

**Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting**

**BIRMINGHAM CITY COUNCIL**

**LICENSING SUB-COMMITTEE B**

**TUESDAY, 07 MARCH 2017 AT 10:00 HOURS**  
**IN COMMITTEE ROOM 1, COUNCIL HOUSE, VICTORIA SQUARE,**  
**BIRMINGHAM, B1 1BB**

**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 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

3 **MINUTES**

**3 - 26**

To note the public part of the Minutes of the meeting held on 3 January 2017.

To confirm and sign the Minutes of the meeting held on 17 January 2017.

To confirm and sign the Minutes of the meeting held on 24 January 2017.

4 **LICENSING ACT 2003 PREMISES LICENCE – GRANT SHENLEY GREEN STORES, 2-3 SHENLEY GREEN, BIRMINGHAM, B29 4HH**

**27 - 62**

Report of the Acting Director of Regulation and Enforcement.  
N.B. Application scheduled to be heard at 10:00am on Tuesday 7th March 2017.

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.

6 **EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

## **P R I V A T E   A G E N D A**

### **1   MINUTES**

To note the private part of the Minutes of the meeting held on 3 January 2017 and to confirm and sign the minutes as a whole.

### **2   OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

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

<b>LICENSING SUB - COMMITTEE B - 3 JANUARY 2017</b>
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**MINUTES OF A MEETING OF  
LICENSING SUB-COMMITTEE B HELD  
ON TUESDAY 3 JANUARY 2017  
AT 1000 HOURS IN COMMITTEE ROOM 1,  
COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:** - Councillor Lynda Clinton in the Chair;

Councillors Nawaz Ali and Gareth Moore.

**ALSO PRESENT:**

Pete Watson – Licensing Section  
Joanne Swampillai – Legal Services  
Sarah Stride – Committee Services.

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**NOTICE OF RECORDING**

01/030117 The Chairman advised the meeting that members of the press/public may record and take photographs except where there are confidential or exempt items.

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**APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

02/030117 No apologies were submitted.

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**OTHER URGENT BUSINESS**

03/030117 No items of other urgent business were submitted.

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**EXCLUSION OF THE PUBLIC**

04/030117 **RESOLVED:**

That in view of the nature of the business to be transacted, which includes exempt information of the category indicated, the public be now excluded from the meeting:-

(Paragraph 1)



# BIRMINGHAM CITY COUNCIL

<b>LICENSING SUB-COMMITTEE B 17 JANUARY 2017</b>
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## **MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY, 17 JANUARY 2017 AT 1130 HOURS IN COMMITTEE ROOM 1, COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:** - Councillor Dring in the Chair;

Councillors N Ali and Moore

### **ALSO PRESENT**

David Kennedy – Licensing Section  
Bhupinder Nandra – Licensing Section  
Tayyibah Daud – Licensing Section (Observer)  
Joanne Swampillai – Legal Services  
Victoria Williams – Committee Services

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### **MEETING START TIME**

- 1/170117 As the first case had been withdrawn (Minute No 4/170117 refers), although the meeting had originally been scheduled to start at 1000 hours, it commenced at 1130 hours.
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### **NOTICE OF RECORDING**

- 2/170117 The Chairman advised the meeting, and the Sub-Committee noted, that members of the press/public may record and take photographs except where there were confidential or exempt items.
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### **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

- 3/170117 Apologies were submitted on behalf of Councillor Clinton. It was noted that Councillor Dring was the nominated Member.
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### **MINI EXPRESS CONVENIENCE STORE, 1162 STRATFORD ROAD, HALL GREEN, BIRMINGHAM, B28 8AF – LICENSING ACT 2003 - PREMISES LICENCE GRANT**

- 4/170117 Members were advised that representations had been withdrawn and therefore there would be no hearing in respect of Mini Express Convenience Store.

**SD NEWS, 23 QUINTON ROAD WEST, QUINTON, BIRMINGHAM, B32 2QA –  
LICENSING ACT 2003 - PREMISES LICENCE GRANT**

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See document No 1)

**On behalf of the Applicant**

Mr S S Athwal – Applicant  
Mr P Burke – PMB Licensing

The Sub-Committee was advised that Councillor Gregson (Quinton Ward), who had made a written representation objecting to the proposal, was not present.

The Chairman introduced the Members and officers present and explained the hearing procedure.

The main points of the report were outlined by Bhapinder Nandra, Licensing Section.

Mr Burke, on behalf of the applicant, and Mr Athwal, the applicant, made the following points:-

1. Mr Athwal's family had run the shop for many years. He had been running the business for the last eight years.
2. There had been no objection received from the police or any other responsible authority. Permission for a licence was only being sought for the current operating hours of the shop.
3. Local residents had signed a petition in support of the proposal.
4. Mr Athwal was an active participant in the local community.
5. The objection by Councillor Gregson, a local ward councillor was based on speculation rather than evidence. There was no history of anti-social behaviour.

In response to questions from Members of the Sub-Committee, those attending on behalf of the applicant made the following points:-

1. There was a church opposite the shop and a laundrette next door.
2. The clientele was changing and footfall had dropped. Mr Athwal hoped that permitting the sale of alcohol would increase the number of customers visiting his shop.

3. Mr Athwal had worked in his brother's shop in Wolverhampton where he had gained experience in selling alcohol.
4. Mr and Mrs Athwal and one other assistant worked in the shop. There were always two people on duty in the shop.
5. Mr Athwal would be responsible for purchasing alcohol and stressed that he would only use reputable cash and carry outlets.
6. Spirits would be kept behind the counter.
7. Mr Athwal was unable to provide any information regarding how much alcohol he expected to sell.
8. Mr Athwal assured Members that he did not intend to sell cheap alcohol at a giveaway price. He would sell alcohol at the recommended price.
9. Mr Athwal sold travel cards. Some customers, first thing in the morning and also after school, were children. However, he sold cigarettes and therefore already adopted an 'over 25 policy'.
10. A CCTV system which had eight channels was installed within the shop.
11. Mr Athwal had set up the petition and a copy had been available in the shop for customers to sign if they wished.
12. Mr Kennedy, Licensing Section, advised that some petitioners had only provided a postcode for their address.
13. Mr Burke had tried but had been unable to speak with Councillor Gregson prior to today's meeting concerning his objection to the application.
14. Mr Athwal agreed that, if a licence was granted, a condition be included regarding the advertising and sale of cheap alcohol.

