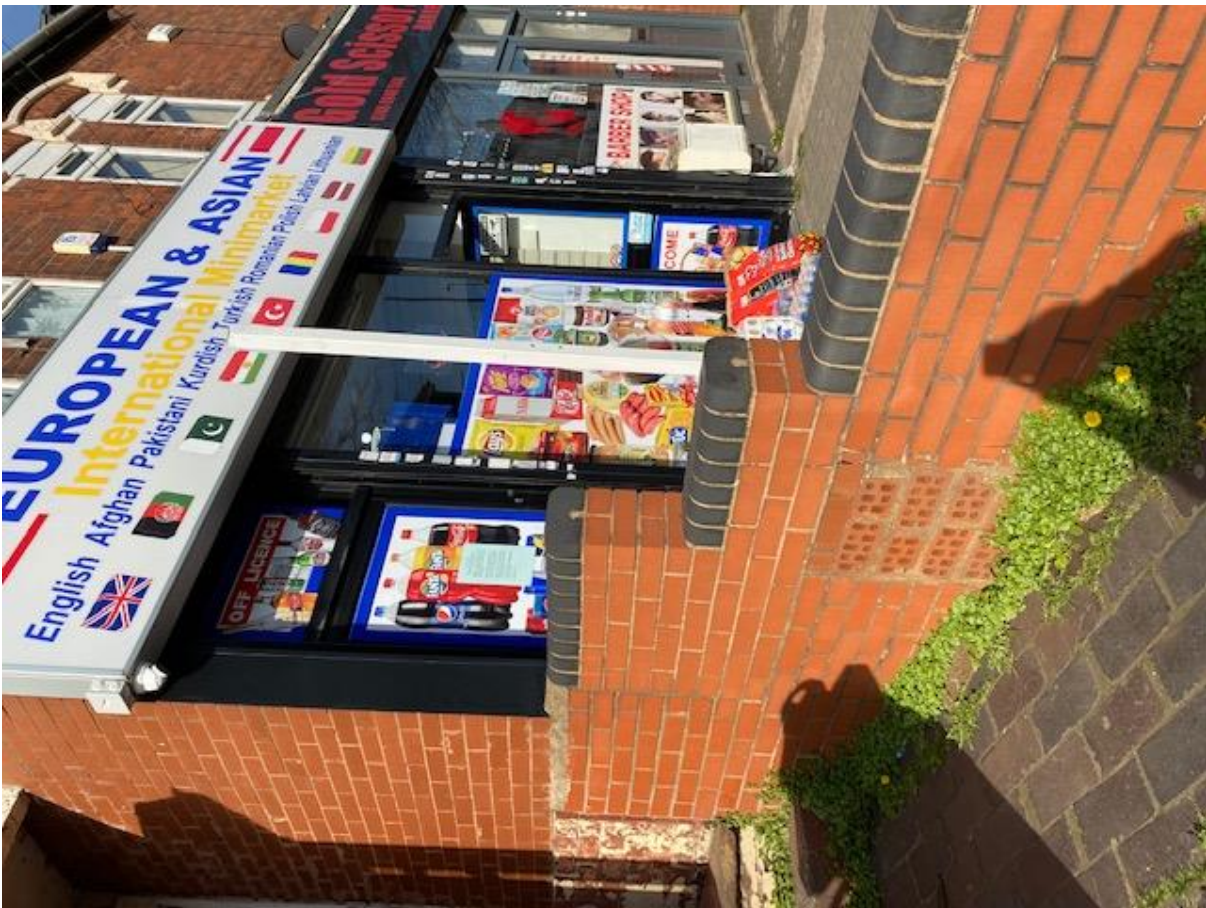
Cllr Mohammed Idrees

Alum Rock Ward









From: Councillor Mariam Khan

Sent: 05 April 2021 23:28

To: Bhapinder Nandhra

Subject: Application For an Off License, 290 Alum Rock Road, Birmingham B8 3DD. Application No 118713

Dear Bhapinder Nandhra,

I write in reference to the above application made by European & Asian Mini Market for the sale of alcohol for an off licence premises licence.

As a local Councillor for the Alum Rock Ward, I am very concerned that granting a licence to this business to become an off licence will be detrimental to the local area. There are already issues around anti social behaviour which will only be enhanced further if the application is accepted. This will go against the licensing of objectives 'prevention of crime & disorder' and 'prevention of public nuisance'. With the location of the business being surrounded by a number of local primary & secondary schools such as Nansen Primary School & Shaw Hill Primary School & Rockwood Academy, it is not deemed appropriate that alcohol be made so accessible to add to the issues around anti social behaviour in the area and will go against the licensing objective of 'protection of children from harm'.

Another concern is that local residents have reported that alcohol has already started to be sold on the premises - without a licence to do so. This must be investigated & if true, further confirms that there is complete disregard for the local community. I attach photographs that show the sale of alcohol being advertised at the shop.

I, alongside my ward colleague, Cllr Mohammed Idrees strongly object to this licensing application for the reasons stated above.

Kind regards,

Cllr Mariam Khan







From:
Sent: 05 April 2021 20:21
To: Pollution Team; Licensing
Subject: Re: Breach of licence for 290 Alum rock road Birmingham b8 3DD

Dear Sir/Madam

I write further to the above matter.

I am a business resident a few doors down I believe the business has already breached the planning rules as they already are open and operating the business without having an appropriate planning license.

We believe by allowing an off license with school will cause a nuisance. I strongly object to this license being granted.

Please do not hesitate to contact me if you require any further information or assistance in the above matter.

Yours Sincerely,













From: Councillor Mohammed Idrees
Sent: 05 April 2021 21:30
To: Bhapinder Nandhra
Subject: FW: Off-licence 290 alum rock

Dear Bhapinder Nandhra,
I am forwarding this email from a resident living nearby

From:
Sent: 04 April 2021 21:13
To: Councillor Mohammed Idrees
Subject: Off-licence 290 alum rock

To Councillor Idrees to be forwarded to the relevant people.

