

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Interim Assistant Director of Regulation & Enforcement
Date of Meeting:	Monday 13th January 2020
Subject:	Licensing Act 2003 Premises Licence – Review
Premises:	Selly Acre News, 1049-1051 Pershore Road, Stirchley, Birmingham, B30 2YH
Ward affected:	Bournbrook & Selly Park
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:
To consider an application to review a Premises Licence.

2. Recommendation:
To consider and determine the review application.

3. Brief Summary of Report:
Review application received on 18 th November 2019 from the Chief Inspector of Weights & Measures in respect of Selly Acre News, 1049-1051 Pershore Road, Stirchley, Birmingham B30 2YH. Representations have been received from both West Midlands Police and Licensing Enforcement as responsible authorities.

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:

<p>The Chief Inspector of Weights & Measures applied on 18th November 2019 for a review of the Premises Licence under Section 51 of the Licensing Act 2003 for Selly Acre News, 1049-1051 Pershore Road, Stirchley, Birmingham B30 2YH.</p> <p>Representations have been received from West Midlands Police and Licensing Enforcement, as responsible authorities. See Appendices 1 and 2.</p> <p>Review application is attached. See Appendix 3.</p> <p>The Premises Licence is attached at Appendix 4.</p> <p>Site location plans are attached at Appendix 5.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003.</p> <p>The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are: -</p> <ul style="list-style-type: none">a. The prevention of crime and disorder;b. Public safety;c. The prevention of public nuisance; andd. The protection of children from harm.

6. List of background documents:

<p>Copy of the representations as detailed in Appendices 1 and 2.</p> <p>Review Application Form, Appendix 3.</p> <p>Copy of Premises Licence, Appendix 4.</p> <p>Site location plans, Appendix 5.</p>
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7. Options available

<p>Modify the conditions of Licence</p> <p>Exclude a Licensable activity from the scope of the Licence</p> <p>Remove the Designated Premises Supervisor</p> <p>Suspend the Licence for a period not exceeding 3 months</p> <p>Revoke the Licence</p> <p>No Action</p> <p>Where the authority takes a step to modify conditions or exclude a licensable activity, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.</p>

From: Abdool Rohomon <a.rohomon
Sent: 19 November 2019 13:24
To: Licensing
Cc: Paul Ellson
Subject: Reps - to support review application
Attachments: West Midlands Police have received the licence review application submitted on behalf of the chief inspector of weights and measures for.doc

Dear Licensing,

Following the review application submitted by the Chief Inspector of Weights and measures, West Midlands Police wish to add its own representations in support of this review application. This follows a separate inspection under taken at the premises by West Midlands Police

regards

Abs Rohomon

**PC 4075 Rohomon
BW Licensing
Police headquarters
Lloyd House
Colmore Circus
Birmingham
B4 6NQ**

**Internal :
External :**

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Vision statement - Serving our communities, protecting them from harm

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West Midlands Police have received the licence review application submitted on behalf of the chief inspector of weights and measures for "Selly Acre News – 1049-1051 Pershore Road, Stirchley, Birmingham. B30 2YH.

West Midlands Police wish to support the application made, and also provide further evidence of breach of conditions, poor management, further drugs being found on the premises.

On the 25th September 2019, West Midlands Police licensing officer in conjunction with Neighbourhood team officers conducted a licensing inspection of Selly Acre News.

During the inspection officers found

A cigar tin, by the till containing 45 pills – labelled Sildamax, and in the same tin £72.60 cash

Breaches of the premise licence –

CCTV not recording for the required number of days

Staff working behind the till and serving alcohol who had not been trained in licensing

Weapons or instruments that could be used as weapons stored behind the till (baseball bat and golf club).

To put some context into what was found –

The cigar tin, which contained the blue pills and the cash was found by the area where staff were serving, they were easily accessible, the tin was open with no lid on it.

Having checked Sildamax, it is a drug that can only be dispensed to other persons via a pharmacy. Whilst an individual can buy their own they cannot be sold on. This has been checked through the MHRA (who control such issues).

It is noted that this was not the first time this had happened, and they were found during the inspection in August. There is a very short time line between both inspections.

The member of staff behind the till, who had a very cavalier approach to everything stated they were his, however this is not believed.

