

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C

WEDNESDAY, 23 SEPTEMBER 2020 AT 14:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

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

A G E N D A

1 **NOTICE OF RECORDING**

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**

3 - 32

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

Report of the Interim Assistant Director of Regulation and Enforcement.
N.B. Application scheduled to be heard at 2:00pm.

5 **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:	Interim Assistant Director of Regulation & Enforcement
Date of Meeting:	Wednesday 23rd September 2020
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	European Mini Market, 205 Holyhead Road, Handsworth, Birmingham, B21 0AS
Ward affected:	Holyhead
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 07:00am until 11:00pm (Monday to Sunday).

Premises to remain open to the public from 07:00am 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 31st July 2020 in respect of European Mini Market, 205 Holyhead Road, Handsworth, Birmingham, B21 0AS.

Representations have been received from West Midlands Police, as a responsible authority, and from other persons.

4. Compliance Issues:**4.1 Consistency with relevant Council Policies, Plans or Strategies:**

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

5. Relevant background/chronology of key events:

Nawzad Ahmed applied on 31st July 2020 for the grant of a Premises Licence for European Mini Market, 205 Holyhead Road, Handsworth, Birmingham, B21 0AS.

A representation has been received from West Midlands Police as a responsible authority. See Appendix 1.

A representation has been received from other persons, which is attached at Appendix 2.

The application is attached at Appendix 3.

Site Location Plans at Appendix 4.

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 representations as detailed in Appendices 1 & 2
Application Form, Appendix 3
Site Location Plans, Appendix 4

7. Options available

To Grant the licence in accordance with the application.

To Reject the application.

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

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

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

From: bw licensing
Sent: 21 August 2020 10:07
To: Licensing
Cc:
Subject: European Mini Market, 205 Holyhead Road, Handsworth, Birmingham, B21 0AS
Importance: High

Good Morning Licensing,

West Midlands Police have reviewed this application for European Mini Market – 205 Holyhead Road, Handsworth B21 0AS and wish to formally object to the granting of this application.

The premises sits within an area that is suffering from a disproportionate amount of crime, ASB and aggressive begging all of which are alcohol related. There is a rough sleeper issue in the area with a street drinking problem despite there being a PSPO in place.

The neighbourhood policing team is actively working with other agencies in the area to divert individuals away from a life style of alcohol abuse, crime, street drinking, ASB and rough sleeping.

West Midlands Police object to this premises licence application under the below licensing objectives:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety

The applicant has been phoned and informed of West Midlands Police position who is also copied into this email.

Regards

Chris Jones 55410

Birmingham Central Licensing Team West Midlands Police

Preventing crime, protecting the public and helping those in need.

From: bidmanager
Sent: 26 August 2020 10:45
To: Licensing
Subject: 205 Holyhead Road

[Application – European Mini Market 205 Holyhead Rd, Handsworth B21 0AS.](#)

The Soho Road BID and our businesses would strongly oppose this licence. We have already asked for a Cumulative Impact Zone to be put in place and the PSPO to be extended to stop the issues we are currently experiencing from getting worse. I have a petition from over 150 businesses showing concern about the issues selling alcohol brings. We have already supported stopping an alcohol license for the Post Office in the centre of the town and need this one to be stopped as well.

The BID run a seven day a week Ambassador program. The Ambassadors job is 50 % business support and 50% security patrols. Currently my Ambassadors are operating at 95% security patrols because of the issues alcohol and drugs are causing within the area. Our service is at breaking point and so is the police by allowing another alcohol licence within the area you will make our area impossible to control.

We ask, please do not accept this licence application.

Kind regards

[Soho Road Business Improvement District](#)

Soho Road
Handsworth
Birmingham
B21 9DP.





Birmingham
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

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

☐ Applying as an individual

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

Applicant 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? ☐ Yes ☒ No

Business name If your business is registered, use its registered name.

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Ahmed

Family name

Nawzad Rasol

Is the applicant 18 years of age or older?

☒ Yes ☐ No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

☐ Yes

☒ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

* Date of birth

dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

Right to work share code

Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

01 / 09 / 2020
dd mm yyyy

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

/ /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

General retail store selling grocery and tobacco.