To whom it may concern. I have become aware that the residence of 290 [Alum Rock Road](#), which has been developed into a commercial shop, has been advertising as an off-licence without permission. As residents of this community this is very troubling to us, due to the already rampant anti-social behaviour. The addition of an off-licence will further contribute to this disruption and negatively impact the community. As residents we are disappointed that we were not notified of this by the council and only became aware once they displayed an off-licence sign. We hope you take this into consideration and will terminate their off-licence.

Regards

Resident of Alum Rock Road

From: Councillor Mohammed Idrees
Sent: 05 April 2021 21:33
To: Bhapinder Nandhra
Subject: FW: Off licence operating with no licence 290 Alumrock road, Birmingham

Dear Bhapinder Nandhra,
Please find an email from a local businessman and who also lives nearby with his family.

From:
Sent: 05 April 2021 20:00
To: Councillor Mohammed Idrees <
Subject: Off licence operating with no licence 290 Alumrock road, Birmingham

Dear Councillor Idrees

Hope your are fine and well I'm writing to you in connection with a shop that had just opened a few doors way from my residence at [290 Alumrock road, Birmingham](#) this shop has a clear off licence sign and I have been told that alcohol is being sold from behind the counter without a licence I am concerned as a letter from the council had not been send to any of the residents regarding issue a licence for a off license as I would have and all the residents would have disputed opening of a off licence so close to us due to social disorder we had quite a lot of disorder regarding people drinking and smoking drugs and I have myself have been in touch with the police regarding this issue as loud music and shouting late at night disturbing all the residents we have kids that go to school in the morning and the last thing we want is drunks shouting and vandalising our property and cars I would personally ask you on behalf of me and the residents to please stop selling off alcohol so close to our homes I have spoken to many residents and everyone is against this idea this email is on behalf of all residents of Alumrock road near the new shop, if you require a petition I would gladly do it, I have been a resident at my address for 23 years, can you please intervene from our behalf and ask the council not to give licence to this shop and also stop them from selling alcohol illegally, I Thankyou in advance.

Yours sincerely

Alumrock road
Birmingham
B8 3DD



- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒ X

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Ali -Pour			First names Nabaz		
Date of birth:			I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes		
Nationality:					
Current residential address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					

E-mail address (optional)	
---------------------------	--

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	M	YYY
06	04	2021

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	M	YYYY

Please give a general description of the premises (please read guidance note 1)

A small sized Mini Market and grocery store selling International food stuffs, with an off licence

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

--

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

☐

Supply of alcohol (if ticking yes, fill in box J)

X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			
Fri			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur					
Fri			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			<u>Please give further details here</u> (please read guidance note 4)			
Tue						
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing			
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)			
Wed						
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)			
Fri						
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sun						

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	08.00	23.00			
Tue	08.00	23.00			
Wed	08.00	23.00			
Thur	08.00	23.00			
Fri	08.00	23.00			
Sat	08.00	23.00			
Sun	08.00	23.00			
Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)					

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Mr Nabaz Ali-Pour	
Date of birth:	Place of birth: Nationality:
Address	
Postcode	
Personal licence number (if known) PL 11754	
Issuing licensing authority (if known) Birmingham City Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08.00		
		23.00	
Tue	08.00		
		23.00	
Wed	08.00		
		23.00	
Thur	08.00		
		23.00	
Fri	08.00		
		23.00	
Sat	08.00		
		23.00	
Sun	08.00		
		23.00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

1. CCTV

- 1.1 The premises shall install and maintain a digital CCTV system
- 1.2 The CCTV system shall have sufficient hard drive storage capacity to store a minimum of 31 days.
- 1.3 The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises at each exit and entrance point.
- 1.5 A CCTV log will be completed on a weekly basis to record all elements of the CCTV System is maintained in good working order and recordings date and time stamped.
- 1.6 All staff shall be trained in the operation of the CCTV system to ensure rapid data retrieval & downloads of footage can be provided to the Police & the Local Authority Officer upon reasonable request in accordance with the Data Protection Act.
- 1.7 CCTV shall be continually recording during licensable hours
- 1.8 In the event of a failure of the CCTV system for any reason, a record of the failure will be recorded in the premises log and immediate steps will be made to rectify the problem.

b) The prevention of crime and disorder

2. Incident / Refusals Register

- 2.1 An incident log must be kept at the premises. Log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person' (as defined by section 13 of the Licensing Act 2003), an authorised trading standards officer or the police, and must record the following;
 - (a) All crimes reported to the premises (where relevant to the licensing objectives)
 - (b) Any incidents of disorder
- 3. When the designated premises supervisor is not on duty, a contact telephone number will be available at all times.
- 4. All spirits will be stored and sold behind the counter
- 5. Roller shutters are in operation at the front of the premises
- 6. The premises will have a written policy in relation to drunkenness. Premises should not admit persons who are visibly intoxicated and staff should be trained regarding responsible alcohol sales, identifying drunkenness and preventing alcohol sales to them.

c) Public safety

No risk has been assessed under the Licensing Act 2003

d) The prevention of public nuisance

7. Prominent, clear and legible signage shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quickly and quietly. (Quiet Notice)
8. All employees will be vigilant and monitor the area immediately outside the shop and will use their best endeavours to disperse groups of 3 or more persons that appear to be loitering outside.
the shop if they have been customers of the shop. In addition, all staff will report any anti-social behaviour or acts of crime to the police immediately and provide the police with any CCTV footage on request.
9. Deliveries to the premises shall be conducted in a manner that will not cause a nuisance to the occupiers of any residential properties surrounding the delivery address and deliveries shall be made at a time that will not lead to any public nuisance.

e) The protection of children from harm

10. A written register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months and will be collected by the designated premises supervisor and produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer the local authority/council on demand.
11. All staff engaged in the sale of alcohol to be trained in Challenge 25. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer of the local authority/council on demand.
12. Proxy signs will be on display warning adults about the law surrounding buying alcohol for children
13. Staff will monitor the outside area to identify any potential proxy purchasing concerns.
- 14. Challenge 25**
 - 14.1 The premises shall operate a Challenge 25 policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the police or an 'authorised person'
 - 14.2 Prominent, clear and legible Challenge 25 signage shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme operated.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. (paid online) X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
Electronic application
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X
- X
[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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.