Mr Burke, on behalf of the applicant, made a closing submission pointing out that Mr Athwal was only requesting a licence for the current operating hours of the shop.

At 1155 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager, withdraw from the meeting.

After an adjournment, all parties were recalled to the meeting at 1230 hours and the decision of the Sub-Committee was announced as follows:-

5/170117 **RESOLVED:-**

That the application by Mr Satinder Singh Athwal for a premises licence in respect of SD News, 23 Quinton Road West, Quinton, Birmingham B32 2QA be granted subject to the following conditions to promote the prevention of crime and

disorder, public safety, the prevention of public nuisance and the protection of children from harm objectives in the Act:

1. All the operating conditions as per the application received on 18 November 2016.
2. No advertising of special offers of alcohol, or promotions of cheap alcohol, to be displayed such that they are visible outside the premises.

The Sub-Committee took into account the written representations made by a Ward Councillor objecting to the application. They also noted that a petition in support of the application had attracted many signatures from customers of the shop.

The Sub-Committee also took into account that there had been no application to extend the operating hours. The premises are already trading from 0600 hours to 2100 hours. In addition the applicant confirmed that there has been no anti-social behaviour associated with the premises, and no Police involvement.

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

However any concerns about the proposed operation were taken into account by imposing suitable conditions that would allay apprehension/fear about the potential for nuisance.

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

In addition to the conditions shown above, the relevant mandatory conditions under the Licensing Act 2003 will form part of the licence issued.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the information in the application, the written representations received and the submissions made at the hearing by the applicant and their adviser.

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



**BEORMA, 5 FLEET STREET, BIRMINGHAM, B3 1JP – LICENSING ACT 2003  
– TEMPORARY EVENT NOTICES**

The following reports of the Acting Director of Regulation and Enforcement were submitted:-

(See document Nos 2-5)

**On behalf of the Applicant**

Mr S Bonnington – Applicant  
Mr R Cowley – Barrister, No8 Chambers  
Mr T Rashid – Witness

**Making Representations**

PC Rohomon – West Midlands Police  
Mr P Samms – Environmental Protection Officer, Birmingham City Council

The Sub-Committee was advised that the applicant and those making representations had agreed that the four temporary event notices (TENs) in respect of events scheduled to take place on 21, 28 January, 4 and 11 February 2017 at Beorma, 5 Fleet Street, Birmingham, B3 1JP be considered together.

The Chairman introduced the Members and officers present and explained the hearing procedure.

The main points of the reports were outlined by David Kennedy, Licensing Section.

Mr R Cowley made the following points:-

1. He referred to an incident that had taken place on 13 March 2016 which had resulted in the premises licence in respect of Beorma being revoked. Zafran Rashid was the Premises Licence Holder at the time of the incident. Beorma had subsequently been operating under a number of TENs as a premises licence was not currently in force.
2. The previous Premises Licence Holder, Zafran Rashid, would not be involved in the running of the temporary events.
3. Tariq Rashid, Zafran's Father, had taken over the running of the club and Mr Bonnington would be appointed to deal with promotion and management etc.

Mr Cowley wished to submit new evidence to prove that Tariq Rashid was now responsible for running Beorma. However, PC Rohomon considered that the information should have been made available prior to today's meeting.

At 1346 hours the Sub-Committee adjourned to seek legal advice and consider whether the new evidence should be permitted. The Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager, withdraw from the meeting.

After an adjournment, all parties were recalled to the meeting at 1350 hours. The Chairman advised that the Sub-Committee had agreed to accept the new evidence a copy of which was made available to PC Rohomon and Mr P Samms.

Mr Cowley, on behalf of the applicant, continued with his presentation and the following were amongst the points made:-

4. Nozomi, the business run by Zafran, Mr Rashid's Son, although next door to Beorma was completely separate.
5. Tariq Rashid was a solicitor who had no knowledge or experience in how to run a club or bar. Mr Bonnington would be responsible for the management of the temporary events.
6. Mr Bonnington had experience in the licensing trade including working as a general manager and designated premises supervisor.
7. All customers would be searched, scanned and required to provide ID to confirm their age ie over 18 before being admitted to the events.
8. Customers would be required to book in advance and a guest list would be available.
9. There would be no more than 10 VIP tables with a maximum of 10 people per table.
10. Bottles would be allowed on the tables.
11. Every table would have a security guard.
12. A maximum of 10 people at any one time would be allowed in the smoking area.
13. No alcohol would be allowed in the smoking area.
14. The downstairs bar would be used as a 'holding area' for people wishing to leave the event and taxi marshalls would be employed. Customers would be encouraged to leave the premises quietly and without disturbing local residents.

Those present on behalf of the applicant, in response to questions from Members of the Sub-Committee, made the following points:-

1. Beorma and Nozomi were two completely separate businesses. However, they were financially linked and there was one lease.
2. The lease was still in Zafran's name. However, Tariq explained that steps were being taken to amend the name on the lease to his own.
3. Zafran would have no authority and no reason to be involved in the temporary events. Mr Bonnington would run the temporary events and would therefore be responsible for ensuring Zafran did not enter the premises.
4. Beorma and Nozomi were adjacent premises but had separate doors.
5. Tariq understood the importance of complying with the Licensing Act 2003 if the temporary events went ahead.
6. There had been discussions with appropriate officers regarding noise control and the use of limiters.
7. Mr Bonnington resigned from working at the Vaults Restaurant and Bar in April 2016 as he was ambitious and wished to progress in a different direction. Initially, he was not fully aware of the incident that had occurred at Beorma in March 2016 and the fact that the premises licence had been revoked.
8. There was a shared smoking area for Beorma and Nozomi.
9. Polycarbonate glasses would be used at the events.
10. Fifteen security staff would be employed for the events.
11. Mr Bonnington expanded on the details of the proposed events.
12. On-street parking was available. There were no parking spaces at the premises. Mr Bonnington suggested that on-street parking should be restricted during the events.
13. The events would be advertised via social media.
14. Customers would be admitted at the discretion of the door supervisor and Mr Bonnington. Customers should not be queuing outside the premises awaiting admittance.
15. Freedom Security would handle the security of the building. Eight waitresses and four bar tenders would also be employed.
16. There would be no food available on the premises.

