BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C

WEDNESDAY, 22 AUGUST 2018 AT 09:30 HOURS
IN ELLEN PINSENT ROOM, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM, B1 1BB

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.

<u>AGENDA</u>

1 NOTICE OF RECORDING

Chairman to advise meeting to note 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

4 LICENSING ACT 2003 PREMISES LICENCE (VARIATION) - HIGHTERS HEATH CONVENIENCE STORE, 235-237 HIGHTERS HEATH LANE, BIRMINGHAM B14 4NX

Report of the Acting Director of Regulation & Enforcement. N.B. Application scheduled to be heard at 09:30am.

5 GAMBLING ACT 2005 VARIATION OF A LICENSED PREMISES GAMING MACHINE PERMIT - THE ARTHUR ROBERTSON, ONE STOP SHOPPING CENTRE, PERRY BARR, BIRMINGHAM B42, 1AA

Report of the Acting Director of Regulation & Enforcement. N.B. Application scheduled to be heard at 11:00am.

6 OTHER URGENT BUSINESS

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

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Acting Director of Regulation &
	Enforcement
Date of Meeting:	Wednesday 22 nd August 2018
Subject:	Licensing Act 2003
	Premises Licence – Variation
Premises:	Highters Heath Convenience Store, 235-237 Highters Heath Lane, Birmingham B14 4NX
Ward affected:	Highters Heath
Contact Officer:	David Kennedy, Principal Licensing Officer,
	0121 303 9896 <u>licensing@birmingham.gov.uk</u>

1. Purpose of report:

To consider representations that have been made in respect of an application for a Premises Licence which initially sought to permit the Sale of Alcohol (for consumption off the premises) to operate from 06:00am until 01:00am (Sunday to Wednesday) and 06:00am until 02:00am (Thursday to Saturday).

Following discussions between the applicant's agent and West Midlands Police the applicant has reduced the times being sought for the sale of alcohol and opening hours to operate from 06:00am until 11:00pm (Sunday to Wednesday) and 06:00am until 12:00midnight (Thursday to Saturday).

2. Recommendation:

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

3. Brief Summary of Report:

Variation application received on 4th July 2018 in respect of Highters Heath Convenience Store, 235-237 Highters Heath Lane, Birmingham B14 4NX.

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.

5. Relevant background/chronology of key events:

Highters Heath Convenience Store Limited applied on 4th July 2018 to vary the Premises Licence for Highters Heath Convenience Store, 235-237 Highters Heath Lane, Birmingham B14 4NX.

A representation, in the form of a petition, has been received in support of the application, see Appendix 1.

Representations against the application, including a petition, have been received from other persons, which are attached at Appendices 2-25.

The application is attached at Appendix 26.

The current Premises Licence is attached at Appendix 27.

The applicant and West Midlands Police have agreed to reduce the hours for the sale of alcohol and opening hours being sought by the application as detailed in the agreement reached at Appendix 28.

Site Location Plans at Appendix 29.

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

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

6. List of background documents:

Copy of the representation in support of the application, Appendix 1
Copies of the representations against the application as detailed in Appendices 2-25
Application Form, Appendix 26
Current Premises Licence, Appendix 27
Agreement between Applicant and West Midlands Police, Appendix 28
Site Location Plans, Appendix 29

7. Options available

To grant the variation application
To refuse the whole or part of the application
To modify the conditions of the Licence

From: Sent:

Patrick Burke -31 July 2018 11:32

To:

Licensing

Subject: Attachments:

Highters heath Variation Highters heath Petition .pdf

Attached petition in support of the application for Highters heath

Patrick

PETITION

We the undersigned wish to register our support for the application for a Variation to the Premiscs License by Highters Heath Convienience Store Ltd of 235-237 Highters Heath Lane B14 4NX to sell alcohol between 06:00 - 23:00 Sun - Wed & 06:00 -00:00 Thurs - Sun WE BELIEVE IT WILL NOT CAUSE ISSUES OF PUBLIC SAFETY OF NUICENCE OR BE: HARMFUL TO CHILDREN

DO NOT BELIEVE THE GRANTING OF A LICENCE AT THE PREMISES WILL UNDERMINE THE LICENSING OBJECTIVE WE BELIEVE IT WILL NOT CAUSE AN INCREASE IN CRIME AND DISORDER

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And a second sec		

From:

Sent: 11 July 2018 22:56

To: Licensing

Subject: License application to sell alcohol Ina residential area

I oppose the application 107033 which is to sell alcohol from 6 am til 1/2 am as this is a very residential area and the shop is small and in the middle of it with people living above the premises, the shop has been robbed and staff threatened, we already have an area that is declining due to drugs which get exchanged on that very shop carpark and motorbikes doing wheelies at all hours, I get cars park on my drive to go to the shop every day, my child sleeps at the front of the house will my child be woken up by noise and cars driving on and off the carpark there will possibly be drunken behavior and left litter, possibly vandalism and houses being broken into as there is a dark alley just opposite this shop that people disappear into whenever a crime is committed round here is also the alley that people wait to get their drugs each day several times a day this license approval would add to the crime that is already committed round here and we don't need it on our doorstep, the owner already has another shop I don't understand why anyone would buy alcohol after 10pm unless they were up to no good and needed some Dutch courage first, do you buy alcohol in the early hours or very late night?because I don't and no one round this area does either, the last owner would never apply for this as he is part of this residential community.

From:

Sent: 18 July 2018 19:32

To: Licensing

Subject: License application

Hello I am writing to you about an application ref 107033 I would like to express my concerns over issuing this licence I feel we have enough shops in the area already selling alcohol the times seem ridiculously long. We already have a lot of antisocial behaviour in our area regarding drugs and alcohol. Crime in our area is already out of control with the police unable to cope and I believe selling alcohol for even longer hours will only exacerbate the situation.

I do hope you take my feelings into consideration when making your decision regarding this matter young people seem to be able to get alcohol from these stores so by limiting the times may help Regards

Sent from my iPhone

From:

18 July 2018 19:14 Sent: Licensing To:

alcohol licence application. Subject:

Dear Sir.

I strongly object to this application. In this area we get a lot of anti social behaviour and these hours are absolutely stupid so it means that only 5 or 6 hours will lapse before they re-open to sell more alcohol. I can't see how this is going to benefit our neighbourhood it's only going to make things worse. It will encourage gangs to congregate round the premises attract noise and litter and if they can't get enough money to fuel their habits a lot more mugging is going to happen and probably burglaries. I hope this application is unsuccessful for our own safety.

Application reference 107033.

From:

Sent: 18 July 2018 19:06

To: Licensing

Subject: Application Ref: 107033

To whom it may concern.

Regarding the above application.

I strongly object to the granting of this licence for the following reasons.

Literally next door to the premises is already an establishment selling alcoholic beverages. There are frequently gangs of youths congregating outside these premises, and litter.

Our properties of Lark Close already have an amount of disruption with groups of youths gathering at the entrance to the road. The current premises for the proposed application cater for the public selling groceries and general purpose items. Which is the nearest shop for these items in the area, and compliment the diverse retail premises already occupying this area. I see no need for another establishment selling alcohol in this area.

The proposed opening times are completely unacceptable, and would, I feel, cause unnecessary noise and further disruption to our lives.

I therefore, strongly object to the granting of this licence application.

Kind Regards

From:

Sent: 18 July 2018 18:45

To: Licensing

Subject: Alcohol licence application ref 107033

I would like to register my objection to the licensing application 107033

I live in the close · • I to this shop and feel that as there is already one off licence, there is no need for another.

i also object as i feel that the times this business want to open and sell alcohol will cause late night anti social behaviour as

we have already had groups hanging around in the close outside our house because they can not be seen from the main road

I think this will cause far more litter, and noise from cars and people if they are able to park in our road after picking up alcohol late at night.

why do we need alcohol to be sold after 10pm, if this is agreed i will go to my local papers and fight this all the way as i have to live in this area.