It is an offence under section 24b of the immigration act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the immigration, asylum and nationality act 2006 and pursuant to section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

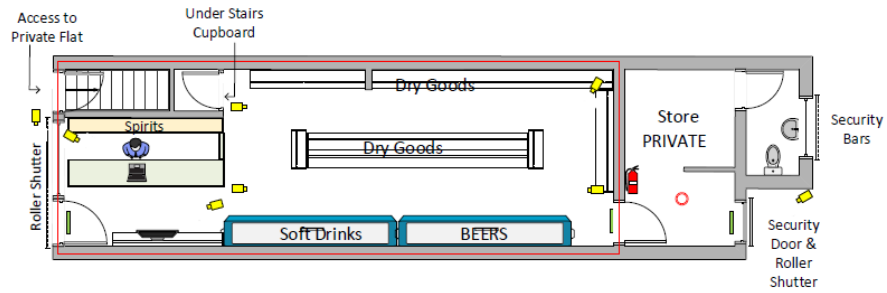
Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	08th March 2021
Capacity	Agent on behalf of the applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Tony Clarke JMC Licensing Consultants			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

LEGEND	Smoke Detector	Fire Bell	Fire Exit
Camera	Fire Ext. Water	Monitor	Licensable Area



Drawing Purpose	PREMISES LICENCE APPLICATION	Name of Premises	Premises Address	SCALE
Drawing Details	The purpose of this drawing is for the submission of a Premises Licence Application. All Measurements have been drawn in millimeters. This drawing is not to be used for the intention of any building, shop fitting or construction purposes.	European & Asian Mini Market	290 Alamrock Road Birmingham B8 3DD	1-100

From: bw licensing
Sent: 15 March 2021 07:56
To: Licensing
Cc: Tony Clarke
Subject: GRANT - EUROPEAN & ASIAN MINI MARKET, 290 ALUM ROCK ROAD, B8 3DD

Good Morning Licensing,

With regard to the premises licence application European & Asian Mini Market, 290 Alum Rock Road B8 3DD.

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

- CCTV to be fitted /updated to the specifications of West Midlands Police Central Licensing Team. CCTV to record throughout the whole of the licensable area and will display the correct time and date stamp and be downloadable. There will be at least 1 camera which covers the outside frontage of the premises. CCTV recordings and images will be made immediately available to any of the responsible authorities on request. All CCTV recording will be held for a minimum of 31 days. If the hard drive needs to be replaced for any reason then the old / previous hard must be kept on the premises for a minimum of 31 days.
- Staff training will also include their responsibilities under the licensing act and premises licence conditions. All staff training will be documented and signed by both the trainer and trainee. No staff, with the exception of personal licence holders to work at the premises while it is carrying out licensable activity without this documented training.
- The premises will not supply single use cups with a sale of alcohol.
- The DPS will sign off the incident and refusals register weekly.

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

Regards and thanks

Chris Jones 55410

Birmingham Central Licensing Team West Midlands Police

From: Tony Clarke
Sent: 12 March 2021 13:52
To: bw licensing;
Subject: [External]: Fwd: EUROPEAN & ASIAN MINI MARKET, 290 ALUM ROCK ROAD, B8 3DD

CAUTION: This email originated from outside of West Midlands Police. Do not click links or open attachments unless you are sure the content is safe.

Subject: EUROPEAN & ASIAN MINI MARKET, 290 ALUM ROCK ROAD, B8 3DD - Additional Conditions

Dear Chris,

I have discussed these additional conditions with my client and in principle he is happy to accept them.

However ,

In the first condition there appears to be one or more words missing. This has been highlighted below.

- CCTV to be fitted /updated to the specifications of West Midlands Police Central Licensing Team. CCTV to record throughout the whole of the licensable { **word to be inserted**} and will display the correct time and date stamp and be downloadable. There will be at least 1 camera which covers the outside frontage of the premises. CCTV recordings and images will be made immediately available to any of the responsible authorities on request. All CCTV recording will be held for a minimum of 31 days. If the hard drive needs to be replaced for any reason then the old / previous hard must be kept on the premises for a minimum of 31 days.

Assuming the word is meant to be '**Area**' then yes my client would be in agreement.

In regards the other 3 conditions, they are all fine.

Just a quick note on the outside camera, as you can see the plan we have submitted shows all of the camera positions that will be in use, including the one outside.

Kind Regards

Tony Clarke
JMC Licensing

From: tony clarke
Sent: 23 March 2021 20:13
To: Christina McCullough
Subject: Re: Application for Grant of premises licence – European & Asian Mini Market, 290 Alum Rock Road B8 3DD

Hi Christine,

Sorry for the late reply

Yes the additional condition is acceptable.

Kind regards

Tony Clarke

On 10 Mar 2021, at 16:24, Christina McCullough wrote:

As you are aware I am in receipt of the application submitted in respect of the above premises.

You will appreciate it is important that any conditions attached to a premises licence are clear, precise and enforceable in order to effectively promote the four licensing objectives.

In considering the application submitted and the measures outlined in the operating schedule the Licensing Enforcement Team has applied the tests of necessity and reasonableness in order to promote the four licensing objectives and I have therefore attached a conditions which the Licensing Enforcement Team will require you to accept as a condition which will be applied to the licence.

As you will see it generally relates to measures already offered in the application but they have been worded in a manner which makes them more meaningful and enforceable.