17. The capacity of the premises was 230.

PC Rohomon and Mr P Samms, making representations, made the following points:-

1. The applicant had advised that the business was under new ownership. However, Companies House still had Zafran Rashid registered as the owner. There was no evidence to prove that the ownership had changed.
2. Although four temporary event notices were being considered today, a fifth which had been proposed to take place on 14 January 2017 had been considered as late and, therefore, had not proceeded to a hearing. However, a counter notice had been served and the event had not been held.
3. The Sub-Committee heard details of the incident which had led to the premises licence in respect of Beorma being revoked.
4. Beorma was next door to Nozomi, which was run by Zafran Rashid.
5. The premises had a shared smoking area.
6. The applicant had rushed into trying to re-open Beorma via temporary events.
7. There was concern that, if the events went ahead, Beorma would fail to comply with the licensing objectives.
8. Mr Samms was concerned that the granting of a temporary event notice would undermine the licensing objectives for the prevention of public nuisance.
9. There were residential buildings nearby and there was concern that if an event was held at Beorma that there could be noise nuisance from patrons using the outside smoking area and also when entering and leaving the premises.
10. There was concern that music would be heard outside the premises. It was important to contain the noise within the building.
11. Environmental officers would prefer the windows of the building to be completely blocked to prevent noise escaping from the premises. However, planning officers were concerned that blocking the windows would have a detrimental effect on the appearance of the building which was in a conservation area.
12. The lobby area needed to be completely enclosed and rear door security was essential in order to prevent noise from escaping.

13. Environmental officers had not been given the opportunity to carry out an inspection and, therefore, there was no way of knowing whether the noise limiter was compliant or had been installed properly. It was too short notice and would be difficult to check the equipment prior to when the events were scheduled to take place.
14. The premises were in the wrong location, too near to residential properties.

In response to questions from Members, those making representations made the following points:-

1. PC Rohomon was not confident that anything had changed or improved since the premises licence was revoked and he was concerned that if the temporary events went ahead they would fail to comply with the licensing objectives.
2. Only on-street parking was available.
3. There had been one other objection received regarding the temporary event notices.
4. There had been seven objections received regarding the premises licence.

All parties were given the opportunity to sum up and at 1510 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager, withdraw from the meeting.

After an adjournment, all parties were recalled to the meeting at 1605 hours and a summary of the decision of the Sub-Committee was announced. All parties were advised that the full decisions/counter notices, one for each date, would be forwarded to them within five working days.

Although a separate decision/counter notice would be sent to the proposed premises user/organiser for each date, in order to save repetition, it has been set out once as follows with all the dates highlighted in bold:-

6/170117 **RESOLVED:-**

That, having considered the objection notices from West Midlands Police and Environmental Health in respect of the Temporary Event Notice as submitted by Mr Steven Bonnington, the proposed premises user/'Organiser' for the events to be held on: **21 January 2017, 28 January 2017, 4 February 2017 and 11 February 2017 at Beorma, 5 Fleet Street, Birmingham, B3 1JP**, this Sub-Committee determines that a Counter Notice be issued for this Temporary Event Notice under Section 105 of the Licensing Act 2003.

The Sub-Committee's reason for issuing the Counter Notice is to prevent the event from taking place to promote the prevention of crime and disorder, and the prevention of public nuisance, licensing objectives in the Act.

The Sub-Committee were greatly concerned that to allow the event would run a high risk of the premises being a focal point for crime and disorder in connection with the proposed event. They heard a very strong objection from West Midlands Police which was made on the basis that the proposed management arrangements remained too similar to those which had applied before, and which had resulted in a firearms incident taking place in the vicinity of the premises.

West Midlands Police also reported that there had been inadequate engagement between the premises and the Police. Given the previous history it would be expected that the premises would seek advice from the Police in advance of submitting any Temporary Event Notice. The Sub-Committee determined that the event was not capable of promoting the crime and disorder objective.

In addition the Sub-Committee were of the opinion that allowing the event to proceed at the premises would cause unnecessary disturbance to neighbouring residents, particularly due to the close proximity of residential properties.

On hearing the representations from Environmental Health, the Sub-Committee considered that there was a high risk of noise nuisance arising in the early hours of the morning - as a result of noise breakout from the premises, and the noise of patrons leaving the premises. The Sub-Committee accepted the Environmental Health Officer's view that the premises had rushed into serving the Temporary Event Notice without consulting Environmental Health. Given the previous history it would be expected that the premises would seek advice from Environmental Health in advance of submitting any Temporary Event Notice. The Sub-Committee determined that the event was not capable of promoting the prevention of nuisance objective.

Although due regard was given to the applicant's representations, the Sub-Committee were not at all confident that the proposed event could run well, or that the applicant could overcome the strong objections raised by both West Midlands Police and Environmental Health.

The Sub-Committee were satisfied that, on the balance of probabilities, both crime and disorder and public nuisance would arise in connection with the proposed event at the premises, due to its history of very poor management and problem clientele.

Members were not persuaded that there was sufficient separation between the proposed management arrangement and the previous management. They heard from the current Director, who had arranged for an Organiser to run the proposed event. Members were very concerned that the Director was the father of the previous Manager (who had been in charge at the time of the firearms incident). They heard submissions from the Director that, notwithstanding that they were

father and son, the previous Manager had no current involvement with Beorma. The Director explained the arrangements to Members, namely:

- A Lease had been taken for the whole unit, which comprised Beorma (a nightclub premises) and Nozomi (a restaurant premises).
- The father had a financial interest in the Lease – as the sole Director and sole shareholder of TMR Ltd – although he had no involvement in management for either of these premises.
- The son had been the owner and Manager of both of these premises, with responsibility for the day-to-day running of both premises.
- Following the firearms incident and subsequent revocation of the Premises Licence for Beorma, the son had had no involvement with Beorma, and instead was responsible only for the Nozomi Restaurant.
- As the son was now entirely removed from any management responsibility for Beorma, an experienced Organiser had been appointed to run Beorma. This person was no relation to the Director or his son, and he had been appointed because he had several years' worth of previous experience in the licensed trade, in Birmingham and also Manchester, including as a Designated Premises Supervisor.
- The only connection between Nozomi and Beorma was the Lease, and the father's financial interest in both businesses. Attempts were under way by the Director to separate the Lease, such that only Nozomi would be retained. He had instructed solicitors to negotiate this with the head Landlord.
- A lesson had been learnt from the revocation, and the Director understood that protection of the public is important.