I do object strongly

From:

18 July 2018 18:05 Sent:

To: Licensing

Application 107033, 235-237 Highters Heath Lane, Birmingham, B14 4NX Subject:

I wish to object to the above application variation on the grounds that it does not meet the objective of prevention of crime and disorder. I have a number of concerns in relation to anti-social behaviour and crime, as do a number of local residents.

The area suffers from problems with anti-social behaviour and drug dealing. A hotspot for this is an alleyway that links Highters Heath Lane and Daisy Farm Park where a number of drug deals have taken place. This alleyway is just over the road from the shop and I fear that allowing the shop to be licensed and open at these unsociable times will create and magnify an unacceptable focal point for anti-social behaviour by the shops next to the homes of local residents.

While I do not object to the store having a licence to sell alcohol, as I understand the shop has one already, the times proposed to trade and sell alcohol are unacceptable in an overly residential area that already suffers from problems of anti-social behaviour. I ask for later opening times and earlier closing times to be considered for licensable activity and trading.

Kind Regards,

From: Sent: To: Subject:	18 July 2018 17:19 Licensing Re: Highters Heath convenience store alcohol license application
Also, the reference number for	the application, as missed in my previous email, is as follows: 107033 Regards, '
Sent from my iPhone	
sell alcohol at quite frankly, a ric	lly object to the suggested application for the convenience store to be permitted to diculous hour. The area has frequent issues with antisocial behaviour regarding noise in my, and many other local residents opinions will only add to the issue further. Y,

From:

Sent: 18 July 2018 11:52 **To:** Licensing; '

Subject: OBJECTIONS TO ALCOHOL LICENCE REF 107033

To Whom It May Concern.

I write to inform of my objections to the recent alcohol licence application for the store; 235-237 Highters Heath Lane, Birmingham B14 4NX (107033)

I feel this application unsuitable for the following points;

- prevention of crime and disorder
- public safety
- prevention of public nuisance
- protection of children from harm

There is already an on going battle in the local area with nuisance moped / scooter / motorbike riders who regularly cause disturbance along the exact stretch of road this store is located on.

Should this application be passed allowing this store to stay open until unnecessary hours of the morning I could only fear it would be a ticking time bomb before further disturbance late at night/early hours is caused.

Not to mention the temptation for a late nigh 'meet' to purchase alcohol and continue joy riding/causing public unrest and potential accidents.

Should there be late night purchase of drinks or further items, if these were not disposed of correctly and could be consumed outside of the shop or local roads it is important to remember this is a high profile route to local schools for parents and unaccompanied child to walk on a daily basis to a from school or local parks. Plus dog walkers. If there were to be litter left behind this would only bring further risk to public and children's safety in keeping them from harm.

I feel as a local homeowner it would give great danger and threat to possible risk of crime in the local area, possible hit and run collisions (this store is right by a pelican crossing) and scenes of disturbance that generally follows alcohol.

There is only one question you need to ask yourself before passing this licence;

Which self respecting adult (18 yrs of age or more+) NEEDS to purchase an alcoholic drink(s) at such time on either a Monday-through till-Sunday post 11pm opening time? I.E. who HAS TO/DEPENDS UPON the purchase of alcohol gone 11pm at night. While there may be some who wish to take a drink at this time (not have enough at home and needs to buy more) surely this can only be a higher risk of danger to all of the above bullet points if you need to go out and purchase a late night drink.

I am a VERY local (to this case) homeowner so wish my details remain safe and secure I give no permission for them to be passed on.

Kind regards

From:

Sent: 19 July 2018 11:24

To: Licensing

Subject: License application 107033

I object to this license on the grounds of Crime and Disorder big drug problem in the area and Prevention of Public Nuisance young people will gather till the early hours which will lead to noise fighting alcohol related violence Yours

Sent from my iPhone

Barby Carl Lagran

From:

Sent: 19 July 2018 11:12

To: Licensing

Subject: Application 107033

I'm objecting to the license application on the grounds of crime and disorder and prevention of public nuisance on the grounds that the shop will be a meeting point for young people to congregate and get drunk we already have a massive problem with drugs in the area and we certainly don't want a problem with alcohol from 6am till 1am .

Sent from my iPhone

From:

19 July 2018 13:21 Sent:

To:

Licensing Subject: We have just seen the revised opening hours

We have just seen the revised opening hours and we still want to object to the license number 107033

Sent from my iPhone

1

From:

Sent: 19 July 2018 15:39

To: Licensing

Subject: Alcohol licence Highters heath ref 107033

Hi

i am objecting to the application that had been placed . i live from this shop and people already park right behind my car on dive way and block me in to go to the shop

The longer opening hours will just encorage more young people / gangs hanging around drinking and throwing rubbish on the floor .

We will have more gangs on youths hanging around which will up the crime and anti-social behaviour in the area .

Their will be more cars/ taxis pulling up at all hours ect so incressing noise level .

The gangs that hang around already in the entrance to daisy farm park off higters heath lane are a nuisance, with noise rubbish drinking and drugs .

Their is an off licence right next door so i do not see why this application is needed.

Please consider the local residents as their is so much crime ect in the area already .

Thank you

From:

Sent: 19 July 2018 17:22

To: Licensing

Subject: Objection to license application 107033

I wish to object to license application number 107033.

I live away from these premises and all ready have problems with noise, litter and gangs hanging around the shop. There is a park opposite and a lot of teenagers and dry k people use the shop for alcohol and loiter in the alley to the park. I have a year old son and baby girl. It is all ready dangerous when we walk past this shop as the card drive across the pavement to park outside.

If this shop was allowed to open to these planned times there would be even more noise, litter, traffic and anti social behaviour outside our homes.

Please do not grant this license it will only benefit the owners out of greed and make it worse for all the local residence.

Thank you

From:

Sent: 19 July 2018 19:10

To: Licensing Subject: Ref 107033

I disagree with the licensing for alcohol at Highters Heath Lane convenience store as it will cause antisocial behaviour and noise so i disagree we already have an off-licence next door to the convenience store

Sent from myMail for iOS

1.1

From: Indeed of the American Control of the Control

Sent: 21 July 2018 14:23

To: Licensing

Subject: Alcohol Licence Application - Ref: 107033

Dear Sirs

I am writing to inform you of my strong objection to you granting the above application.

It is bad enough that this convenience store is selling alcohol, as next door to these premises, is a Michaels Drink Store that also sells alcohol, so all in all, there is enough alcohol being sold all hours of the day as it is!! There is always empty bottles, cans and litter outside both of these premises, which is disgusting and needs to be cleaned up.

Over the road from these premises, is a care home for the elderly and the noise etc., from people toing and froing during these extended opening times, would be, I would imagine, very stressful to them.

I sincerely hope you **do not grant** this application to extend the hours of selling alcohol, for the good and sanity of our neighbourhood! Thank You.

Yours faithfully

and the second second second

From: Sent: To: Cc: Subject:	21 July 2018 14:38 Licensing Licence request 235-237 Highters Heath Lane	
To whom it may concern		
I would like to object to the extra 235-237 Highters Heath Lane, B14	• •	
We have many groups causing an	nti-social behaviour around the area with noise and drug taking.	
This licence has been requested a accommodation just across the re	and the shop is on a residential road with an elderly residential assisted livin bad from the shop.	ıg
	estricted road, so it feels you are giving licence to flaunt the rules in the mic dded job that they do not have the time for.	dle of
	arm Park which will be where people may hang out at night, we already hav bikes driving on there when you take your children or dogs. We would not n 6am till 2am!	
This area is too residential for alco	ohol to be sold in to the early hours.	
Objections raised for myself		· ····· ,
King Regards		

From:

Sent: 21 July 2018 09:41 **To:** Licensing

Subject: Alcohol license ref 107033

I would like to object to the change of license for the convenience store on highters heath lane. This is a residential area and people have to go to work.