The PLH who was on the premises at the time, indicated the staff member just did what he wanted with the pills. He had to be reminded who was in control of these licensed premises.

The licence has very clear and precise conditions around CCTV and staff training. The CCTV was found not to be recording for the required 31 days. This is a very simple thing to check as when you go onto the playback it hi-lights the days where recordings have been kept. This is just another example of how poor the management is at the premises.

The person behind the till was seen serving alcohol, he was asked how long he had worked at the premises and he said to officers '3' months. Yet a check of the refusal register showed entries with his initials against dated in 2018.

When officers asked about his training as he had clearly been at the premises for some time it was found that he had not received any form of training. The staff tried to distance himself into how long he had been there even though evidence showed otherwise, and yet he had not received any training but was being allowed to sell alcohol.

Behind the till officers found a baseball bat and a golf club. The premise licence holder said they were for sale, the club had a price ticket on it, but the baseball bat did not. Neither products were in an area where the public would have had access, where with easy reach of the staff.

West Midlands Police support the review by trading standards, it is clear that the premise licence holder is both content for his staff to do what they like, does not comply with the conditions on his licence, which are conditions that are easy to check and comply with.

West Midlands Police would also support a suspension or revocation of the premise licence

From: Gary Callaghan
Sent: 13 December 2019 14:07
To: Licensing
Subject: Review Selly Acre News

RE: SELLY ACRE NEWS
 1049-51 PERSHORE ROAD
 STIRCHLEY
 BIRMINGHAM
 B30 2YH

PREMISES LICENCE NUMBER 3795/3

Further to the review of the above premises licence made by Paul Ellison (on behalf Donna Bensley Chief Inspector of Weights & Measures)

I hereby wish to make a representation in respect of the premises named above.

The Premises licence holder and designated premises supervisor CHANGEZ HUSSAIN has a duty and responsibility to promote the 4 Licensing Act 2003 objectives and adhere to the premises licence conditions attached to "Premises Licence 3795/3.

Condition 2a) General conditions consistent with the operating schedule.

States the following:

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.

The visit made by Trading Standards Officer Paul Ellison and Police officers on 29th August 2019 and findings would indicate that the shop is not complying with the above condition, there should have been no illicit products found at the premises during the inspection. The PLH/ DPS CHANGEZ HUSSAIN should be in control of the running of the business or in his absence his staff should have been aware of the conditions of licence and his staff informed of the risk of having illegal tobacco on the premises (No UK duty paid on the items found)

A further visit made on the 25th September 2019 by Police also found a quantity of Viagra type medication which was seized. I would have thought after the first visit on the 29th August 2019 the PHLH/DPS CHANGEZ HUSSAIN would have been in greater control of the shop and his staff fully up to speed and fully aware of the matters highlighted previously, this would indicate that he is either complicit or has not taken his responsibilities seriously.

Furthermore on 10th December 2019 at 11:09 hours a visit was made to the shop by the Police and myself to undertake a Licensing Act 2003 compliance inspection, upon arrival the staff member on duty was identified by the Police Officer PCSO Tom Odell as the person they had encounter on previous visits. I could see behind the counter what appeared to be the Summary Licence displayed and asked him if he could produce the "Premises Licence" which under the Licensing Act 2003 legislation is required to be kept on the premises and produced on request to an authorised officer, advised me it is normally kept in a folder behind the counter and started searching behind the counter, after being unable to find the "Premises Licence" he telephoned CHANGEZ HUSSAIN who tried to assist him in finding the said paperwork, a further search again resulted in him being unable to produce the "Premises Licence" advised that CHANGEZ HUSSAIN was on his way into the shop, he will be about 15 minutes, while waiting I went through the conditions of licence attached to the "Premises Licence 3795" (I had taken a copy of the Premises Licence with me) advised the cleaner or other staff member must have moved the folder, it was behind the counter

From experience I asked him if the "Premises Licence" had been put behind the Summary Licence displayed , got the Licence down from display where I observed that the paper work being displayed was the first 2 pages of the Premises Licence and not the Summary Licence.

A number of breaches of conditions were identified, during the initial inspection undertaken with while we waited for CHANGEZ HUSSAIN to come to the shop.

Namely:

No staff training records produced to a responsibility authority immediately on request or 6 monthly refresher training

An incident register which should be maintained at the premises

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.