Whilst the Sub-Committee considered these submissions carefully, they were not convinced that there was a true separation between the previous and current management arrangements. The Director admitted that there was and always will be a financial connection, due to the Lease and the investment, and this did not unduly concern Members. However Members were mindful of the family relationship of father and son, and were therefore not persuaded that there could be complete separation.

In addition, and far more seriously, the two premises are connected by doors which can be opened, there was a shared smoking area for patrons of both premises, shared Security Guard arrangements for both premises, and so on. Despite the assurances given to Members by the Organiser, namely that he would ensure that there would be no involvement by the son in the event, Members felt that there was a significant risk that this could happen, and given the previous history, they felt that such a risk was unacceptable.

Members heard from the proposed premises user/Organiser, who had submitted the Temporary Event Notice. Given his previous experience, Members were surprised at the inadequate standard of the Notice, which had not included a map or plan, and observed that the Notice even included several blank spaces where

no detail was given. They found this worrying. On the Notice, the event was called a 'discotheque' in one box, but a 'late lounge/cocktail bar' in another box, and Members had to seek clarification from the Organiser in the hearing.

When the Organiser addressed the Members he admitted that he had not discussed the security arrangements with Police, which Members considered extraordinary in the light of the fact that the premises has previously attracted patrons with firearms.

On other issues, the Organiser seemed to Members to be unprepared. Regarding the issue of parking, the Organiser stated that "if he were advised to" barricade off the on-street parking area, he would be prepared to do so; however Members felt that he should have sought such advice well in advance of submitting the Notice, especially given that previously a firearm had been discharged in the street outside the premises.

West Midlands Police observed that, in the light of the premises' troubled history, in their view "the first person they should have asked" before submitting the Notice was the Police. Members agreed that this should have been the correct course.

West Midlands Police also made other observations – namely that there had been no plan to isolate the two business premises to make them truly separate from each other (Beorma was still connected to Nozomi by means of doors that could easily be opened, which the Sub-Committee considered quite unsatisfactory). The Police also made representations about the Organiser's previous conduct - namely that an event at other premises, where the Organiser was the DPS, involving an appearance by a controversial rap artiste from America, was not notified to the Police by the DPS, even though such an event had an obvious and significant risk element due to the likelihood of crime and disorder.

This failure to notify had given the Police little confidence that the Organiser understood the importance of engaging with the Police in advance where trouble was a possibility. Police drew a parallel with the past failures of the Beorma management (regarding their clientele and use of firearms) which had resulted in the revocation of the Premises Licence. Members agreed with the Police views.

The Sub-Committee also heard from the Environmental Health Officer who stated that he would have expected the Organiser to make arrangements to deal with noise issues in advance of submitting the Notice. These arrangements should have included the appointment of a Noise Consultant, implementation of a Noise Limiter system, the blocking off of the windows, and the use of a DAT Recorder. No such arrangements had been made by the Organiser, and accordingly Environmental Health did not feel at all confident that he had taken such issues seriously. Members agreed with the Environmental Health Officer's views.

The Sub-Committee therefore determined that it would be appropriate to reject the Temporary Event Notice, for the promotion of the prevention of crime and disorder & prevention of public nuisance licensing objectives in the Act.



## **Licensing Sub-Committee B – 17 January 2017**

The Sub-Committee gave regard to the evidence, argument and submissions placed before it, in addition to the report, and also the Section 182 Home Office Guidance, and the Council's own Statement of Licensing Policy.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision. No appeal may be brought later than five working days before the day on which the event period specified in the Temporary Event Notice begins.

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The meeting ended at 1610 hours.

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CHAIRMAN



# BIRMINGHAM CITY COUNCIL

**LICENSING  
SUB-COMMITTEE B,  
TUESDAY, 24 JANUARY  
2017**

**MINUTES OF A MEETING OF THE LICENSING  
SUB-COMMITTEE B, HELD ON TUESDAY, 24  
JANUARY, 2017 AT 1000 HOURS, IN COMMITTEE  
ROOM 1, COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:** - Councillor Lynda Clinton in the Chair.

Councillors Nawaz Ali and Gareth Moore

**ALSO PRESENT**

Bhapinder Nandhra, Licensing Section  
Joanne Swampillai, Legal Services  
Tayyibah Daud, Committee Manager

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**NOTICE OF RECORDING**

01/240117 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

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**APOLOGIES**

02/240117 No apologies were received.

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**MINUTES**

03/240117 The private section of the Minutes of the meeting held on 3 January 2017 were deferred.

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**LICENSING ACT 2003 PREMISES LICENCE REVIEW – INTERNATIONAL  
SUPERMARKET, 117 VILLA ROAD, BIRMINGHAM, B19 1NH**

The following report of the Acting Director of Regulation and Enforcement were submitted:-

(See documents no. 1)

The following persons attended the meeting:-

**On behalf of the representative**

Heath Thomas (Solicitor)

Mahir Akgul (Licence Holder of Premises at 233 Lozells Road, Birmingham, B19 1RJ)

Aisha Tektimehr (Interpreter)

Sarah Jane Martin (Trainee Solicitor)

**On behalf of West Midlands Police**

PC Abdool Rohmon

**On behalf of Trading Standards**

Phil Quinn (Enforcement officer on behalf of Chief Inspector of Weights & Measures)

Martin Williams (Enforcement Officer)

Jerry Wintry (Enforcement Officer from Dudley Metropolitan Borough Council)

**On behalf of the Premises Licence Holder**

There was no-one present on behalf of the Premises.

Ms Swampillai, the Committee Lawyer pointed out that under Regulation 12 of the Licensing Hearings Act 2003 (Hearings) Regulations consideration needed to be given for an adjournment to allow adequate representation for all parties and in the public interest. The Chairman stressed that with regard to the principles of natural justice for both parties the request for an adjournment needed to be considered by the sub-committee thus enabling a clear and transparent hearing and the fairest way forward. The meeting was adjourned until 1100 hours to give the licence holder reasonable time to attend the meeting.

The Licence Holder was invited via a formal letter on the 26<sup>th</sup> December 2016 sent by Mr Nandhra on behalf of the Licensing authority. The Licence Holder was called twice at 1015 hours and 1045 hours. However, no response was received.