We already have an off license next door to the shop which is open till 10pm also there are a couple of supermarkets in the area which are open late.

We get quite a bit of anti social behavior, with litter, drug dealers and teenagers hanging around. Since changing ownership the convenience store has been robbed a couple of times and I feel opening later will only bring more crime and disorder and public nuisance and noise to the area. I really hope you will take this objection onboard and deny the application

Yours sincerely

23.20.20	20.7.18
INITIALS RE OPPLICATION	4 107033

BIH SEL

Mith regard to the above I wish to register my objection to the application on the grounds that I consider the opening hours to be excessive. In addition I also believe it will result in nuisone and anti-social behaviour. I would also point out that an offlicence already exists rearby.

I should be grateful if you would advise me of the outcome of this application:

your sinerely

Highton Neath Law 1314 4NJ 19/7/18 appref 107033

Dear Sir/Madam,

extending the licensing hours of
The convenience store at 235/7 Higher Health Lane
would cause more problems locally we already
howe many heavy drinker in the area who are
anti-social plus a hostel for offenders who are
often seen under the influence of drink/drags.

HICOhol is readily available everywhere there is a long established outdoor next to the stone in question, This extension is unnecessary in what is a residential area.

yours faithfully

ВСС	
REGULATION & ENFORCEMENT	
LICENSING SECTION DATE RECEIVED	
DATE RECEIVED	
4 5 22 32 3	

REF NO	• • •
INITIALS	

From: 23 July 2018 16:20

To: Licensing

Cc:

Subject: Application Number 107033

Dear Sirs

I would like to express my objections to the above licencing application, we live in an area which is currently subject to a lot of anti social behaviour from young adults. Allowing one of the local stores to sell alcohol to the early hours of the morning 7 days a week can only add to this anti social behaviour.

We have a park just over the road which is already subject to youngsters setting fires and leaving undesirable items around. If added to this they could buy alcohol to the early hours God knows what could happen. It is already quite an uncomfortable place to take our kids at certain times of the day which is a shame as it is.

For the sake of the community this should not be allowed.

Kind Regards

From:

Sent: 2

To: Subject: 26 July 2018 11:05 Licensing

Application ref: 107033 - Alcohol Licence Variation

Attachments: Scan of petition for application 107033.pdf

Hi,

Please find attached a signed and scanned petition for the above. Can you please confirm receipt of this and that it is acceptable?

Kindest regards,

Scheme Manager

Scheme Manager, Servite Court, Glenavon Road, B14 5BZ

Flat Servite Court, Glenavon Road, B14 5BZ

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Flat Servite Court, Glenavon Road, B14 5BZ

From:

Sent: 26 July 2018 11:33

To: Licensing

Subject: Objection licensing hours

To whom it may concern

I would like to object to the extra licensing hours requested by 235-237 Highters Heath Lane, B14 4NX

We have many groups causing anti-social behaviour around the area with noise and drug taking.

This licence has been requested and the shop is on a residential road with an elderly residential assisted living accommodation just across the road from the shop.

Glenavon Road is also a alcohol restricted road, so it feels you are giving licence to flaunt the rules in the middle of the night, it gives the police an added job that they do not have the time for.

The shop is also opposite Daisy Farm Park which will be where people may hang out at night, we already have anti-social problems there with quad bikes driving on there when you take your children or dogs. We would not feel safe going at any time selling from 6am till 2am!

This area is too residential for alcohol to be sold in to the early hours.

Objections raised for myself

King Regards

From:

Sent: To: 26 July 2018 11:34

Licensing

Subject:

Objection to licence

To whom it may concern

I would like to object to the extra licensing hours requested by 235-237 Highters Heath Lane, B14 4NX

We have many groups causing anti-social behaviour around the area with noise and drug taking.

This licence has been requested and the shop is on a residential road with an elderly residential assisted living accommodation just across the road from the shop.

Glenavon Road is also a alcohol restricted road, so it feels you are giving licence to flaunt the rules in the middle of the night, it gives the police an added job that they do not have the time for.

The shop is also opposite Daisy Farm Park which will be where people may hang out at night, we already have anti-social problems there with quad bikes driving on there when you take your children or dogs. We would not feel safe going at any time selling <u>from 6am till 2am!</u>

This area is too residential for alcohol to be sold in to the early hours.

Objections raised for myself C.

King Regards

From:

Sent: 30 July 2018 12:14

To: Licensing

Subject: alcohol licence application 107033

Dear sir or madam

l wish to object to the application for a alcohol licence application number 107033 has l don't think this is good thing for Highter's Heath Lane. There will be more empty cans & empty beer bottles around the streets. l am always picking bottles up when l see them to stop them getting broken. Only recently bottle's was broken on our driveway. Outside the shop the bin is always full so persons will drop cans & bottles in the streets.

There is also the time the shop is staying open more hours I think there will be more noise from cars & persons going to get drinks. When some people need to get a good nights sleep if they are working on shifts

From:

Sent:

31 July 2018 19:27

To:

Licensing

Subject:

Application number 107033

Dear Sir/Madam

I want to lodge my objection to the above application. I am concerned that it will increase anti-social behaviour and affect the safety of local residents. I live in a quiet road near the shop and worry about intoxicated individuals congregating nearby and causing disturbances. There are already issues with anti-social behaviour in the park opposite the shop and this is likely to become worse, and possibly spread, if yet more alcohol is avaliable in the vicinity at ridiculous hours. The extended hours are unnecessary and can only have a detrimental impact on the local community.

Yours faithfully,



Birmingham
Application to vary a premises licence
Licensing Act 2003

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

			* required information
Section 1 of 18			
You can save the form at any	time and resume it later. You do not need	to be lo	gged in when you resume.
System reference	Not Currently In Use	T a	This is the unique reference for this application generated by the system.
Your reference		t	You can put what you want here to help you crack applications if you make lots of them. It is passed to the authority.
Are you an agent acting on be	ehalf of the applicant? No	b	Out "no" if you are applying on your own opehalf or on behalf of a business you own or work for.
Applicant Details		REG	BCC GULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED
* First name			
* Family name			0 h JUL 2898
* E-mail		DEE NO)
Main telephone number	1-		nclude country code.
Other telephone number			
☐ Indicate here if the appl	licant would prefer not to be contacted b	y telepho	one
Is the applicant:			
	or organisation, including as a sole trader	p A a	A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.
Applicant Business	_		
Is the applicant's business registered in the UK with Companies House?			Note: completing the Applicant Business section is optional in this form.
Registration number			
Business name	Highters Heath Convenience Store Ltd		f the applicant's business is registered, use ts registered name.
VAT number -			Put "none" if the applicant is not registered or VAT.
Legal status	Private Limited Company		

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Continued from previous page		
Applicant's position in the		1
business	Director	. The country when the country while
Home country	United Kingdom	The country where the applicant's headquarters are.
Registered Address		Address registered with Companies House.
Building number or name	235 -237	
Street	Highters heath lane	
District		
City or town	Birmingham	
County or administrative area		
Postcode	B14 4NX	
Country	United Kingdom	
Agent Details		
* First name	Patrick	
* Family name	Burke	
* E-mail		
Main telephone number	1	Include country code.
Other telephone number		
☐ Indicate here if you wou	ld prefer not to be contacted by telephone	
Are you:		
An agent that is a busine	ess or organisation, including a sole trader	A sole trader is a business owned by one person without any special legal structure.
C A private individual actir	ng as an agent	
Agent Business		
Is your business registered in the UK with Companies House?	∩ Yes ⊚ No	Note: completing the Applicant Business section is optional in this form.
Is your business registered outside the UK?	C Yes © No	
Business name	PMB Licensing	If your business is registered, use its registered name.
VAT number -		Put "none" if you are not registered for VAT.
Legal status	Sole Trader	