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes

☒ No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

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Continued from previous page...

Will you be providing recorded music?

☐ Yes ☒ No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes ☒ No

Section 13 of 21

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

See guidance on regulated entertainment

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

☐ Yes ☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start End

Start End

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

FRIDAY

Start 07:00

End 23:00

Start

End

SATURDAY

Start 07:00

End 23:00

Start

End

SUNDAY

Start 07:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises ☒ Off the premises ☐ Both

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

State any seasonal variations

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

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

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

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

Name

First name

Ahmed

Family name

Nawzad Rasol

Date of birth

- -
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text" value="11/036169/LAPER"/>
Issuing licensing authority (if known)	<input type="text" value="Sandwell Council"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations

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

N/A

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

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

N/A

Section 18 of 21

LICENSING OBJECTIVES

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

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

Continued from previous page...

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

By fitting CCTV system throughout the retail store. Asking for ID for alcohol sale. Adding posters to inform customers to bring your ID. Social distancing posters and necessary face masks required to enter the store. Clearly mark fire exit signs. Keep premise nice and tidy.

b) The prevention of crime and disorder

CCTV system installed throughout the retail store. Asking for ID when required and adding posters. Adding a panic alarm when required.

c) Public safety

Neat and tidy. No obstructions on the floor and public liability insurance.

d) The prevention of public nuisance

Limiting the number of customers that can enter the store at once. Treating the public with good manners and good posture. Do not serve alcohol to a drunk customer.

e) The protection of children from harm

Asking for ID when required and asking all customers not to buy alcohol for under 18s. Adding signs for age limit for alcohol for under 18s.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

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

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

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

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

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

Capacity 5000-9999 - £1,000.00

Capacity 10000 -14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

* Fee amount (£)

100.00

DECLARATION

Continued from previous page...

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE

- * ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15).

THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS

- * PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

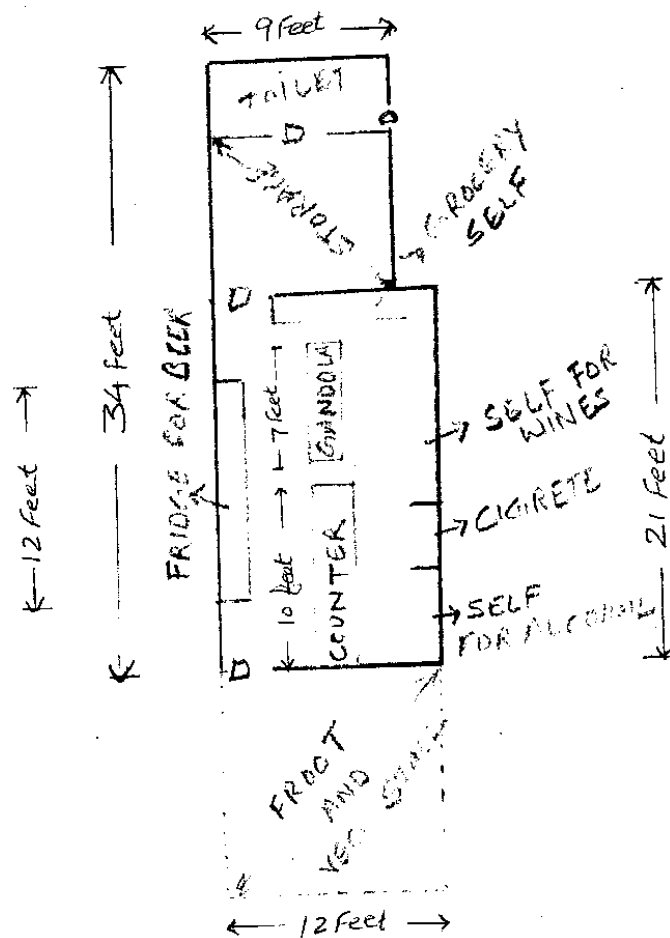
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
 2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/birmingham/apply-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