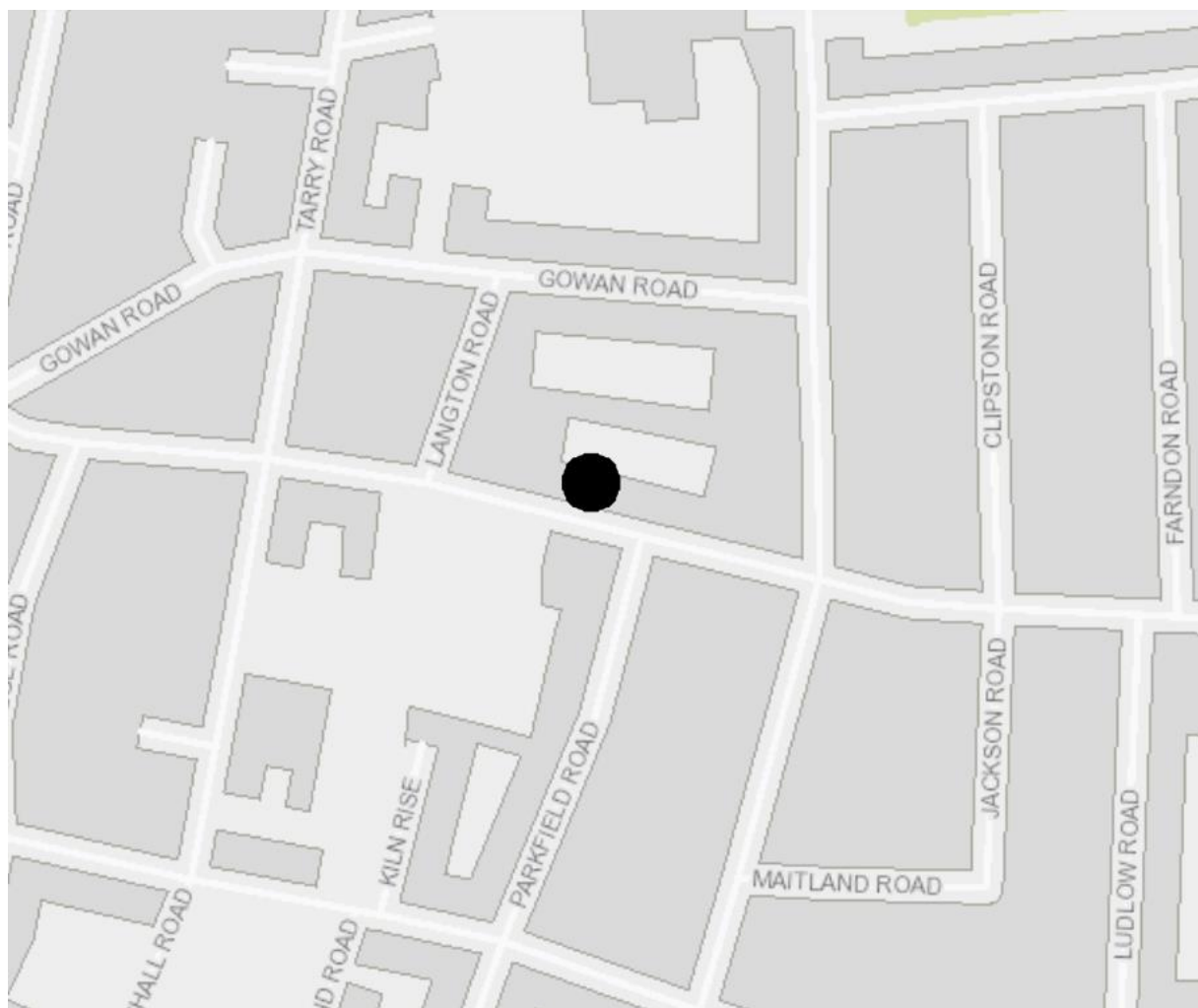
- **All staff will receive refresher training on The Licensing Act and challenge 25 every six months. All staff training will be documented and signed by both the trainer and trainee. All training records to be maintained and to be made available upon request by any regulatory body. No staff to work at the premises until this training has been completed.**

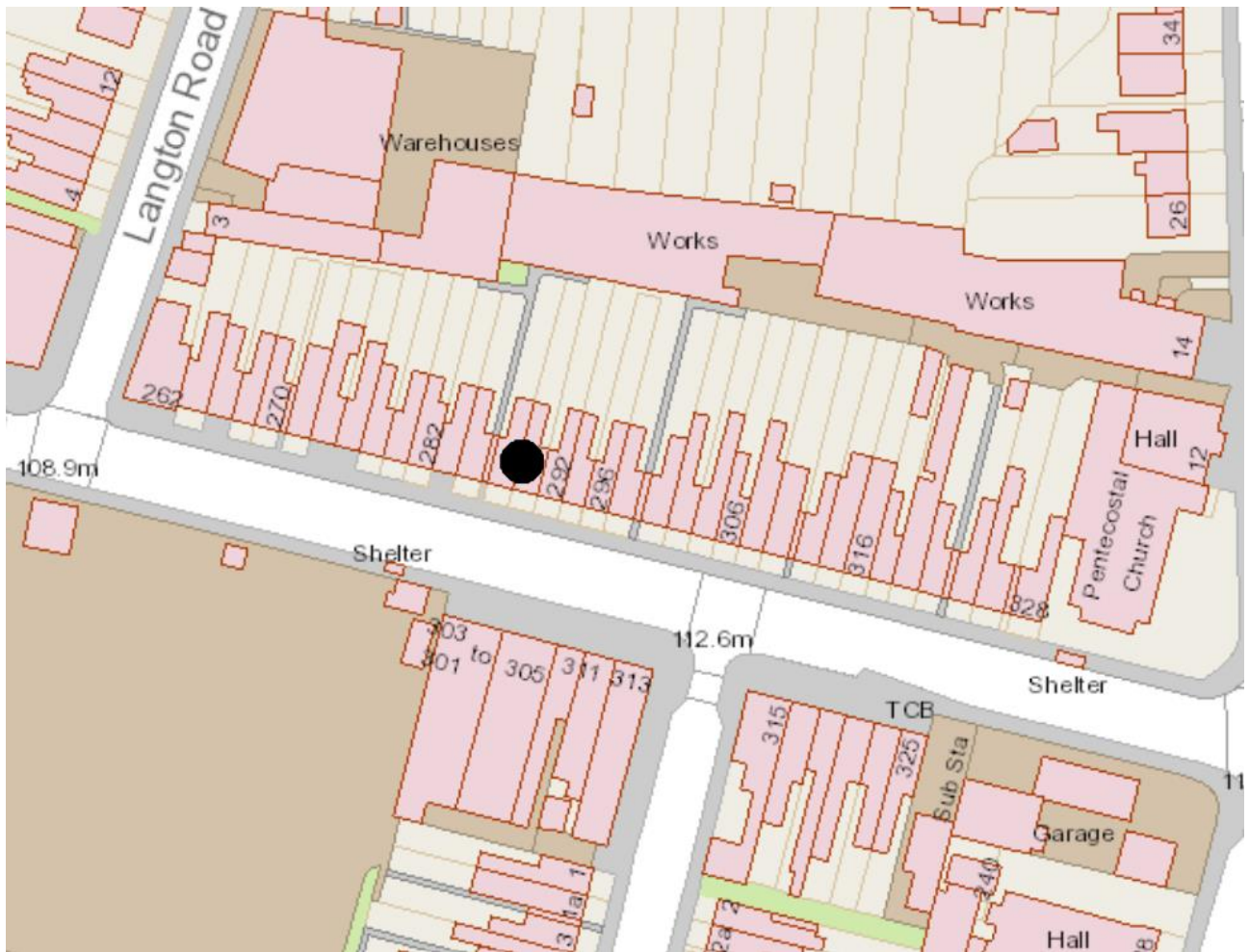
Subject to your confirmation in writing that you agree to accept the attached conditions there will be no need for the Licensing Enforcement Team to make a representation regarding the application submitted.