A record should be kept detailing, the name and address relative to the person left in charge of the premise and the times and dates when the authority to cover exists, in writing.

These should be individual entries covering short periods of time only and should not exceed more than a three week period.

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.

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 to the shop . the posters will be displayed prominently and in sight of customers and staff – Only 1 poster was being displayed at point of entry to store.

Unable to produce a refusal register .

At 11:45 hours CHANGEZ HUSSAIN came into the shop and a started searching behind the counter searching for the " Premises Licence " and associated paperwork requested, the said paperwork was again not readily available or located easily, this resulting in us again waiting around in the shop, this was a surprize considering the previous visits made and CHANGEZ HUSSAIN aware that Trading Standards had called for a review of the "premises Licence "

CHANGEZ HUSSAIN did manage to find some paper work

Summary Licence found and displayed – However he was unable to find other pages of "Premises Licence "

Staff Training paper work for 3 staff members dated 26/09/19 only

Refusals Register which he said he also uses as an incident register (last entry recoded October 2019)

I issued a Traders Notice No 26311 detailing the breaches of conditions which was signed by CHANGEZ HUSSAIN , we eventually left the shop at 12:20 hours

I therefore support the review under the following Licensing Act 2003 objectives

The prevention of Crime and Disorder
Public Safety

Gary Callaghan

Gary Callaghan
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 Twitter: @BCCLicensing

For information on Birmingham Licensed premises including licensed hours, activities and conditions go to
<http://publicregister.birmingham.gov.uk>

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

Birmingham City Council, PO Box 17013, Birmingham, B6 9ES

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Paul Ellison (on behalf of Donna Bensley Chief Inspector of Weights & Measures)

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Selly Acre News 1049-1051 Pershore Road Stirchley	
Post town Birmingham	Post code (if known) B30 2YH

Name of premises licence holder or club holding club premises certificate (if known) Mr Changez Hussain

Number of premises licence or club premises certificate (if known) 3795

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

YES

3) a member of the club to which this application relates

☐

(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

Current postal
address if
different from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Paul Ellison Birmingham Trading Standards Manor House 40 Moat Lane Birmingham B5 5BD Ref: 9540471
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

Yes

Yes

☐☐

Please state the ground(s) for review (please read guidance note 2)

On the 27 August 2019 a complaint was received from Police Community Support Officer O'Dell concerning a number of shops in the Selly Oak area that were allegedly selling illicit tobacco products. This was given reference 9476825.

A visit took place on 29th August 2019 at 1800hrs by me along with PSCO O'Dell, PC Thomson and PC Jones. There was an Asian male who gave his name as Zamar HUSSAIN and his date of birth as 21/12/81; he stated that he was an employee of the owner Mr Changez HUSSAIN.

Mr Changez HUSSAIN, is the Premises Licence Holder (PLH) (licence number 106358) and the Designated Premise Supervisor (DPS) (personal licence number 3795).

I informed Mr Zamar HUSSAIN that a complaint had been received and asked him directly if he had any illicit tobacco products on the premises. I explained what I meant by illicit tobacco, such as not having duty paid etc. Mr Zamar HUSSAIN stated that he did not do that.

I advised that an inspection would take place and issued him with the relevant paperwork. I then conducted an inspection.

I noticed a plastic Sainsbury's' bag hanging from a hook behind the counter. This bag contained a quantity of illicit tobacco:

- 1 Sleeve of Richmond Cigarettes containing 10 packs of 20 cigarettes
- 1 Sleeve of Pect Cigarettes (Russian) containing 10 packs of 20 cigarettes
- 1 Sleeve of Regal Cigarettes containing 10 packs of 20 cigarettes
- 3 x 25g Packs of Benson & Hedges (Russian) hand rolling tobacco

In total of 600 cigarettes and 75g of hand rolling tobacco.

The inspection progressed and blister packs of a Viagra type medication with a brand name of Sildamax was discovered on a shelf under the counter; there were approximately 300 tablets.

Mr Zamar HUSSAIN stated that the tobacco products were for his personal use and that the Sildamax was 'for a mate.' A Traders Notice number 13554 was issued and the items were sealed in evidence bags and we left the premises.

Please provide as much information as possible to support the application (please read guidance note 3)

The tobacco found at the site during the inspection would indicate that the information the Police had received was indeed correct and that illicit tobacco was being sold from the shop.