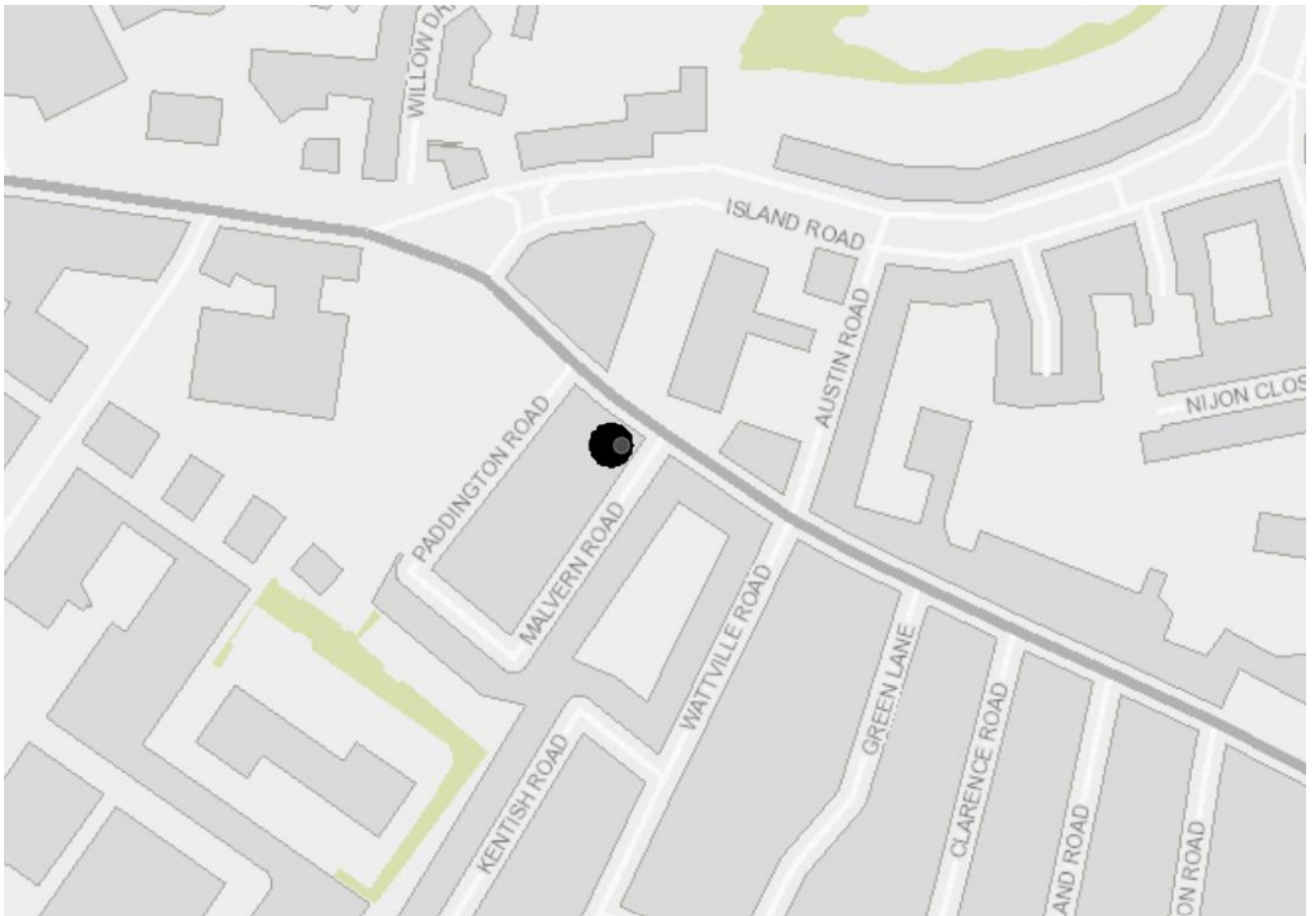
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