All parties were invited back at 1100 hours. The chairman requested comments from all parties that were present as to whether or not they felt the meeting should proceed in the Licence Holder's absence.

The Chief Inspector of Weights and Measures, the applicant for the review informed the Committee, the Licence Holder was invited to an interview at the Enforcement Office on 19<sup>th</sup> January 2017. The Chief Inspector of Weights and Measures assured the Committee that he had reminded the Licence Holder that he had to attend a Committee hearing on the 24<sup>th</sup> January 2017. The Chief Inspector of Weight and Measures alongside Enforcement Officer Jerry Wintry agreed that the meeting should go ahead as scheduled.

PC Rohmon on behalf of West Midlands Police stated that there are substantial grounds to carry on the meeting as the Licence Holder was not oblivious that he had to attend the meeting today. It was stressed by PC Rohmon that there are serious allegations of the licensing objectives being breached at these premises which should be addressed at this meeting and cannot be delayed any further.

Mr Thomas on behalf of his client, stated as a recipient of reviews in the past for various Licence Holders, it is clear the letter sent out to the Licence Holder by the licensing authority states that in the absence of the Licence Holder the meeting may proceed. On this basis, Mr Thomas believed reasonable attempts had been made to contact the Licence Holder and the meeting should ensue.

At 1111 hours the Chairman requested all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1114 hours all parties were recalled to the meeting and the Chair informed everyone present that after careful consideration the appellant had been well aware of the date and time of the meeting, it had been agreed by the Sub-Committee that it was in the public interest to continue with the meeting.

Following introductions by the Chairman, the main points of the report were outlined by Mr Nandhra, Licensing Section.

The Chief Inspector of Weights and Measures made the following points in respect of his representation and in response to Members' questions:-

1. On 19th October 2016, a co-ordinated exercise was taken alongside West Midlands Police, where numerous premises were inspected with the assistance of a dog handler that is trained to detect illicit and concealed tobacco.
2. The inspection revealed a total of 1652 packets of counterfeit and illicit cigarettes and 26 packets of illicit hand rolling tobacco
3. Majority of these products were found hidden in the ceiling cavity in the shop and a smaller amount behind the counter.
4. The premises did not comply with the Consumer Protection Act. All the items discovered were ceased.
5. At that time of the inspection the premises Licence Holder who is also listed as the current designated premises supervisor was not present.
6. On 20<sup>th</sup> October 2016 Nawaz Howla, the previous Licence Holder of the premises, stated that the counterfeit items belonged to him and that the current Licence Holder had no knowledge of these items being there.

7. Since February 2016 various reports have been received stating that the licencing objectives are being breached at the premises. West Midlands Police stated that CCTV footage showed alcohol been sold to drunk people.
8. Trading Standards have received anonymous information in regards to counterfeit cigarettes being sold as well as single cigarettes were being sold to children in July & November 2016 .
9. On 12<sup>th</sup> September 2016 officers of Birmingham Trading Standards attempted to make a test purchase. However, this operation had to be aborted as there were numerous drunken individuals loitering outside the premises. The officers believed that it would be unsafe to send the volunteer into the premises; therefore they believed that aborting the operation was the best course of the action.
10. The Sub-Committee were concerned that if intelligence was received that the licencing objectives were under a threat of being undermined, they questioned why there was a substantial delay in any action being undertaken by the responsible authorities. The Chief Inspector of Weights and Measures highlighted that the issue with these premises is that the tobacco is that well-hidden, a sniffer dog is required to locate exactly where the tobacco is. There were delays in obtaining a dog, the enforcement officers did not want to go the premises without a sniffer dog.
11. In regards to the test purchase both responsible authorities stated this was difficult as the environment the test purchaser is sent to can be hostile, especially with alcohol being sold to drunken people, the behaviour of these individuals can be unpredictable. In addition, it was stated that at times it is difficult to obtain a volunteer test purchaser.
12. The Sub- Committee were concerned that the why the counterfeit and illicit tobacco was not tested to see if the cigarettes contained dangerous chemicals allowing an insight to see how harmful they could be for the public. The Chief Inspector of Weights and Measures stated that due to resource issues and not having their own internal labs to carry out testing it was difficult to test illicit products.
13. The packets of cigarettes seized were from foreign countries therefore the warning signs were not in English and met the threshold of being a threat to public safety.

PC Rohomon, behalf of West Midlands Police, made the following points in respect of his representation and in response to Members' questions:-

1. It is transparent that there was clear intention for the illicit cigarettes and tobacco to be at the premises as they were situated underneath the counters and the cavity of the ceiling.

2. Illicit Tobacco does not have duty paid on it, and has the ability to undermine safety measures such as rising the age of sale to 18 and picture health warnings on packaging. The premises are selling single cigarettes to children and alcohol to drunk people.
3. Therefore the danger to children and public safety is paramount. The Licence Holder has failed to uphold the licencing objectives especially the prevention of crime and disorder and public safety, which have been severely been breached at these premises.
4. The Sub-Committee were concerned that there was foreseeable link between the previous Licence Holder, Mr Howla and the current Licence Holder, Mr Asakzai. As Mr Howla within twenty four hours of the inspection was willing to accept that the illicit products found were his. It is to be noted the previous Licence Holder had his licence revoked in June 2016.

Mr Thomas, behalf of his client Mahir Akhgul, made the following points in respect of his representation and in response to Members' questions:-

1. Mr Akhgul has his own licenced premises, which are in close proximity to International Supermarket. However, Mr Akhgul is concerned about other traders who do not operate in the law. A lot of customers had visited Mr Akhgul's shop and had asked to be sold cheap tobacco and cigarettes from foreign countries.
2. As the Sub-Committee were greatly concerned if there was a link from previous Licence Holders and the current Licence Holder, it came to light that a premise Licence Holder in Dudley, Mr Mishaati, had his licence revoked as the result of a review which unfolded large amounts of illicit tobacco.
3. It was apparent that Mr Mishaati is now an employee of Mr Asakzai at International Supermarket.
4. Mr Thomas presented the Committee with video footage, which has been served on all parties attending today including the Licence Holder. The footage was of three separate dates: 19/09/16, 29/09/16 and 24/10/16. In all these footages it transpired that different staff members including Mr Mishaati would bend down the till and produce illicit cigarettes, place them in a black opaque bag and pass the products on to customers. Emphasising, that the employees at International Supermarket had the full intention and knowledge that they were selling customers illicit and counterfeit products.
5. Still photographs of the video footages were also provided for Members to see. (See documents No.2)
6. Mr Thomas stressed that the actions of Mr Asakzai were not the actions of an honest and genuine retailer. Counterfeit and illicit products had been sold which did not belong to the brand holder advertised, did not meet the consumer protection act and no tax/duty had been paid of these products.