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Continued from previous page		
Your position in the business	Proprietor	
Home country	United Kingdom	The country where the headquarters of your business is located.
Agent Business Address		If you have one, this should be your official address - that is an address required of you
Building number or name		by law for receiving communications.
Street		
District		
City or town		
County or administrative area		
Postcode		
Country	United Kingdom	
Section 2 of 18		
APPLICATION DETAILS		
vary substantially the premis	sed to vary the licence so as to extend the pe ses to which it relates. If you wish to make th sises licence application under section 17 of	at type of change to the premises licence, 🦠
	ing the premises licence holder, apply to vary a nises described in section 2 below.	premises licence under section 34 of the
* Premises Licence Number		
Are you able to provide a posta	al address, OS map reference or description of t	he premises?
Address OS major	o reference C Description	
Postal Address Of Premises		
Building number or name	235 -237	
Street	Highters Heath Lane	
District		
City or town	Birmingham	
County or administrative area		
Postcode	B14 4NX	
Country	United Kingdom	
Premises Contact Details		
Telephone number		

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Continued from previous page.	•••		
Non-domestic rateable value of premises (£)	10,000		
Section 3 of 18			
VARIATION	A		
Do you want the proposed variation to have effect as soon as possible?	Yes	C No	
Do you want the proposed v introduction of the late night		relation to the	
	No		You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend			
could be relevant to the licer provide a place for consump	xample the type of prem	nises, its general situatio your application include	on and layout and any other information which es off-supplies of alcohol and you intend to escription of where the place will be and its
proximity to the premises. The variation is to extend the	e hours of opening and t	the hours for licensable	activities
The variation is to exterio the	e floars of opening and t	the hours for hearings.	
Section 4 of 18			
PROVISION OF PLAYS			
See guidance on regulated e	ntertainment		
Will the schedule to provide vary is successful?	plays be subject to chan	ge if this application to	
∩ Yes	No		
Section 5 of 18			
PROVISION OF FILMS			
See guidance on regulated e	ntertainment		
Will the schedule to provide vary is successful?	films be subject to chan	ge if this application to	
○ Yes	No		
Section 6 of 18			
PROVISION OF INDOOR SPO	ORTING EVENTS		

Continued from previous page	See guidance on regulated entertainment
Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?	
C Yes	
Section 7 of 18	
PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS	
See guidance on regulated entertainment	
Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?	
∩ Yes ⓒ No	
Section 8 of 18	
PROVISION OF LIVE MUSIC	
See guidance on regulated entertainment	
Will the schedule to provide live music be subject to change if this application to vary is successful?	
C Yes ⓒ No	
Section 9 of 18	
PROVISION OF RECORDED MUSIC	
See guidance on regulated entertainment	
Will the schedule to provide recorded music be subject to change if this application to vary is successful?	
C Yes	
Section 10 of 18	
PROVISION OF PERFORMANCES OF DANCE	
See guidance on regulated entertainment	
Will the schedule to provide performances of dance be subject to change if this application to vary is successful?	
C Yes	
Section 11 of 18	
PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, R DANCE	ECORDED MUSIC OR PERFORMANCES OF
See guidance on regulated entertainment	
Will the schedule to provide anything similar to live music, recorded music of performances of dance be subject to change if this application to vary is successful?	•
C Yes	
Section 12 of 18	
PROVISION OF LATE NIGHT REFRESHMENT	

Continued from previous	page	
Will the schedule to pro this application to vary	vide late night refreshment l is successful?	be subject to change if
C Yes	No	
Section 13 of 18		
SUPPLY OF ALCOHOL		
Will the schedule to sup vary is successful?	pply alcohol be subject to cha	ange if this application to
Yes	○ No	
Standard Days And Ti	mings	
MONDAY		Provide timings in 24 hour clock
	Start 06:00	End 01:00 (e.g., 16:00) and only give details for the days
	Start	of the week when you intend the premises End to be used for the activity.
TUESDAY		
	Start 06:00	End 01:00
	Start	End
WEDNESDAY		
	Start 06:00	End 01:00
	Start	End
THURSDAY		
	Start 06:00	End 02:00
	Start	End
FRIDAY		
	Start 06:00	End 02:00
	Start	End
SATURDAY		
3.11 3.12	Start 06:00	End 02:00
	Start	End
SUNDAY	<u></u>	
30110711	Start 06:00	End 01:00
	Start	End End

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Continued from previous	; page		
Will the sale of alcohol	be for consumption?		
C On the premises	Off the pre	mises (Bo	oth If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.
State any seasonal vari	ations.		
For example (but not e	xclusively) where the ac	tivity will occur o	on additional days during the summer months.
none		-	
THORIC .			
list below.			supply of alcohol at different times from those listed above,
For example (but not e	xclusively), where you w	ish the activity to	to go on longer on a particular day e.g. Christmas Eve.
no			
Section 14 of 18			
ADULT ENTERTAINME	NT		
Highlight any adult ent premises that may give	tertainment or services, a e rise to concern in respe	activities, or othe ct of children.	er entertainment or matters ancillary to the use of the
give rise to concern in	respect of children, rega	rdless of whether	remises or ancillary to the use of the premises which may er you intend children to have access to the premises, for estricted age groups etc gambling machines etc.
none			
Section 15 of 18			
HOURS PREMISES ARE	OPEN TO THE PUBLIC		
Standard Days And T	imings		
MONDAY			Dura della timain era in 24 hours clock
	Start 06:00	En	Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days
	Start	En	of the week when you intend the premises to be used for the activity.
TUESDAY			
	Start 06:00	En	nd 01:00
	Start	En	nd

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Continued from previous page				
WEDNESDAY				
Start	06:00	End	01:00	
Start		End		
THURSDAY				
Start	06:00	End	02:00	
Start		End		
FRIDAY				
Start	06:00	End	02:00	
Start		End		
SATURDAY				
Start	06:00	End	02:00	
Start		End		
SUNDAY				
Start	06:00	End	01:00	
Start	00.00	End		
		Liid		
State any seasonal variations.			and the constraints of the constraints of the constraints	
For example (but not exclusive	ely) where the ac	tivity will occur on a	additional days during the st	immer months.
none				
Non standard timings. Where those listed above, list below.				
For example (but not exclusive	iy), where you w	vish the activity to g	o on longer on a particular c	lay e.g. Criristinas Eve.
no				
Identify those conditions curre proposed variation you are see		n the licence which	you believe could be remove	ed as a consequence of the

☐ I have enclosed the pren	nises licence			

Continued from previous page
☐ I have enclosed the relevant part of the premises licence
Reasons why I have failed to enclose the premises licence or relevant part of premises licence.
The license is lost

Section 16 of 18

LICENSING OBJECTIVES

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

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

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

No alcohol or tobacco will ever be purchased from sellers calling at the premise. Exceptions to the condition would be purchases made from authorised representatives who have made prior appointments to visit the store.

Entrance door - will be fitted with an electronic locking device or similar that will be utilised between the hours of midnight until close daily. This will ensure staff have control of customers entering the r premises.

CCTV - It will be digital recorded for up to 31 days and will be made available on request to all licensing authorities. There will always be a member of staff on duty who is trained and able to show and download images from the system during opening hours. It will be in recording operation during opening hours and it will cover all licensable activity areas of the premises.