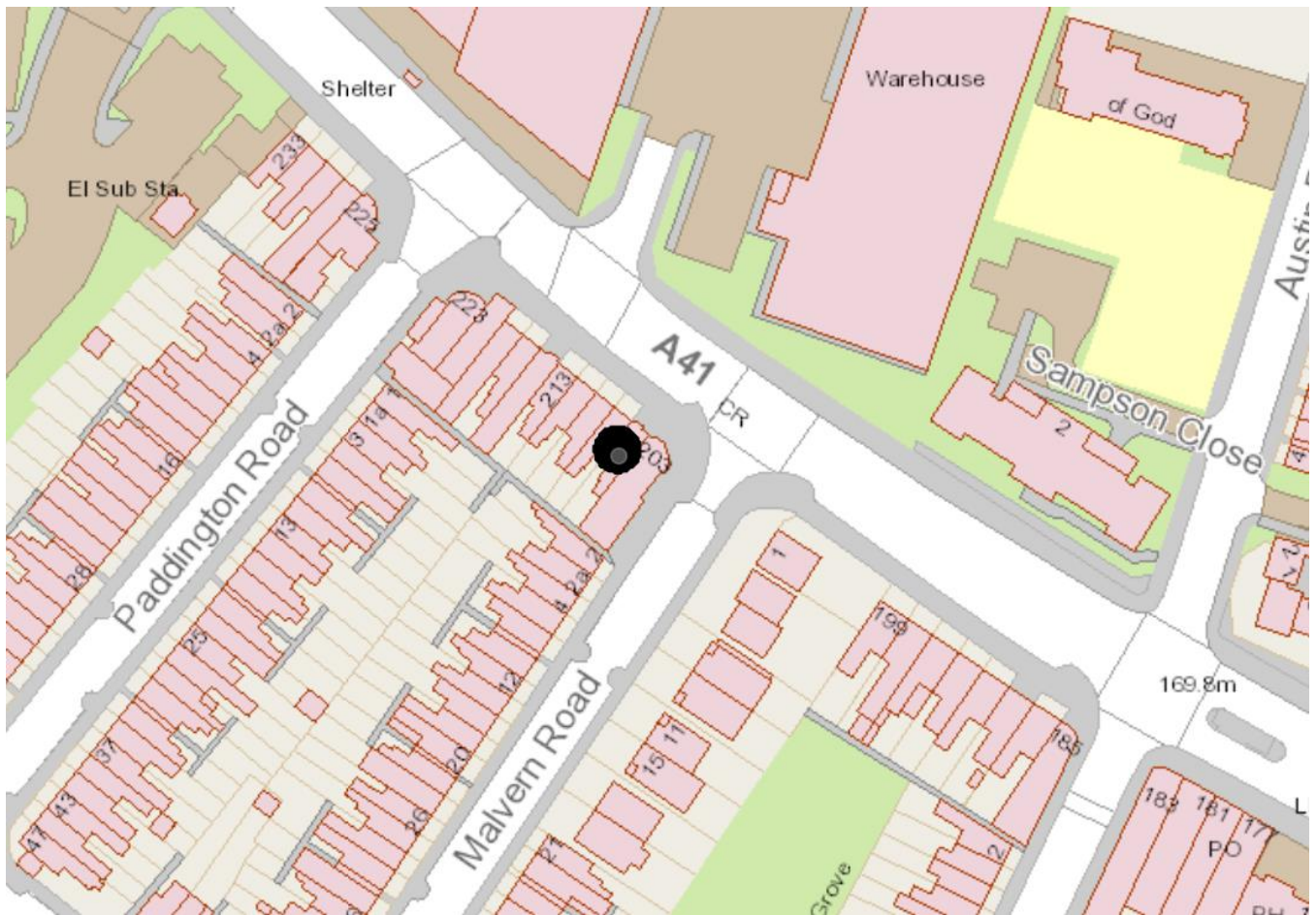
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT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

SHOP PLANE FOR EUROPEAN MINI
MARKET 205, HOLYHEAD ROAD
HANDSWORTH B21 GAS



SCALE USED 1mm = 100mm







West Midlands Police objection to Premise licence application

European Mini Market

205 Holyhead Road

PAGE(S)	DOCUMENT(S)
1 to 3	Statement of Sgt Whitehouse
4 to 5	Emails from NHT

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. URN

Statement of Ian WHITEHOUSE

Age if under 18 Over 18 (if over 18 insert "over 18")

Occupation Police Sergeant

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: [REDACTED] (witness)

Date 25/08/20

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am Police Sergeant 1331 WHITEHOUSE of the West Midlands Police currently stationed at Summerfield Police station on the Soho Neighbourhood Police Team.