All the tobacco products were illegal under the Standardised Packaging of Tobacco Products Regulations 2015 and the Tobacco and Related Products 2016 and cannot be sold or supplied in the UK. Irrespective of whether the tobacco found was counterfeit in nature.

None of the tobacco is in the correct packaging and none of it has the mandatory health warnings on, in fact two of the lots, the Pect and the Benson and Hedges have Russian Cyrillic script on the packaging and one has to consider provenance of the tobacco and its contents; these items were never intended for the UK market.

UK Excise duty paid would not have been paid on them.

Mr Zaman HUSSAIN'S claim that it was for personal use is a usual excuse that those found in possession of illicit cigarettes/tobacco give; in my opinion 30 packs of cigarettes that are different brands suggest that this is not the case. He had initially stated that there were no illicit cigarettes on the premises. If they were personal products they should not have been in the premises.

The PLH should have exercised greater control over his staff and informed them of the risk of having such tobacco on the premises; the only reason to have such tobacco on the premises is to make a quick, untraceable profit.

In the conditions of licence in section 4.2 of the premises licence it states quite clearly that:

'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'

This surely would indicate that no illicit products should be at the premises.

There have been no previous reported incidents concerning the PLH/DPS. However on 25 September 2019 West Midlands Police visited the premises and seized a further quantity of Viagra type medication. In both circumstances this type of medication should not be sold or supplied from what is basically a small off-licence; it shows a disregard for the safety and protection of the general public.

Selling and dealing such illegal items is part of an underground criminal network who sell and exchange all kinds of illegal products, fund more serious criminal enterprises and cheat revenue as well as undermining legitimate businesses. The provenance and safety of the products are also unknown.

Taking the above matters into consideration, Trading Standards would ask that the Committee consider this application for a review and take any action open to them which could be to temporarily suspend or permanently revoke the licence.

Have you made an application for review relating to the premises before

No

If yes please state the date of that application

Day Month Year

1	1	1	1	1	1	1	1	1
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If you have made representations before relating to the premises please state what they were and when you made them

N/A

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate **YES**
- I understand that if I do not comply with the above requirements my application will be rejected **YES**

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

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date 15/11/19

Capacity Trading Standards Enforcement Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003PREMISES LICENCE

Premises Licence Number:

3795 / 3

Part 1 - Premises details:**Postal address of premises, or if none, ordnance survey map reference or description**

Selly Acre News
1049-1051 Pershore Road
Stirchley

Post town:

Birmingham

Post Code:

B30 2YH

Telephone Number:**Where the licence is time limited the dates**

N/A

Licensable activities authorised by the licence

M2 Sale of alcohol by retail (off the premises)

The times the licence authorises the carrying out of licensable activities

Monday - Sunday 00:00 - 23:59 M2

The opening hours of the premises

Monday - Sunday 00:00 - 23:59

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

Off Supplies

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Part 2

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

Registered number of holder for example company number or charity number (where applicable) N/A

Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Mr Changez Hussain	
Post town:	Post Code:
Telephone Number: N/A	

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol	
Licence Number 106358	Issuing Authority BIRMINGHAM CITY COUNCIL

Dated 12/06/2018

SHAID YASSER
Senior Licensing Officer
For Director of Regulation and Enforcement

BIRMINGHAM CITY COUNCIL

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.

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Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

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.

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.

Signage displaying to customers to "Respect Local residents, please leave quietly" to be on display around location and especially at the exit.

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

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.

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 download in a recognised format any information requested by the Police.

The CCTV system clock should be set correctly and maintained (taking account of GMT and BST).

A facility will be available for the Police to remove from the CCTV system a copy of any material relevant to any on-going Police investigation.

All CCTV images will be retained for a period of not less than 31 day

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.

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.

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.

A record should be kept detailing, the name and address relative to the person left in charge of the premise and the times and dates when the authority to cover exists, in writing.

These should be individual entries covering short periods of time only and should not exceed more than a three week period.

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.

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When trading past 23:00hrs then at least one SIA security staff will be on duty after 23:00hrs onwards until 06:00hrs.

The SIA authorisation badge will have to be worn on an upper arm in clear view.

A signing in log would have to be kept up to date reference the working of the SIA security staff. Profiles of security staff will be kept on the premises and available to any responsible authorities upon request.