If you wish to discuss the matter please don't hesitate to contact me.

Regards

Christina McCullough
Licensing Enforcement Officer





I [REDACTED]
address [REDACTED] Walford road B11 [REDACTED]
[REDACTED]

I was helping my friend NABAZ Ali-pour
at his new shop European & Asian min market
at 290 Alumrock road B83DP on 29 March
2021 around 7 p.m. when 3 men walk in
to the shop and ask my friend what you
going to open here he replies of license
and the man with beard says you know
its haram and against shariha to sell
alcohol and this is Alumrod with mostly
muslim and against and selling alcohol
is against muslim culture and shariha law
and then they walk out

15, 04, 2021 [REDACTED]
[REDACTED]
[REDACTED]

1. [REDACTED] Anthony Road 8/14/2021

i am very happy in my area its open
a new european shop (EUROPIAN & ASIAN)
mini market

and i will be very happy if you give
them a licence for sell alcohol

2. [REDACTED] B94 [REDACTED] flat 4 block [REDACTED]
[REDACTED] I am a customer
south ham
at New shop open european or asian mini market
This guys are really Good and I am happy with
Them and I be more happy if you Give Them
hicense for alcohol 8/14/2021

3. [REDACTED] license for him 8.54. [REDACTED]
B-8 [REDACTED] I am happy to give them
License to sell Alcohol [REDACTED] 08.04.21

4. [REDACTED] B71 [REDACTED] TEALL RD
I have Barber shop Next To 290 my shop is
292 alum rock road I have No problem
with Giving Licence To European & asian
mini market for sating alcohol if you need
more information you can call me
9/4.2021

5. [REDACTED] SYCAMORE WAW a

1327 [REDACTED]

I am a customer here and [REDACTED] a-h-2a
I have no problem to give [REDACTED]
Them licenc To sell alcahal [REDACTED]

6. ~~ALUN ROK 312 13305~~

I AM A CUSTOMER

[REDACTED] I am a customer here and Europe
and asisan and I will be happy if
the canll to give them the licene to
Sell alcahal.

[REDACTED] Hancock road / 09/04/21 [REDACTED]

7. [REDACTED] LIVE

IND [REDACTED] ALUN ROK ROAD

I am happ if you Give 290 eusepian a
asian market Licenc To sel alcahal I

folay
10/04
[REDACTED]



BLACK COUNTRY HOMES
ESTATE AGENTS

15/04/2021

Re: 290 Alum Rock Road (Shop), Birmingham, B8 3DD- Licensing application

To Whom It May Concern,

We are the managing agents for the above property. We would like to inform you the landlord and ourselves would have no objections to the property above being used as an off license.

If you require any further information do not hesitate to contact us.

Yours Faithfully

[Redacted Signature]

Mr Mujahid Sadiq
Lettings Assistant



58 Birmingham St
Oldbury, B69 4DZ
T: 0121 439 7127
E: info@blackcountryhomes.co.uk W: www.blackcountryhomes.co.uk



European & Asian Mini Market, 290 Alum Rock Road,
Birmingham, B8 3DD
Hearing Tuesday 4th May 2021 at 10am.
Transcript of the letters of support for the applicant

1

We understand that the applicant did inform all parties named in this document that their statements and their details would be shared with the sub- committee and that a redacted copy would be published on Birmingham City Council Licensing page.

1: – Anthony Road 8,4,2021
I am very happy in my area its open a new European
(European & Asian mini market) and I will be very
happy if you give them a licence for sell alcohol.

2: - B9 Flat Block ,
Southam . I am a customer of New
shop European an Asian mini market.
This guys are really good and I am happy with Them
and I Be more happy if you Give them licence for
alcohol 8,4,2021 – signed

3: W****n (illegible) Licence for Him 8.57 - signed B8-
I am happy to give them Licence to seel Alcohole -
signed.

4: I nan B8 Teal Road
I have Barber shop Next To 290, my shop is 292 alum
rock Roa I have No problem with giving licence to
European & asian mini market for saling alcohol if you
need more information you can call me
9.4.2021 -signed

5: SYCAMORE WAW a B27
I am a customer here and I have No problem to give
Them Licence To sell alcohol -signed

European & Asian Mini Market, 290 Alum Rock Road,
Birmingham, B8 3DD
Hearing Tuesday 4th May 2021 at 10am.
Transcript of the letters of support for the applicant

2

We understand that the applicant did inform all parties named in this document that their statements and their details would be shared with the sub- committee and that a redacted copy would be published on Birmingham City Council Licensing page.

6: : I am a customer here and Europe and Asian and I will be happy if the council to give them the licence to sell alcohol.

Hancock Road 09/04/21 -signed

7: LIVE IND ALUN ROK ROAD I am happy if you give 290 european Asian market licence to sel alcohol – signed

8: Tintern Road
I am a customer Asian European Marky. I have no objection I hope council give them licence to serve Alocol

- signed 1.4.21

9: - Kenwood Road B9
I am customer at European Aasian market 290 Alum Rock Road

I have no objection and I hope the council give them the licence to sell alcohol.

- signed 05.04.2021

10:
I am customer at European Asian Market and I hope the council give then a licence to sell alcohol –
signed 11.04.21 - -

European & Asian Mini Market, 290 Alum Rock Road,
Birmingham, B8 3DD
Hearing Tuesday 4th May 2021 at 10am.
Transcript of the letters of support for the applicant

3

We understand that the applicant did inform all parties named in this document that their statements and their details would be shared with the sub- committee and that a redacted copy would be published on Birmingham City Council Licensing page.