7. It is evident this is a multimillion pound enterprise and it is up most important that the Licensing Authority sends out a message that such criminal activities will not be tolerated.
8. The Sub-Committee questioned whether the representation made by Mr Akgul had some financial gain as it was unusual for another Licence Holder to take undertake such lengths to obtain video footage. Mr Thomas assured the Sub-Committee that the main concern was that the sale of illicit and counterfeit products were having a direct impact on a legitimate business.

Summing up Mr Thomas, reiterated the actions in the footage shown proves that there is clear intent in the trade of counterfeit and illicit products at these premises. The Licence Holder is seen engaging in these activities. This is an entrenched operation and that revocation is the only sensible outcome.

In summing up PC Rohmon stressed that there is strong evidence to reflect that these premises are being used for organised criminal activities, involving various premises to trade counterfeit and illicit products .On this basis the Sub-Committee was well in their grounds to revoke this licence.

Summing up, the Chief Constable of Weights and Measures stated that the supply of alcohol to premises is a privilege and not a right. The Licence Holder at these premises does not hold any real regard for the law. The Licence Holder was seen as not being a fit and proper person to sell alcohol. Therefore, the premises licence should be revoked.

At 1214 hours, the Chairman requested all present, with the exception of Members, the Committee Lawyer and the Committee Manager to withdraw from the meeting.

After an adjournment, all parties were recalled to the meeting at 1324 hours and the decision of the Sub-Committee was announced as follows:-

04/240117 **RESOLVED:-**

That, having reviewed the premises licence held under the Licensing Act 2003 by Mr Najibullah Asakzai, in respect of International Supermarket, 117 Villa Road, Birmingham, B19 1NH upon the application of the Chief Inspector of Weights & Measures, this Sub-Committee hereby determines that the licence be **revoked**, in order to promote the prevention of crime and disorder, the protection of children from harm, public safety and the prevention of public nuisance objectives in the Act.

The Sub-Committee's reasons for revoking the licence are due to concerns expressed by the Chief Inspector of Weights and Measures, who told the Members about the discovery of illicit and counterfeit cigarettes on the premises. They had been kept either in the ceiling cavity or in a hidden area underneath the counter, for sale to customers. An explanation that they were the property of someone else was not accepted. Information had also been received that



cigarettes had been sold to children, alcohol had been sold to persons who were already drunk, single cigarettes were on sale, the premises was suspected of being involved in the selling/ buying of stolen goods, and so on.

These issues were in direct contravention of the Licensing Objectives. To have a large quantity of illicit and counterfeit tobacco on the premises undermined the prevention of crime and disorder. In addition there were obvious safety concerns about the use of such products by customers. Regarding nuisance, Trading Standards officers who had intended to enter the premises noted that a crowd of drunks was outside, and that the premises attracts drunks. Regarding the protection of children from harm, information was received that the premises was selling cigarettes to children. A planned Test Purchase exercise to investigate this could not go ahead for safety reasons (due to the presence of a crowd of drunks outside the premises).

The Sub-Committee then heard from West Midlands Police who observed that the links between the current Premises Licence Holder and the previous Premises Licence Holder, which had become apparent, proved that there had been no real change between the old and new operation. Had the Police been aware of this link at the time, they would have taken issue with it. The Police observed that it was likely that the recent transfer application, to transfer the Premises Licence to a third party, would probably involve another person linked to former Premises Licence Holders. Describing the premises as “a blight on the area” due to the undermining of the prevention of crime and disorder, and public safety, objectives, West Midlands Police recommended revocation as the only correct course.

Representations were then made on behalf of other persons. The other persons agreed that the current and proposed Premises Licence Holders were linked. Details were also given about other premises in Dudley with which the current Premises Licence Holder has been involved, and where large quantities of illicit tobacco were also found. A current member of staff at the International Supermarket is the former PLH of the Dudley premises. The Members were presented with details of the sale of illicit cigarettes at the International Supermarket - namely that they are taken from an area underneath the till, and not from the normal cigarette gantry. Members were very concerned that the Premises Licence Holder should employ in his shop someone whose premises elsewhere had had its Licence revoked.

After hearing all the evidence, Members determined that the sale of illicit and counterfeit tobacco was so serious that it could not be tolerated. They were also concerned to hear of the links between the PLH and others who had already demonstrated that they would not uphold the Licensing Objectives. In view of the undermining of the crime and disorder objective, and also in particular the undermining of the protection of children from harm objective, Members felt that the only sensible course was revocation. The evidence showed illicit activity over a lengthy period, which had become an entrenched activity, and was conducted by a group of individuals who appeared to be closely linked.

Ordinarily the Members would have questioned the Premises Licence Holder directly, but he did not attend the hearing, despite a written invitation and a recent verbal reminder from the Chief Inspector of Weights and Measures; in addition,

reasonable attempts were made to contact him by telephone on the morning of the hearing, but they were unsuccessful. The Sub-Committee delayed the start of the hearing in order to give the Premises Licence Holder every opportunity to attend.

The Sub-Committee gave consideration as to whether it could modify the conditions of the licence, remove the Designated Premises Supervisor or suspend the licence for a specified period of not more than 3 months, but was not satisfied given the evidence submitted that the licensing objectives would be properly promoted following any such determination.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the application for review, the written representations received and the submissions made at the hearing by the Chief Inspector of Weights & Measures, Trading Standards, West Midlands Police, and also by those representing other persons.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision. The determination of the Sub-Committee does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the appeal is disposed of.

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05/240117 **OTHER URGENT BUSINESS**

There was no urgent business

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The meeting ended at 1330 hours.