Staff Training - All staff will be trained for signs of persons who are intoxicated and made aware of licensing legislation regarding the sale of alcohol to persons intoxicated. Also regarding under age sales, proxy sales and legislation regarding the consumption of alcohol purchased from the premises and consumed in the vicinity. All this training must be recorded on premises and be made available to responsible authority immediately on request.

Challenge 25 Policy - Location will promote Challenge 25 policy by and training staff on different ID methods. This training will be recorded on premises.

Signage - Challenge 25 policy to be on display at all times. Signage displaying to customers to "Respect Local residents, please leave quietly" to be on display around location and especially at the exit.

b) The prevention of crime and disorder

- 1. The CCTV system must be installed and operate internally to cover all areas that licensable activities take place and where alcohol is displayed within any public area.
- 2. The CCTV unit shall be positioned in a secure part of the licensed premise. Access to the system should be allowed immediately to the Police upon request.
- 3. A competent trained person in the use of and operation of the CCTV will be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system to be able to down load in a recognised format any information requested by the Police.
- 4. The CCTV system clock should be set correctly and maintained (taking account of GMT and BST).
- 5. A facility will be available for the Police to remove from the CCTV system a copy of any material relevant to any ongoing Police investigation.
- 6. All CCTV images will be retained for a period of not less than 31 day
- 7. An incident register of all occurrences and ejections from the premises will be maintained at the premises and all details of public order offences will be recorded.
- 8. All persons involved in the sale of alcohol will receive initial and subsequent 6 monthly refresher training by the Designated Premises Supervisor or an appropriately accredited training provider with regards to the law in relation to the sale of alcohol. This will be recorded in a staff training register and will include, signature of the member of staff, the DPS or an appropriately accredited training provider together with the date.
- 9. At any time when there is no Personal License holder on the premises there must be at least one member of staff on duty inside the premise who has been authorised by the DPS. Any such person should have seen, read and be fully aware of the conditions of the premise licence and take all steps to ensure that such conditions are adhered to whilst they have responsibility for the premise.
- 10. A record should be kept detailing, the name and address relative to the person left in charge of the premise and the

Continued from previous page...

times and dates when the authority to cover exists, in writing.

- 11. These should be individual entries covering short periods of time only and should not exceed more than a three week period.
- 12. The authorised person should also sign on each occasion that he/she has physically seen inspected and is fully aware of all the conditions attached to the premise licence. The DPS should sign to acknowledge that they agree to the authorised person being in charge of the premise for any times specified. The records of these matters should be kept fully updated at all times.

All Records shall be retained at the premises for a period of no less than 12 months and made available to responsible authorities on request.

c) Public safety

AS CURRENT LICENSE

d) The prevention of public nuisance

Entrance door - will be fitted with an electronic locking device or similar that will be utilised between the hours of midnight until close daily. This will ensure staff have control of customers entering the r premises.

e) The protection of children from harm

☑ A Challenge 25 policy will be adopted in order to reduce the potential for underage sales of age restricted products including alcohol. If a customer appears to be under 25 years of age and cannot prove that they are eligible to purchase the age restricted item with a valid UK or Ireland Photocard Driving Licence, a valid Passport or PASS accredited proof of age scheme card, they will be refused service.

☑ Challenge 25 posters will be displayed at the premises to reinforce this policy. Posters will be placed at; each till, each area alcohol is stocked and at the point of entry into the store. The posters will be displayed prominently and in sight of customers and staff.

☑ A Refusals Register is to be used to record all incidents when a sale is refused. The register is to be kept in the store at all times unless it is requested by authorised officers of responsible authorities. The Refusal/Challenge Register is to be checked and signed off by the Designated Premises Supervisor every two weeks.

☑ All staff working at the premises involved in the sale of age restricted products including alcohol will receive on-going training and will be refreshed at least every 6 months. This will be recorded in a staff training register and will also include a written test of knowledge. The Training records must be made available to authorised officers of responsible authorities on request. Records shall be retained at the premises.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience
 does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman
 wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not
 exceed 1000. Combined fighting sports defined as a contest, exhibition or display which combines boxing or
 wrestling with one or more martial arts are licensable as a boxing or wrestling entertainment rather than an
 indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

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

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

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

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college. If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 - £1,000.00

Capacity 10000 -14999 - £2,000.00 Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00 Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page	
I/WE UNDERSTAND THAT IT I * STATEMENT IN OR IN CONNE SUMMARY CONVICTION TO I	S AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE ICTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON A FINE OF ANY AMOUNT.
☑ Ticking this box indicat	tes you have read and understood the above declaration
This section should be comple behalf of the applicant?"	ted by the applicant, unless you answered "Yes" to the question "Are you an agent acting on
* Full name	Patrick Martin Burke
* Capacity	Agent for the Applicant
* Date	04 / 07 / 2018 dd mm yyyy
	Add another signatory
continue with your application	outer by clicking file/save as v.uk/apply-for-a-licence/premises-licence/birmingham/change-1 to upload this file and
IT IS AN OFFENCE, UNDER SE CONNECTION WITH THIS AP CONVICTION TO A FINE OF A	CTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN PLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY IN AMOUNT.
OFFICE USE ONLY	
Applicant reference number	
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	
1 2 3 4	5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next>

LICENSING ACT 2003

PREMISES LICENCE

Premises Licence Number:	3411 / 2				
Part 1 - Premises details:					
Postal address of premises, or if none, ordnance survey map reference or description					
225 227 Hightograff Looth Lane					
235 - 237 Highters Heath Lane	•				
Post town:	Post Code:				
Birmingham	B14 4NX				
Telephone Number:					
Where the licence is time limited the	datas				
N/A	uales				
IN/A					
Licensable activities authorised by t	he licence				
M2 Sale of alcohol by	retail (off the premises)				
The times the licence authorises the	carrying out of licensable activities				
Monday - Saturday	07:00 - 20:30 M2				
Sunday	07:00 - 17:30 M2				
The opening hours of the premises					
Monday - Saturday	07:00 - 20:30				
Sunday	07:00 - 17:30				
Where the licence authorises suppli	es of alcohol whether these are on and/or off supplies				
Off Supplies					

Page 1 of 6

Birmingham City Council, Licensing Section, P.O. Box 17013, Birmingham, B6 9ES

Part 2

Name, (registered) address, telephone number licence	and email (where relevant) of holder of premises	
Highters Heath Convenience Store Limiter 235 - 237 Highters Heath Lane Warstock	d	
Post town:	Post Code:	
Birmingham	B14 4NX	
Telephone Number:		
Email		
Registered number of holder for example comp	eany number or charity number (where applicable)	
Name, address, telephone number of designate authorises for the supply of alcohol	d premises supervisor where the premises licence	
Saraswathidevi Satkunarajah		
Post town:	Post Code:	
Telephone Number:		
Not Specified		
Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol		
Licence Number	Issuing Authority	
7860	BIRMINGHAM CITY COUNCIL	

Dated 06/04/2018

Bhapinder Nandhra

Senior Licensing Officer
For Director of Regulation and Enforcement

Page 2 of 6

Birmingham City Council, Licensing Section, P.O. Box 17013, Birmingham, B6 9ES

Annex 1 - Mandatory Conditions

No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

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

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

Annex 2 - Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

Staff training to take place at 6 monthly intervals. This training to be recorded.

No adult entertainment services or activities permitted on the premises at any time.

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

The Licence Holder shall ensure that CCTV is operated on the premises.

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

No enforceable conditions identified from operating schedule.

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

The Licence Holder shall ensure that staff training is provided to ensure that the premises does not cause a public nuisance.