11: NEXT DOOR 286 Midilands Applince
No obecton to gove lince to sale Alceo to 290
and 12.4.21
- signed

12: Phillmore Road
am custumar in European asien market.
Dear GOOD buys. And ai hop council give him
licence to sel alcol signed 12.04.21

13: Tarry Road, B8 - signed
13-4-2021
I hope council give license to sell alchol to EU-ana
Asian minimark

14:
I am custmar har at Erupan mini market. I hop cansl
give lancis to salal alcohol
Signed 13.4.2021

15:
Im castmar here at European and asan mini market
I hope council give to Lacence to sale alkhoh
Brook hill Road - signed 13.4.21

European & Asian Mini Market, 290 Alum Rock Road,
Birmingham, B8 3DD
Hearing Tuesday 4th May 2021 at 10am.
Transcript of the letters of support for the applicant

4

We understand that the applicant did inform all parties named in this document that their statements and their details would be shared with the sub- committee and that a redacted copy would be published on Birmingham City Council Licensing page.

16:

Im castimer here at European and Asian mini market.
I hope council give to lances to sale alkhol is seaf
aria. I fell seaf in the aria - signed
17.4.21

17:

Ellesmere Road, B8
290 Alum Rock Road
They are good guys
I have no objection to them selling alcohol

18:

Glastonbury Road, Yardley wood, B14

19:

Lennon Street, Newton, Birmingham B19

20:

Mill View, Kitts Green, B33

21:

Wood End Road, Erdington, B24

22: I live in Alum Roack Road. I have no
objection to give licence to 290 Alum Rock Road. Its
save here and I feel save here.
25.4.21 - signed

8. [REDACTED] Tipton Road

I am customer Asian European Market
I have no objection I hope council
give them licence to serve Alcohol

[REDACTED]
[REDACTED]
1-14/21

9. [REDACTED] Kenwood Road 69 [REDACTED]

I am customer for European Asian Market
290 Alumrock Road I have no objection and
I hope council give them licence for sell
alcohol

[REDACTED] 2021 / 04/10

10 [REDACTED] I am a customer at European Asian

Market I hope council give them licence to sell alcohol.

[REDACTED] 11/04/2021
[REDACTED]

11 NEXT DOOR 286 Midlands APPLINCE

NO ~~obj~~ objection to give licence to sell
Alcohol to 290 [REDACTED]

[REDACTED]
[REDACTED] 12/4/21
[REDACTED]

12 [REDACTED] PHILLMORE ROAD

am customer in European Asian
Market Dear Good guys. and I
hope council give him licence to
sell alcohol.

[REDACTED] - 12/04/2021
[REDACTED]

Statement of Truth

My name is Nabaz Ali-Pour and I am the owner of a convenience store called European and Asian Mini Market, at 290 Alum Rock Road, Birmingham, B8 3DD.

I applied for a premises Licence on the 8th March 2021 which was accepted by Birmingham City Council and I was informed by my agent, Mr Tony Clarke that the final date for representations and objections was the 5th April 2021.

The Premises Licence application notice was displayed as per the guidelines on the 9th March and photographic evidence was then sent to Birmingham City Council on the same day. The notice was checked daily and I removed it on the 6th April 2021.

I applied for the Temporary Event Notices, for the following Dates: Tuesday 23rd March – Sunday 28th March and Tuesday 30th March – Sunday 4th April. These were accepted, although, I decided not to sell any alcohol at all. I have kept CCTV recordings for these periods which can be released at the Magistrate's Court as evidence if required.

My shop signage was installed on the 27th March 2021. The parts of the signage that refer to 'Off Licence' or 'Alcohol' were then covered up on the 5th April 2021 when it became apparent that there were relevant objections to my application. They are still covered up to this day.

On the 29th March 2021 at 19:09 three Asian men came into my shop, I did not know them. They approached me (as there was only me and a friend in the shop at the time) and started to tell me that it is against Sharia law to sell alcohol, and it is 'Haram'. I tried to explain that I have a right under UK legislation to sell alcohol if I wish and they then told me that I cannot sell alcohol in this area and I must stop now. I felt intimidated as I never met these men before and I didn't expect to be threatened in this way. This incident lasted only 2 minutes and I have CCTV footage of the incident if I am requested at a later date to show it. I now know one the men to be Mr [redacted] who owns the travel agent at [redacted]

Alum Rock Road. One of the other men works at this shop and the third man does not live or work locally as far as I know.

My agent, Mr Clarke, informed me that I should try to talk to the objectors but I didn't want to because I was scared of reprisals and causing more trouble in the local area. I firmly believe all of the objector's real reasons for their objection is because of their religious beliefs. Further to this-

I now know that Mr is a friend of Mr of because I have been told this by some of the local residents and I have also seen them talking myself outside each other's shops many times since my shop has been open, and Cllr Idrees also has his 'Advice Surgeries' from inside the same shop as whom I believe is one of the objectors.

This is a statement of truth dated 29/04/20.

Signed: Nabaz Ali-Pour

Friday 30th April 2021

Good afternoon Cllrs Khan and Idrees / 3 other Objectors

Re: Application for a Premises Licence
290 Alum Rock Road, Birmingham, B8 3DD
Hearing Tuesday 4th May 2021 – 10.00

We write on behalf of our client who is the applicant Mr Nabaz Ali-Pour for the above application.

Mr Ali-Pour is quite distressed regarding several parodies and distortions contained in your 'Letters of Objection'.

There are 3 incidents that have happened involving my client and other parties during the application process and this letter is to propose any or all of the named parties an opportunity to seriously consider the facts contained in your statements prior to the hearing.

In line with the Licensing Act 2003 (Hearings) (Amendment) Regulations 2014, your statements have been submitted within the legal time frame and although we can all openly discuss your comments at the hearing, you will not legally be permitted to add any additional facts or information, however you can withdraw your statements which must be in writing before the hearing date.

This letter will be submitted as part of our supporting evidence prior to the hearing.