Historically, Soho/Holyhead Road was an area that had significant police resources allocated to it, however this is no longer the case. My team is now made up of one sergeant, three PC's and two PCSO's.

The Soho/Holyhead Road is an area on the borders of Central Birmingham and Smethwick, approximately 2 miles north west of Birmingham city centre on the A41. The 2001 Population Census found that 25,634 people were living on the Soho ward with a population density of 5,369 people per km² compared with 3,649 people per km² for Birmingham. The Soho ward covers an area of 4.8 km². The ward is a very ethnically diverse area with ethnic minorities making up 76.2% (19,522) of the ward's population, compared with 29.6% for Birmingham. The Soho/Holyhead Road itself stretches for approximately 1 mile and has hundreds of independent retailers and is well established. Examples of such establishments are jewellery shops, clothing shops, financial services, food outlets and restaurants.

Some of the many issues we are trying to deal with on the Soho/Holyhead Road includes begging, Anti-social behaviour, street drinkers and prostitution. Sex workers are often seen on a daily basis, night and day, loitering for the purpose of prostitution. Many are drug and alcohol dependant and often refuse to engage with the Police.

There are high levels of crime along the Soho/Holyhead Road, including burglary and both business and street robberies.

There are also high levels of violent and public order offences, which are aggravated due to alcohol and drug addiction.

There are high levels of shop lifting that are often committed to finance alcohol and drug addiction.

Signature

Signature witnessed by

03/2016

OFFICIAL – (when complete)

1

Crime No. URN

Statement of Ian WHITEHOUSE

The area of Soho road, Holyhead Road, Villa road and Rookery road have become priority locations and need a robust policing response on a daily basis. Failure to ensure the locations are effectively patrolled would lead to a significant increase in crime.

I have reviewed all of the crime across the Soho Ward and can confirm that a large number occur around licensed premises. This is often fuelled by alcohol or drugs and is concentrated in and around convenience stores, betting shops, Public Houses and late night refreshment houses. The large number of licensed premises selling cheap alcohol is a draw for those seeking those items, and has the effect of making the area a less desirable place to attend, live and work.

The Soho Ward has been identified as one of the 'priority areas' together with Birmingham City Centre, with crime levels on the Soho/Holyhead Road being generally quite high.

We have sought to address these problems in a number of different ways, and this has been possible by working with our partners. Some examples of partnership activity include the setting up of a streetwatch group that is made up of local residents, and provides weekly patrols in tackling the prostitution, litter and begging issues.

Soho BID are also a key partner and we have been working jointly with them to conduct patrols to try and help tackle the increase in aggressive begging, street drinking and people using mamba and passing out in shop doorways.

The Soho Road Team have also had heavy involvement in licensed premises on the Soho/ Holyhead Road who have been involved in allowing street drinking and drug dealing to take place in and around their premises.

Officers are conducting regular patrols within the Soho/Holyhead Road area, however, I have come to the conclusion that despite the best efforts of West Midlands police and our key partners we are not seeing the reductions in offending we had hoped for.

We are still experiencing a disproportionate amount of crime, ASB, street drinking in the area despite there being a current PSPO in place. With the constraints re Covid 19 also starting to be relaxed we are also now seeing an upsurge in sex workers along Soho Road/Holyhead Road.

We are working with our partners to try and offer diversion and support work around these issues, however having another location in this area selling alcohol will only hinder these activities and help fuel the difficulties the area is suffering from.

As I have already mentioned, there is already a significant amount of licensed premises along the

Signature

Signature witnessed by

03/2016

OFFICIAL – (when complete)

(2)

Crime No. URN

Statement of Ian WHITEHOUSE

Soho/Holyhead Road. Therefore there is no public need/demand for such a further establishment. I believe allowing another establishment in this location to sell alcohol will have a significant negative impact on crime and ASB in the area as well as having a detrimental effect on the quality of life for local residents, shoppers and business owners.