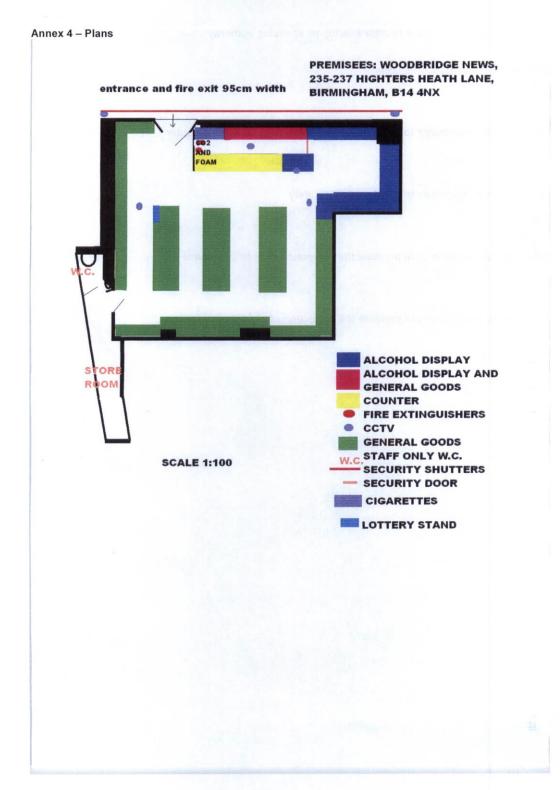
2e) Conditions consistent with, and to promote the protection of children from harm

The Licence Holder shall ensure that a refusals register is maintained on the premises.

The Licence Holder shall ensure that persons who appear to be under 21 years who attempt to purchase alcohol are asked for identification.

Acceptable identification shall be a passport, new style driving licence with a photo and PASS accredited cards.

Annex 3 – Conditions attached after hearing by licensing authority
3a) General committee conditions
N/A
3b) Committee conditions to promote the prevention of crime and disorder
N/A
3c) Committee conditions to promote public safety
N/A
3d) Committee conditions to promote the prevention of public nuisance
N/A
3e) Committee conditions to promote the protection of children from harm
N/A



Page 6 of 6

Birmingham City Council, Licensing Section, P.O. Box 17013, Birmingham, B6 9ES

Appendix 28

From: Patrick Burke

Sent: 09 August 2018 09:54

To: Licensing

Subject: RE: Online Variation - 235 - 237 Highters Heath Lane

Hi

Yes the opening hour will be reduced in line with the hours for sales of alcohol Patrick

Sent from Yahoo Mail on Android

From: Sent: bw licensing < 11 July 2018 08:21

To:

Licensing

Cc:

Subject:

FW: Online Variation - 235 - 237 Highters Heath Lane

Dear Licensing,

With regard to the premises licence variation 235 – 237 Highters Heath Lane. B14 4NX.

West Midlands Police have reviewed this application and are happy that if the below licensable hours are imposed onto the premises licence, together with the operating conditions already offered by the applicant then the licensing objectives will be met and promoted.

The hours have been agreed with the premises via the solicitor as below email chain, who is copied in as acceptance.

Sunday to Wednesday 06:00 x 23:00 Thursday to Saturday 06:00 x 00:00

If the above licensable hours 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 HQ Lloyd House Colmore Circus Birmingham B4 6NQ



From: bw licensing Sent: 11 July 2018 07:35

To:

Subject: RE: Online Variation - 235 - 237 Highters Heath Lane

Morning Patrick,

Apologies for the late reply it's my first day back.

Yes, the below times are acceptable, I will email the council and copy you as conformation.

Regards

Chris Jones 55410

Birmingham Central Licensing Team

1

West Midlands Police HQ Lloyd House Colmore Circus Birmingham B4 6NQ

From: Patrick Burke Sent: 10 July 2018 08:17

To: bw licensing

Subject: Re: Online Variation - 235 - 237 Highters Heath Lane

Morning Chris Would you be happy with Sun - Wed 06:00 - 23:00 Thurs -Sat 06:00 -00:00 Patrick

Sent from Yahoo Mail on Android

On Wed, 4 Jul 2018 at 14:49, bw licensing

· wrote:

Good Afternoon Patrick,

As per our earlier telephone conversation.

West Midlands Police have reviewed the variation application for 235 – 237 Highters Heath Lane and will not support the licensable activity times currently on the application. However would support a licensable termination hour of 22.00hrs.