The profile will include a copy of their SIA licence and photographic identification if photographic ID is not available then a current utility bill no more than three months old will be acceptable.

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 there is signage requesting patrons to leave the premises quietly.

Entrance door - will be fitted with an electronic locking device or similar that will be utilised between the hours of midnight until close at 05:00 daily. This will ensure staff have control of customers entering the premises.

2e) Conditions consistent with, and to promote 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.

BIRMINGHAM CITY COUNCIL

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

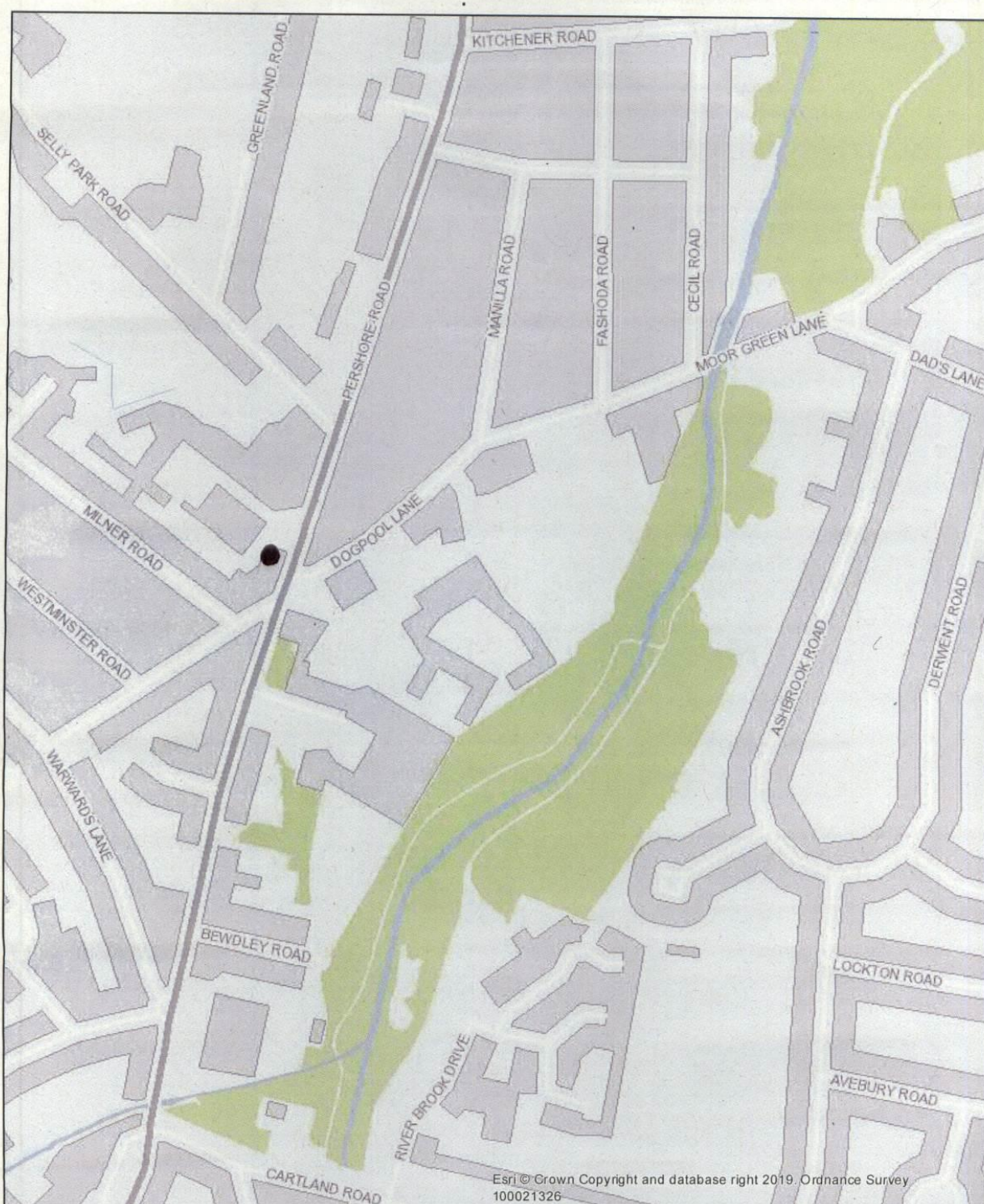
3e) Committee conditions to promote the protection of children from harm

N/A

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Annex 4 – Plans

The plan of the premises with reference number **106358-3795/3** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please call the Licensing Section on 0121 303 9896 to book an appointment.