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CHAIRMAN

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee B</b>
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Tuesday 7<sup>th</sup> March 2017</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>Shenley Green Stores, 2-3 Shenley Green, Birmingham, B29 4HH</b>
<b>Ward affected:</b>	<b>Weoley</b>
<b>Contact Officer:</b>	<b>David Kennedy, Principal Licensing Officer, 0121 303 6920, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

<b>1. Purpose of report:</b>
<p>To consider relevant 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 7:00am until 9:00pm (Monday to Sunday).</p> <p>Premises to remain open to the public from 7:00am until 9:00pm (Monday to Sunday).</p>

<b>2. Recommendation:</b>
<p>To consider the representations that have been made and to determine the application.</p>

<b>3. Brief Summary of Report:</b>
<p>An application for a Premises Licence was received on 16<sup>th</sup> January 2017 in respect of Shenley Green Stores, 2-3 Shenley Green, Birmingham, B29 4HH.</p> <p>Representations have been received from other persons.</p>

<b>4. Compliance Issues:</b>
<b>4.1 Consistency with relevant Council Policies, Plans or Strategies:</b>
<p>The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.</p>

<p><b>5. Relevant background/chronology of key events:</b></p> <p>Thangarajah Kamalakannan applied on 16<sup>th</sup> January 2017 for the grant of a Premises Licence for Shenley Green Stores, 2-3 Shenley Green, Birmingham, B29 4HH.</p> <p>Representations have been received from other persons. See Appendices 1 – 13.</p> <p>The application is attached at Appendix 14.</p> <p>Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 15.</p> <p>Site Location Plans at Appendix 16.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ul style="list-style-type: none"> <li>a. The prevention of crime and disorder;</li> <li>b. Public safety;</li> <li>c. The prevention of public nuisance; and</li> <li>d. The protection of children from harm.</li> </ul>
<p><b>6. List of background documents:</b></p> <p>Copy of the representations as detailed in Appendices 1 – 13</p> <p>Application Form, Appendix 14</p> <p>Conditions agreed with West Midlands Police, Appendix 15</p> <p>Site Location Plans, Appendix 16</p>
<p><b>7. Options available</b></p> <p>To Grant the licence in accordance with the application.</p> <p>To Reject the application.</p> <p>To Grant the licence subject to conditions modified to such an extent as considered appropriate.</p> <p>Exclude from the licence any of the licensable activities to which the application relates.</p> <p>Refuse to specify a person in the licence as the premises supervisor.</p>

Entered BV



20 January 2017

Birmingham City Council  
Licensing Section  
PO Box 17013  
Birmingham  
B6 9ES

Bournville Lane  
Bournville  
Birmingham B30

Dear Sirs

**LETTER OF OBJECTION  
ALCOHOL LICENCE APPLICATION  
APPLICATION REF: 100337  
2/3 SHENLEY GREEN, SELLY OAK, BIRMINGHAM. B29 4HH**

I write on behalf of Bournville Village Trust (BVT), which manages and maintains the Bournville Estate. The Estate includes the parade of shops in Shenley Green, where the above store has applied to sell alcoholic drinks.

Bournville was created by George Cadbury, the Quaker, philanthropist and chocolate maker, as a model village in 1893, with BVT formed in 1900 to act as a custodian for the village.

In today's terms, he set out to create a sustainable community and this now covers some 1,000 acres in South Birmingham, comprising some 8,000 homes and a population of about 25,000 people.

Our founder wished for Bournville to be free from off-licences and pubs and we have upheld this wish since 1900. We have previously consulted on the issue and the overwhelming majority of residents have expressed a desire for the village to remain alcohol free.

This letter of objection is not, however, based solely on a philosophical argument against alcohol, but also on the incidences of anti-social behaviour, which the area has been experiencing recently.

This behaviour is usually drink related and frequently involves under age drinkers. This has been a regular occurrence and the remedy has been a multi-agency approach with ourselves, residents, Police, the Local Authority and local Councillors.

This combined action has seen an Alcohol Restriction Zone declared for the Shenley Area, which includes the store from which the Alcohol Licence application has been made.



INVESTORS  
IN PEOPLE

Chairman of Trustees: Duncan Cadbury MSc, DSW, CQSW  
Chief Executive: Peter Roach B.A., IPFA  
Registered Charity No. 219260  
Registered Housing Association No. L0702

Continued... ..(2)

I am sure the shop tenant of 2/3 Shenley Green is a responsible business owner, however those wishing to cause trouble seemingly have no difficulty in obtaining alcohol. To permit this store to sell alcohol in the Alcohol Restriction Zone we believe will lead to more nuisance, anti-social behaviour and disruption to local residents.

In addition, the premises is on the same parade of shops as an active children's nursery and church, and near to a park, which could become a gathering point for drinkers if this application was to be granted.

I should add that the applicant leases the shop premises from the Trust. A standard clause within such leases prohibits the sale of alcohol, but in this particular case that particular clause appears to have been omitted when the lease was last renewed in 2007.

We are investigating why that was the case, but can only assume at this stage that it was a genuine error on our part.

In all the circumstances outlined above, we wish to lodge our opposition to this application in the strongest possible terms and would welcome the opportunity to discuss it with you direct.

Yours sincerely

Bournville Village Trust

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**From:**  
**Sent:** 21 January 2017 21:58  
**To:** Licensing  
**Subject:** Grocery store 2-3 shenley green Selly Oak B29

I write regarding the application of a alcohol licence at the grocery store at Shenley Green B29  
This local shopping area is owned and managed by Bournville Village Trust, who have a no  
alcohol agreement within their area  
this rule has helped to maintain a safe and pleasant environment for the local community  
I live on the BVT estate and frequent the shops and businesses in that area

I object to the granting of a alcohol licence to a store in Shenley Green because,  
a: the store would obviously stay open much later into the evening  
b: there are several off licences within walking distance  
c: next door to a church and near to a school.  
d: more litter.

This is a very quiet area at night and there are a number of dark corners in this area which could  
attract ASB  
regards

Long Mynd Rd  
B31

## Appendix 3

Entered  
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**From:**  
**Sent:** 20 January 2017 23:56  
**To:** Licensing  
**Subject:** 2-3 Shenley Green, Selly Oak, Birmingham B29

I would like to object to the application for an alcohol licence for these premises.