Many thanks

Regards

Chris Jones 55410

West Midlands Police HQ

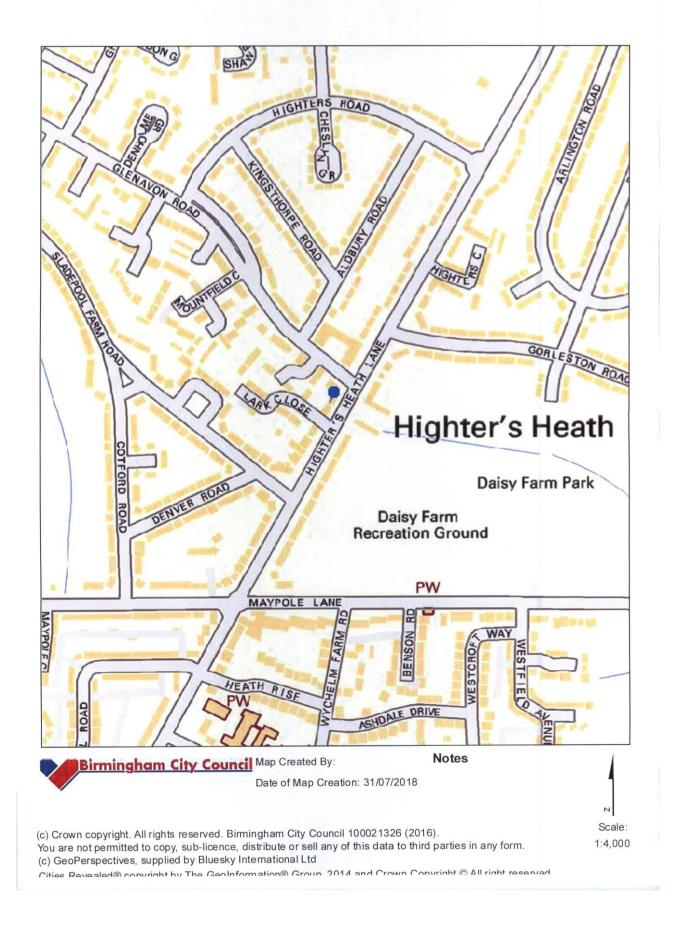
Lloyd House

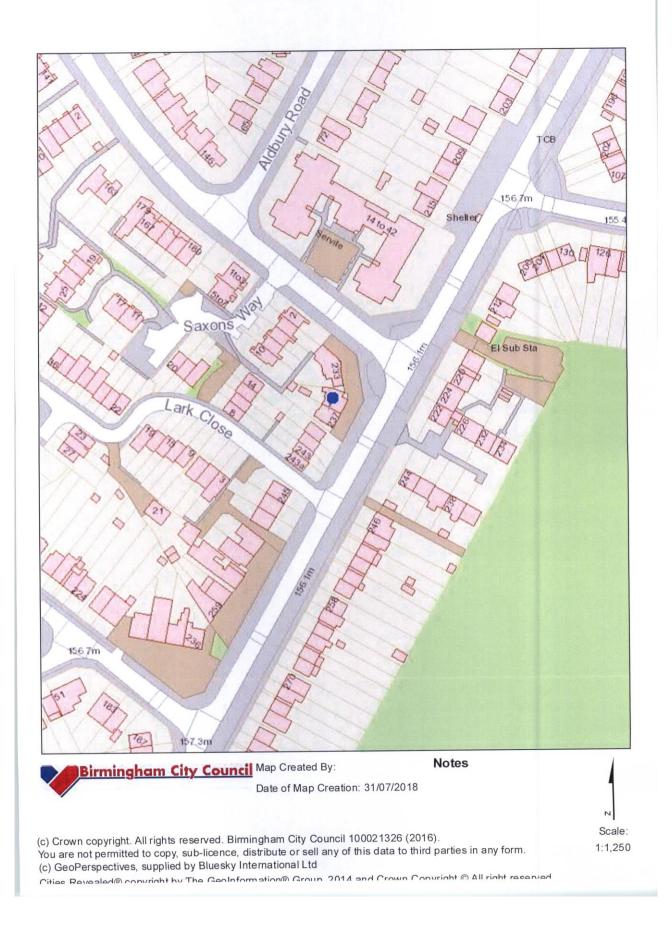
Colmore Circus

Birming ham

B4 6NQ







PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Acting Director of Regulation &
-	Enforcement
Date of Meeting:	Wednesday 22 nd August 2018
Subject:	Gambling Act 2005
	Variation of a Licensed Premises Gaming Machine Permit
Premises	The Arthur Robertson, One Stop Shopping Centre, Perry Barr, Birmingham, B42 1AA
Ward affected:	Perry Barr
Contact Officer:	David Kennedy, Principal Licensing Officer, 0121 303 9896 licensing@birmingham.gov.uk

1. Purpose of report:

Officers have delegated authority to grant Permits in respect of up to 4 Licensed Premises Gaming Machines, Category C & D in an Alcohol Licensed Premises. This application seeks to have permission to operate 5 Category C Gaming Machines.

2. Recommendation:

The Sub Committee is requested to consider an application to operate a total of 5 Gaming Machines on an Alcohol Licensed premises.

3. Brief Summary of Report:

An application for the variation of a Licensed Premises Gaming Machine Permit was received on 16th July 2018.

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

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

5. Relevant background/chronology of key events:

JD Wetherspoon PLC, submitted an application for the variation of a Licensed Premises Gaming Machine Permit on 16th July 2018 for The Arthur Robertson, One Stop Shopping Centre, Perry Barr, Birmingham, B42 1AA.

The application, including supplementary information in support of the application, is attached at Appendix 1.

Birmingham City Council Licensing Enforcement visited the premises on 24th July 2018 and confirmed that they have no objections to the application. Their report is attached at Appendix 2.

The premises have the benefit of a current Gaming Machine Permit issued under the Gambling Act 2005, which permits 4 Category C machines. See attached Appendix 3.

Gaming Machine Categories by maximum stake and maximum prizes available, see attached Appendix 4.

Site Location Plans at Appendix 5.

Where an application for a licensed gaming machine permit is made, the licensing authority shall consider it having regard to the licensing objectives, any relevant guidance issued by the Commission under section 25 and such other matters as they think relevant.

The licensing objectives are:

- a. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- b. Ensuring that Gambling is conducted in a fair and open way
- c. Protecting Children and other vulnerable persons from being harmed or exploited by gambling.

6. List of background documents:

Application Form, including supporting information, Appendix 1 Birmingham City Council Licensing Enforcement report, Appendix 2 Current Gaming Machine Permit, Appendix 3 Gaming Machine Categories, Appendix 4 Site Location Plans, Appendix 5

7. Options available

- a) Grant the application
- b) Refuse the application
- c) Grant the application in respect of;
- (i) A smaller number of machines than is specified in the application
- (ii) A different category of machines from that specified in the application, or (iii)both

A licensing authority may not refuse an application or grant it in respect of a different category or number of gaming machines without first notifying the applicant and giving the applicant an opportunity to make representations (either in written or oral form, or both).

APPLICATION FOR THE NOTIFICATION / GRANT / VARIATION / TRANSFER OF A LICENSED PREMISES GAMING MACHINE PERMIT (FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)

Please refer to guidance notes at the back of this form before completing

To: Licensing Section Birmingham City Council PO Box 17013 Birmingham B9 9ES	BCC REGULATION & EMFORCEMENT LICENSING SECTION DATE RECEIVED
Section A – Applicant Details	13 JUL 289
Name of Applicant	
JD Wetherspoon Pic	REF NO £100.00 CHQ . 0110
2. Date of Birth or Company registration No. as applicable	INITIALS AC
1709784	4
3. Address / registered office of applicant	
Wetherspoon House, Reeds Crescent, Watford, Hertfords	hire WD24 4QL
4. Telephone number (daytime) of applicant	
5. E-mail address of applicant 6. Name, address, telephone and e-mail of agent (e.g. solicito SECTION B – Premises Details 1. Name of premises The Arthur Robertston	r) if submitted on behalf of the applicant
Address of premises One Stop Shopping Centre, Perry Bar, Birmingham B42 1AA	,
3. Telephone number of premises	
4. E-mail address of premises (where available)?	
5. Licensing Act 2003 Premises Licence Number 3208/3	······································

SECTION C - What do you want to do?

	.			
Please indi	cate what you would	ike to do:		
		you intend to provide up to a		g machines o
	the licensing author oplete sections D and	ity for more than 2 gaming F.	machines. If you choose th	is option ther
c) Apply to	vary an existing perm	it. If you choose this option th	nen please complete sections	s D and F.
	that the licensing au e complete sections E	thority transfers an existing p and F.	ermit to yourself. If you choo	ose this optior
SECTION	D – Grant and var	iation requests		
	ny gaming machines lease complete the bo	are you currently authorised to exes in the table.	o provide and how many do	you wish to
	Category	Number currently	Number wish to provide	
	machine C	authorised to provide	5	
	D			
	Total	*****	5	
	e authorised to provid Isons stating why it ca	e more than 2 machines, plea nnot be provided.	ase provide your existing pen	_
Reasons w	hy existing permit car	nnot be provided		
			*,,	

Section E	- Transfer reques	t		
1. Name of	person requesting th	e transfer		
JD Wethers	spoon plc			

2. Please c 2003 has		tion to transfer the relevant P	remises Licence under the L	icensing Act
			Reques	ted \Box
				2

	Granted	
3. Please provide your existing permit, or provide reasons stating why it cannot	ot be provided.	
Exis	ting permit provided	
Reasons why existing permit cannot be provided		
Section F – Fee and Signature(s)		
1. I enclose In all cases		
the relevant fee		4
 I confirm that the premises where the machines are proposed to be located alcohol for consumption on the premises and that there is a becausement on the premises (without the requirement that alcohol). 	ar for serving alcol	iol to
 I am aware of and will abide by the Gaming Machine Alcohol Licensed Premise Permits and Permissions iss Commission. 	Code of Practice	e for bling
All staff will be trained as to the limits of any stakes and prizes a		s of
the Act, Guidance and any appropriate codes of practice or con-	duct	/
		<u>u</u>
Please note: It is an offence under section 342 of the Gambling Act 2 reasonable excuse, gives to a licensing authority for a purpose conformation which is false or misleading.	005 if a person, wi onnected with that	thout Act
Dated 10/7/18		
Signed by or on behalf of the applicant		
Name (please print) JENNIC ODECL		
u wish to have a maximum of 2 gaming machines then the fee payable is £50.	If you wish to have m	ore

* If you wish to have a maximum of 2 gaming machines then the ree payable is £100 by an existing operator or £150 in all other cases.