Should these letters of objection not be withdrawn before the hearing, then we will take this opportunity to discuss their contents and ask certain investigative questions in their entirety.

Your statements contain some quite serious and reckless false allegations and claims, of which if not challenged and corrected could put my client in prison for up to 6 months and an unlimited fine.

It also evidently appears that at no time did anyone try to examine or investigate any of these false allegations prior to their submission to the Authority.

Our client has also been subjected 3 times to forms of intimidation.

The first time was when 3 Asian gentlemen entered his shop shortly after opening and on a 2 more subsequent occasions involved a meeting with Mr Ali-Pour and local residents and local businessmen.

The narrative from the other parties during these meetings made it quite apparent that my client should not and cannot sell alcohol due to Sharia Law and religious beliefs.

These incidents were all recorded and the footage retained.

My client has retained the visual and audio evidence and a 'Statement of Truth' signed by Mr Ali-Pour will be submitted to the Licensing Office to be produced to the Sub-committee prior to next Tuesday.

Some of these false and dangerous allegations have been now been expressed in writing by yourselves with no supporting evidence.

These statements will be going into the public domain at the hearing and after they will be published on the Birmingham City Council website and my client will be advised of a possible intention of taking formal legal action of defamation at a later date.

May we also advise yourselves of the following.
s158 of the Licensing Act 2003

*'a person commits an offence if he knowingly **knowingly or recklessly** makes a false statement in or connection
(1)(a) an application for the grant of a premises licence*

*(2) For the purposes of subsection (1) a person is to be treated as making a **false statement** if he **produces**, furnishes, signs or **otherwise makes use of a document that contains a false statement**.*

(3) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 (£5000) on the standard scale.

A similar statement was also affirmed in the last paragraph of the light blue Public Notice that our client prominently displayed immediately outside his premises for 28 consecutive days with contact numbers for the Licensing Office where legal advice could have been obtained.

Therefore we can safely assume that any objectors had sufficient time to read, seek further legal advice and understand fully the application and the above legal statement.

We also consider that parts of your statements contain vexatious, frivolous or irrelevant statements and we will be asking the sub-committee to disregard them.

As part of an Objectors responsibility prior to submission of an Objection is to carefully study the contents of the Operating Schedule, we trust all the Objectors went through this process.

The same Operating Schedule was submitted to the Licensing Authority and forwarded to the police and the other 8 Responsible Authorities. We can advise you that all parties have accepted and approved our application in full.

The Responsible Authorities are proficient in their own area of expertise. The police are the experts in Crime & Disorder and would have carefully studied the crime figures and knowledge of the area before making their decision.

The panel rely on the police for their advice and intelligence and will note their absence at the hearing.

The police contacted our office to discuss the application and we agreed 2 additional conditions and a further condition with the Officer from the Responsible Authority.

This confirms that all parties are now fully satisfied that our clients application will 'not' undermine any of the Licensing Objectives mainly the Prevention of Crime, the Prevention of Public Nuisance and finally the Protection of Children from Harm.

All the conditions offered by our clients fully support all of the 4 Licensing Objectives.

An additional fact that we need to reference here is that, it is 'not' illegal to advertise a product that you are either selling or 'intending' to sell.

We applied to Birmingham City Council for Temporary Licenses for Mr Ali-Pour that permitted him to store, sell and advertise the sale of alcohol from his premises until 23.00 on the evening of the 5th April 2021.

The photographs submitted by you are dated the 4th April 2021.

We had previously advised our client that after the Temporary Licenses had expired; it was best practice to cover any advertising of alcohol until the Premises Licence had been approved.

However, due to the unfolding events, our client decided not to use any of the Temporary Licenses and as such not one bottle of alcohol was ever taken onto the premises and will not until this application has been approved.

Mr Ali-Pour has also retained the CCTV footage for a full 24 hours of each day from the day he opened until now for evidential reasons to prove that no alcohol has ever been sold from the shop even though he did have the necessary permissions in place.

On the 5th April Mr Ali-Pour covered up all photographs and wording relating to alcohol, which was the last day he was permitted to sell alcohol and we have also submitted photographic evidence to support this fact.

We would further like to add that there is no such idiom known as a 'planning licence'.

Finally we also advise all parties that should our client's application be refused, an Appeal against this decision will be submitted to the Magistrates Courts where your attendance will be required to support the contents of your Letter of Objections.

My client has committed no crimes and he has done no wrong.

Should you wish to withdrawal your statement, the procedure just requires a simple email direct to the Licensing Office or, further legal advise may be obtained from the Licensing Office at Birmingham City Council.

Yours sincerely.

June Clarke
Licensing Consultant
JMC Licensing Consultants

Friday 30th April 2021

Good afternoon Cllrs Khan and Idrees / 3 other Objectors

Re: Application for a Premises Licence
290 Alum Rock Road, Birmingham, B8 3DD
Hearing Tuesday 4th May 2021 – 10.00

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The narrative from the other parties during these meetings made it quite apparent that my client should not and cannot sell alcohol due to Sharia Law and religious beliefs.