Signature

Signature witnessed by

03/2016

Abdool Rohomon

From: Gareth Snyman
Sent: 14 August 2020 13:53
To: Abdool Rohomon; Steven Lloyd; Ian Whitehouse
Cc: Christopher Jones; Samantha Bonehill
Subject: RE: 205 - Holyhead road

Hi Abs,

We would definitely oppose this from a LWW/PB Sector point of view. The rationale behind this would be that we are currently seeing a disproportionate amount of crime, ASB, Begging and Street Drinking in the Soho Road area despite the fact that there is currently a PSPO present at this location. Further to this we are also experiencing an upsurge in Sex Workers along the Hollyhead/Soho Road area. The sale of liquor will only intensify this situation. We are currently working in conjunction with the Soho BID particularly around the rough sleepers/beggars who are drinking and falling asleep in the shop doorways. We are trying to do diversion and support work around these individuals and having a further location selling alcohol will only serve to hinder and prevent these activities.


Sam- Can you please pen an email ASAP to support us in objecting to this?

Thanks

Kind regards,

Gareth Snyman
Police Sergeant 3082

Ladywood West Coordinator
Birmingham West Neighbourhood Policing Unit
Summerfield Police Station
Icknield Port Road
Birmingham
B16 0DA

101 ext 862 6063
Airwave Issi: 9781
email g.snyman@west-midlands.pnn.police.uk
Please phone 101 for all non emergencies.

'If it's not 999, search WMP Online'

From: Abdool Rohomon
Sent: 14 August 2020 13:47
To: Gareth Snyman; Steven Lloyd; Ian Whitehouse
Cc: Christopher Jones
Subject: RE: 205 - Holyhead road

Hi all

Abdool Rohomon

From: Samantha Bonehill
Sent: 17 August 2020 10:28
To: Gareth Snyman; Abdool Rohomon; Steven Lloyd; Ian Whitehouse
Cc: Christopher Jones; Dominic McGrath; Sean Stanley
Subject: RE: 205 - Holyhead road - Objection new licence application for 205 Holyhead Road, for an off licence where they want to trade from 0700-2300

Dear Colleagues,

Pls can I add an objection to the new licence application for 205 Holyhead Road for an off licence to trade 0700 – 2300.

I echo everything that PS Snyman has said and must add that we are seeing increasing numbers of beggars (who are aggressive) and persons who are drunk, in our area. These numbers appear to be increasing as they appear to be pushed out of the city centre by recent events and have told our officers that it's just as good around Soho Road ie that they can make just as much money and get drink easily here in Soho Road as they can in the City Centre.

Our local Neighbourhood teams are struggling to deal with the demand caused by these greater numbers of beggars and drunken persons and traders and local members of the public have told us that they are afraid to go shopping and that they have never seen "Soho Road so bad." This is terrible to hear as a local police officer but we are simply struggling to deal with more and more beggars, drinkers, especially when they often congregate in big groups or work on what seems to be a shift rota of some coming in to beg, drink, before handing over to others. Indeed, only last week were our teams called out to persons collapsed through drink (two times) and reports from the local BID about aggressive drinking beggars who will actively follow and pester people for money. Coupled with that are reports that some are now also taking the drug "Mamba" which causes further concern for a shopping area based near to residential premises and where women, children, the elderly go to shop locally.

There are already several licensed premises in this area and many street drinkers who congregate around them. A further one selling alcohol from 7am (!) would contribute to these issues.

I hope that this information assists you but should you need anything further, please let me know.

Many thanks

Kindest regards

Sam

PS 2042 Sam Bonehill
Neighbourhood Sergeant
Perry Barr Constituency
Handsworth Police Station
53 Thornhill Road
Handsworth
Birmingham
B21 9BT
Tel - 101 or 0345 113 5000 ext. 8623037
Email s.bonehill@west-midlands.pnn.police.uk

"Preventing crime, protecting the public and helping those in need."

From: Gareth Snyman
Sent: 14 August 2020 13:53
To: Abdool Rohomon; Steven Lloyd; Ian Whitehouse