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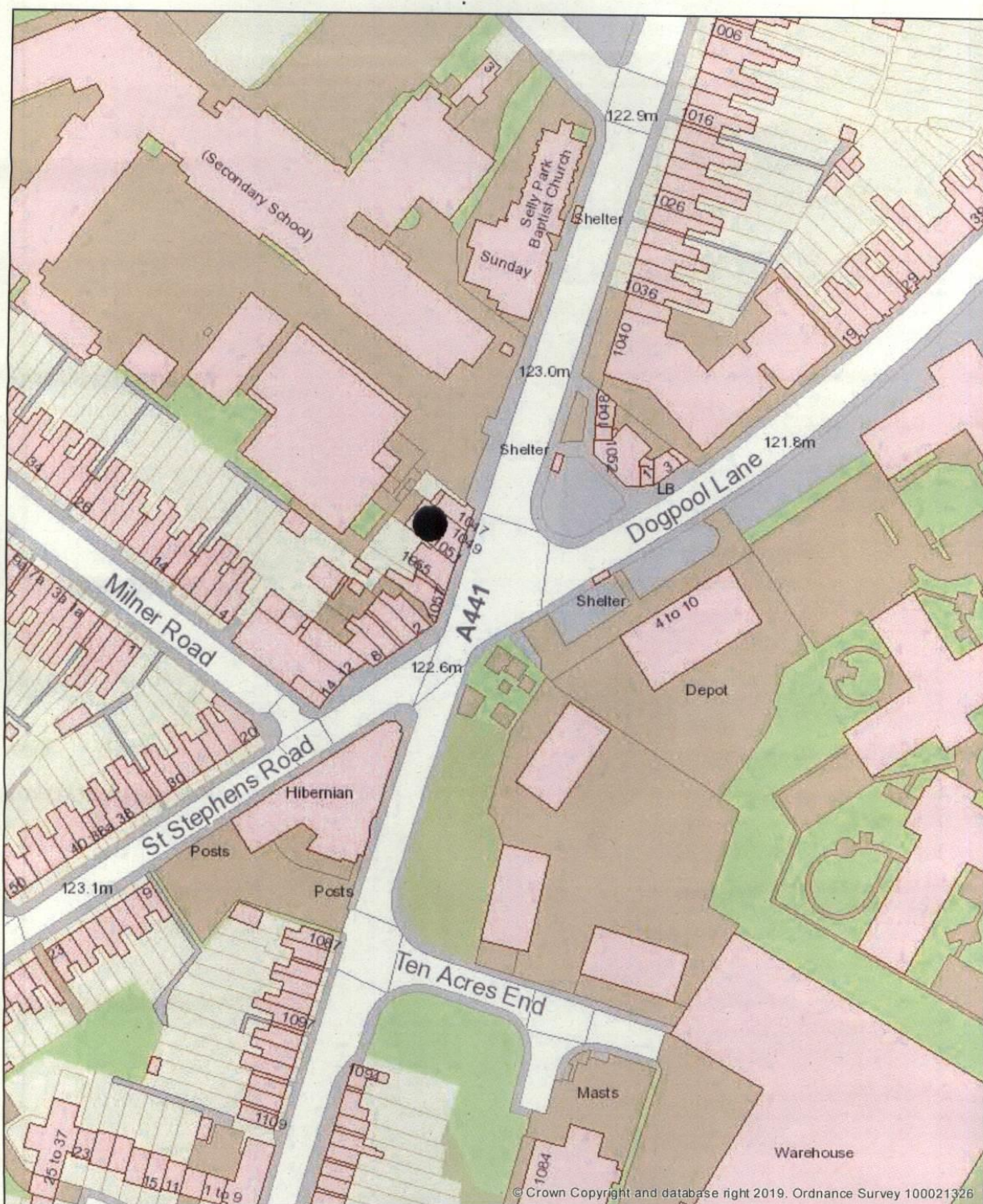
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