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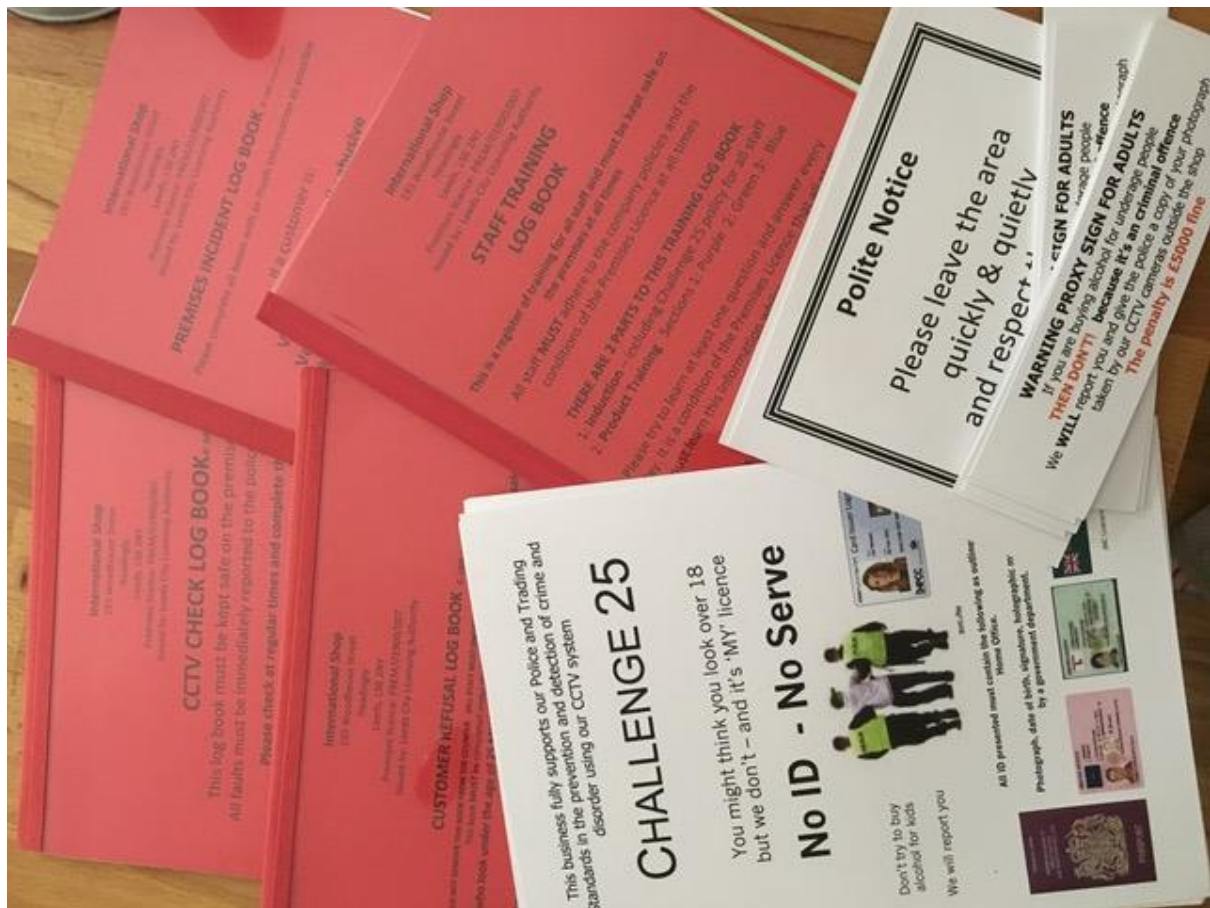
Yours sincerely.

June Clarke
Licensing Consultant
JMC Licensing Consultants









From:**Sent:** Wednesday, May 05, 2021 12:57 AM**To:** David Kennedy; Councillor Mohammed Idrees**Subject:** Licensing Act 2003 (Grant) RE: European and Asian Mini Market, 290 Alum Rock Road, Birmingham, B8 3DD

Dear Mr David Kennedy AND Councillor Mohammed Idrees.

I write further to our Microsoft team meeting at 10:00am on 4th May 2021. Contents of which have been noted here within.

I am a business resident at Alum rock Road, Birmimgham B8 3DD. I have objected to the grant of the off license, as I believe this will cause nuisance and disruption to the peace of all the residence.

Please note, as residence we was not given any notice by the local licensing committee of the application made by the applicant. This only came to my attention when I read the sign board displayed at 290 Alum Rock Road, Birmimgham, B8 3DD.

Furthermore, we only received the disclosure by email 10 minutes prior to the hearing, not giving the complainants a fair time scale to examine and review the evidence provided by the applicant and his representatives.

Moreover, I have since made number of enquiries and still await for further witness statements by the persons the applicant states in his disclosure of accepting and supporting his application. I have now spoken to a specific person the applicants mentions in his disclosure, who confirms that he has not signed any document to accept or support the applicants license.

The applicant has provided names and address of customers supporting his application. I believe this to be irrelevant as the people that will be affected in this matter are the local and immediate residence not his customers. The residence have experienced vehicles parking up and drinking and police have failed to response or take action by allowing a license this will cause further issues for the neighbouring residence with people parked up outside their residential homes and drinking in their cars.

I believe this is a very serious offence for which the applicant may be prosecuted for misusing and fraudulently signing documents. I am in the process of gathering further witness statements from the residence who all want to participate in the hearing.

Furthermore, Mr (complainant) a resident of Alum Rock Road, Birmimgham, B8 is currently is in a religious quarantine for 8 days (I'tikāf is an Islamic practice consisting of a period of staying in a mosque for a certain number of days, devoting oneself to worship during these days and staying away from worldly affairs.)

Mr is a key witness to the hearing and can contribute substantial evidence in the above matter. He has further documentation in support of our objection and a

signed partition from neighbouring residence and local community strongly objecting to the granting of the off license.

It is only fair under Article 6, right to a fair and public hearing for the residence to get a fair chance to represent themselves at a hearing and to put their views and concerns to the committee and chair persons, as they have previously been ignored and no communication was ever made by the relevant department to notify them of such application.

The applicant has attended my and Mr [redacted] premises, the applicants has been asking local business about us, he has made it clear that he will obtain the license either way.

I would like to request the honourable chairpersons to adjourn the scheduled hearing on 5th May 2021 at 11:30am as we require further time to compile witness statements and produce further evidence in support of our objection and represent our concerns to rebut the applicants evidence.

I would also like to emphasis that a false statement and evidence has been provided by the applicant, which will now be a matter for the West Midlands Police to investigate, the applicant may also find himself subject to criminal proceedings.

I can not be present at the re-scheduled meeting which will take place on 5th May 2021 at 11:30am due to work commitment. I would like to request an adjournment of this hearing and to re-schedule a further hearing which I can attend. Please note, I spoke to Mr David Kennedy of my concerns who advised me that "I am lucky that the chairpersons have allowed the adjournment until 11:30am for 5th May 2021", usually the adjournment is only 2 hours"... that this is not your in normal hearings", which I found to be some what strange as all hearing have a legal framework and code of ethics that should be followed and adhered by the local authority.

Please do not hesitate to contact me if you require any further information or assistance in the above matter. I have also spoken to Councillor Mohammed Idrees of my concerns and have also cc him in this email to present this to the relevant persons or department necessary.

Yours Sincerely,