To Vary the Permit £100 To Transfer the Permit £25

GUIDANCE NOTES: APPLICATION FOR THE NOTIFICATION / GRANT / VARIATION / TRANSFER OF A LICENSED PREMISES GAMING MACHINE PERMIT (FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)

- This form is to be used for the NOTIFICATION of up to 2 gaming machines of categories C and / or D under Section 282 of the Gambling Act 2005, or the GRANT / VARIATION / TRANSFER of a gaming machine permit under Section 283 and Schedule 13 of the Gambling Act 2005.
- All references to 'Premises Licence' refer to a Premises Licence under the Licensing Act 2003 authorising the sale of alcohol for consumption on the premises.
- The premises must be licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises.
- 4. A 'Premises Licence holder' is a person holding a Premises Licence under the Licensing Act 2003.
- The gaming machines must be located on these licensed premises and there must be a bar for serving alcohol to customers on the premises, without the requirement that alcohol is served only with food.
- 6. The permit's duration is indefinite as it is linked to the Premises Licence. There is a first annual fee payable 30 days after the grant of the permit and an annual fee payable after that before each anniversary of the date of issue of the permit. Failure to pay the annual fee may result in the cancellation of the permit. The annual fee is £50.
- 7. Two types of gaming machines can be located in alcohol licensed premises. These are:
 - Category C: Maximum stake = 50p / Maximum prize = £25
 - Category D: Maximum stake = 10p or 30p non-monetary / Maximum prize = £5 cash or £8 non-monetary
- 8. The holder of a licensed premises gaming machine permit must comply with any relevant Code of Practice issued by the Gambling Commission under Section 24 of the Gambling Act 2005. The Gaming Machine Code of Practice for Alcohol licensed premises permits and permissions is available via the Gambling Commission's website at: http://www.gamblingcommission.gov.uk/ Should you be unclear as to the provisions of such a code of practice please contact your local licensing officer at the council address provided.
- This licensing authority must notify the applicant of its grant / refusal of the application for a permit as soon as is reasonable practicable after that decision to grant / refuse has been made.

Official Use Only
Date of receipt:
Signature and name of staff who received:
Date of receipt of fee:
Signature and name of staff who received fee:
Application accepted / returned (please delete as appropriate)
Date of premises licence (Licensing Act 2003) transfer (if applicable):

<u>Licensed Premises Gaming Machines</u> JD Wetherspoon Policy and Procedure Overview

We understand when considering this application that the Licensing Authority will consider the 3 objectives of the Gambling Act 2005 and therefore have set out below the policies and procedures JD Wetherspoon undertakes in its pubs to promote this objectives. In addition the Gambling Commission's "Gaming Machine Permits Code of Practice is complied with.

Protecting children and other vulnerable people from being harmed or exploited by gambling;

To ensure that no persons under the age of 18 are permitted to play on our gaming machines, we abide by a Challenge 21 policy in all of our premises. Under this policy, all of our employees are trained to ask any customer who appears to be under the age of 21 years to provide valid proof of age that they are over the age of 18. When in use, Door Supervisors are also fully briefed on our policy and what is expected of them in the implementation of the same.

- J D Wetherspoon has adopted the industry standards and the recommendations of the Gambling Commission and recognises only the following forms of identification as valid forms of proof of age:
 - · National passport
 - Photographic Drivers' Licence
 - United Kingdom 'PASS' accredited age identification card with photograph.

In certain circumstances, other forms of ID are accepted at the discretion of the manager on duty such as international ID cards or military ID cards.

We apply this policy to all age restricted activities on our premises.

All employees receive induction training on our Challenge 21 policy when they commence employment with the Company and then receive regular refresher training. All employees complete video training, quizzes and sign a letter to confirm that they have had this training and understand their responsibilities. All training records are retained on personnel files and these files are regularly reviewed by the pub management team and members of our Retail Audit department to ensure that the training system is being satisfactorily completed.

Staff compliance with our Challenge 21 policy is tested by a number of means:

- Management review of a 'refusals log' which records when and how often bar staff are recording when a sale has been refused.
- Independent mystery visitors who are aged 18 and 19 years are sent into our pubs to test compliance with our Challenge 21 policy.

Our Challenge 21 policy is also actively promoted within the premises using self-adhesive signs at every entrance, staff wearing 'It's my job to ask' badges and posters throughout the premises.

All front of house staff are aware of their responsibility for preventing underage gambling.

All machines are situated in a place where their use can be supervised.

2. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime; and

The power to all gaming machines is turned off after the pub has closed to ensure potential thieves are not attracted by the lights in the pub.

JD Wetherspoon pubs also have two types of alarm systems, the panic alarm and intruder alarm, which cover the majority of the pub including the customer area where gaming machines are located.

The monitored intruder alarm covers the main entry points when the pub is closed. It is mainly activated by a forced entry into the pub triggering the door contacts or motion detectors. This pub is internally described as having a 'level 1 response' to its alarm system, meaning police response. This is an automated system which feeds through to Secom central station, our alarm consultants, who notify the police and the registered key holders of the pub.

JD Wetherspoon prides itself on provide safe, well run premises for all people to enjoy themselves in. Over our estate of 780 pubs we spend considerable time and resources ensuring they are all well equipped with adequate and appropriate CCTV coverage.

3. Ensuring that gambling is conducted in a fair and open way.

All of our AWP machines are located in well supervised areas fully open to the public at large and are provided by reputable companies.

JD Wetherspoon PLC September 2010



From:

Dot Finegan

Sent:

24 July 2018 19:51

To:

Licensing

Cc:

Arvinder Layal

Subject:

FW: RE - GA2005 VARIATION APPLICATION - THE ARTHUR ROBERTSON - One Stop

Shopping Centre Perry Barr Birmingham B42 1AA

Attachments:

The Arthur Robertson enf - job request.doc; The Arthur Robertson - APPN Form.doc

I can confirm I have visited the aforementioned premises today at 16.30hrs when I spoke with the duty manager Daniel Langman who confirmed where the 5th machine will be located on entry into the pub by the pillar in site of the bar. Due to the size of the premises and proposed location of the 5th machine, Enforcement do not have any objections to the variation application being granted.

Regards

Dot

Dot Finegan

Licensing Enforcement Officer

Birmingham City Council Licensing Enforcement

Address: Birmingham City Council, Licensing Section, P.O. Box 17013, Birmingham, B6 9ES Website: www.birmingham.gov.uk/licensing

"Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors"



This form is prescribed by regulation 4 of the Gambling Act 2005 (Licensed Premises Gaming Machine Permits) (England and Wales) Regulations 2007

Licensed Premises Gaming Machine Permit

No: 404/2

This licensed premises gaming machine permit authorises:

J D Wetherspoon PLC

to make gaming machines, of the category and number specifed below, available for use on the following premises

The Arthur Robertson, One Stop Shopping Centre, Perry Barr, Birmingham, B42 1AA

Number of Category C Garning Machines authorised by this permit: Number of Category D Garning Machines authorised by this permit: 0

Date on which this permit takes effect or is renewed: 22/12/2009

This permit is issued by:
Birmingham City Council
Licensing Section, Crystal Court, Aston Cross Business Village,
50 Rocky Lane, Aston, Birmingham, B6 5RQ

Licensing Section, Crystal Court, Aston Cross Business Village, 50 Rocky Lane, Aston, Birmingham, B6 5RQ

Appendix 4

Gaming Machines (Fruit Machine, Slot Machine) Categories

Gaming machines (fruit machines, slot machines) fall into categories depending on the maximum stake and prize available:

Machine category	Maximum stake (from January 2014)	Maximum prize (from January 2014)
A	Unlimited	Unlimited
<u>B1</u>	£5	£10,000 (with the option of a maximum £20,000 linked progressive jackpot on a premises basis only)
<u>B2</u>	£100	£500
<u>B3</u>	£2	£500
B3A	£2	£500
<u>B4</u>	£2	£400
<u>c</u>	£1	£100
D non-money prize (other than crane grab machine)	30p	£8
D non-money prize (crane grab machine)	£1	£50
D money prize	10p	£5
D combined money and non-money prize (other than coin pusher or penny falls machines)	10p	£8 (of which no more than £5 may be a money prize)
D combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)

