



## **BIRMINGHAM CITY COUNCIL**

### **LICENSING SUB COMMITTEE C**

**4 November 2016**

#### **The Polish Shop Cash and Carry, 25 Sutton New Road, Erdington, Birmingham B23 6XB**

That the application by The Polish Shop Cash and Carry Limited for a premises licence in respect of The Polish Shop Cash and Carry, 25 Sutton New Road, Erdington, Birmingham B23 6XB be granted subject to the following conditions to promote the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm objectives in the Act:

- The hours for both opening and supply of alcohol to be from 6am to 9pm daily
- Shop space for the sale of alcohol to not exceed 10% of the available display area of the premises
- CCTV to be operated to the satisfaction of the Police
- No alcohol advertising, special offers or promotions to be displayed such that they are visible outside the premises
- The premises to join the local Pubwatch scheme

The Sub-Committee's reasons for imposing these conditions are due to the submissions made by other persons, namely Ward Councillors, regarding the location of the proposed operation.

The Sub-Committee carefully considered the operating schedule put forward by the applicant and the likely impact of the application but did not accept that there was evidence of a significant public nuisance, risk to crime and disorder or risk to children arising from the proposed operation of the premises.

However the concerns of the other persons were taken into account by imposing suitable conditions that would allay their apprehension about the potential of trouble arising in connection with the proposed operation of the premises.

The Sub-Committee considers the conditions imposed to be appropriate, reasonable and proportionate to address concerns raised.

In addition to the above conditions, those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will form part of the licence issued.

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 information in the application, the written representations received and the submissions made at the hearing by the applicant, their legal adviser 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.