It is inappropriate for the following reasons:

- 1) The proprietor is a tenant of Bournville Village Trust land and the estate is supposedly alcohol free
- 2) There are plenty of alternative outlets locally
- 3) Proximity of schools
- 4) Proximity of Church
- 5) Increased Anti-Social Behaviour
- 6) Increased litter

Regards,

This electronic transmission (including documents attached) is strictly confidential and intended solely for the addressee. If you are not the intended addressee, you must not disclose, copy or take any action in reliance of this transmission. If you have received this transmission in error it would be appreciated if you could notify the sender as soon as possible. Any contractual representations contained herein must not be taken as final and are entirely subject to contracts signed formally by an authorised representative.



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**From:**  
**Sent:** 20 January 2017 15:08  
**To:** Licensing  
**Subject:** Shenley Green b31

i would like to lodge my objection to selling alcohol from a shop on shenely Green.

I do this purely on the basis that we have enough alcohol sellers in the area. We have the Highlander pub only 300 yds from this shop and the Weoley castle pub too in the other direction. Both of which i think are struggling to survive.

We have 2 shops already selling alcohol within 400yds on Merritts Hill We have Tesco Express and Sainsbury about 1mile away so we are already well served with places to buy booze and don't need anymore. It concerns me greatly that if this license is granted then ASB and litter will increase in the area of the church (a place of refuge and peace) the doctors surgery and old folks houses . Further people walking away with drink will discard the packaging and empty cans in peoples drives, hedges and on the road. This already happens around the 2 existing shops selling alcohol on merritts hill nearby.

Shenley School is not far away and the Shenely green already provides a focus for children and yoofs whose behaviour at times is not nice...let alone if they get their hands on booze.

Also it can do no harm to those who really want to drink to have to walk to get it. Certainly that's in line with BCC healthy citizens objectives and this license certainly is not,

REGULATION & ENFORCEMENT	WIRRAL ROAD
LICENSING SECTION	NORTHFIELD
DATE RECEIVED	BIRMINGHAM B31
	1ST FEB 2017
REF: DRINKS LICENSE SHERLEY GREEN	
INITIALS	

Dear Sir

I wish to raise an objection to the application for a drinks licence by the messagent on Sherley Green. My 2 main reasons are as follows:-

(1) - Sherley Green has suffered in the past because of small groups of youths congregating there and behaving in abusive and intimidating actions, such as swearing and trying to shine laser pens & bright lights into the eyes of drivers parked there on Young Green Meadow Road. We do not need to add alcohol to the situation.

(2) There are a number of local shops that serve alcohol

Tayfield Road  
Castle Square

Merrits Brook

these are all within walking distance

The shop concerned is on BVT land and I see no reason why the long established ban on shops selling alcohol on BVT land should be broken.

I hope you will give my objection due consideration

Regards

Clun Road  
Northfield  
Birmingham  
B31

8<sup>th</sup> February 2017

To the Licensing Authority  
Birmingham City Council

We have only just been made aware that Thangarajah Kamalakannan trading as SMS Express Newsagents situated at 2/3 Shenley Green, B29 has applied for a license to sell alcohol on their premises.

We would vehemently object to this license being granted on several grounds.

To begin with, there are already several outlets for the purchase of alcohol less than half a mile away, and even more within a mile radius.  
There is a Nursery only a few metres away from this store.  
A church hosting a playgroup, Scouts & Guides also only a few metres away.  
The Church also holds various meetings for young people and for the elderly.  
Just across the dual carriageway there is an Alcohol Free zone.  
Local residents are already blighted by illegal bike riders and racing vehicles, without having alcohol fuelled incidents to cope with as well.  
There has already been vandalism on the church and shops, and other local buildings etc. including, for instance, post boxes being glued.  
Anti Social behaviour. There is enough noise from groups of youngsters and the said bikers, that sometimes goes on way into the early hours.  
This store is adjacent to an extremely busy dual carriageway.  
Public Nuisance – There are flats above the shops on the Green and old peoples bungalows only a few metres away.  
There have been several occasions when children stand around and ask adults to buy them cigarettes (I have been approached myself), what will happen if they think they have access to alcohol?

You will also be aware that these premises are on Bournville Village Trust land, where, historically, the selling of alcohol is banned. Many living on this estate do so because we value this and the way that the Estate is run. We would not wish for this to change.

We have only just been made aware of this application being made, so we can imagine that many in the local area have no knowledge of this. True, there is a notice in the store, but I imagine that many of the elderly people, as I said, there are many elderly living just a very short distance away, who shop there would not even notice it.

We have found the owners to be polite but totally incompetent, and have had to complain almost weekly since these people took over. I understand that we are not the only people who have found this, and have heard many complaints from various people.

Need we say more? We would hope that you will take these objections into account as they form the views of many living in the nearby area.

Yours truly,

Entered

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**From:**  
**Sent:** 12 February 2017 15:46  
**To:** Licensing  
**Subject:** Application for drinks license

Application for alcohol licence, Shenley Green, Selly Oak, B29

I wish to give notice of my objection to the above, also that of my husband, , for the following reason

Prevention of crime and disorder - we think sale of alcohol in this quiet location would lead to increase of disorder and disruption

Protection for children from harm - Green Meadow primary school and Shenley Court Acaademy are in close proximity and have access to this shop. Also in the evenings youth groups meet at St Davids Church, ages from 5 - 16,

Prevention of public nuisance - we wish to protect what is at present a quiet area surrounding the church and housing predominant for elderly people. Bournville Trust try to make this a safe environment.

The above objections are made on behalf of friends and neighbours also

Green Meadow Road,  
B29

## Appendix 8

*Spiceland Road,  
Northfield,  
Birmingham B31*

8<sup>th</sup> February 2017

Birmingham City Council,  
The Licensing Section,  
PO Box 17013  
BIRMINGHAM B6 9ES

BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED
16/02/2017
REF NO <i>Enrcep</i>
INITIALS <i>B</i>

Dear Sir,

**Application for Sale of Alcohol Licence – 2-3 Shenley Green B29 4HH**

As long-standing residents of this area we have become aware of the above application being made by one Thangarajah Kamalakannan who I believe has very recently taken this shop over. I was surprised to find that there seem only to be two notices advising of this application, one on the door of the premises at knee level, and the other some feet away at eye level, partly obscured by a down pipe, thus likely to be missed by many.

However, we do wish to record our strongest objection to this application on the following grounds:

This shop is one of a group of seven on Shenley Green which is within Bournville Trust land and is administered by them. I am assured by BVT this morning that their stated policy is that no sale of alcohol is permitted within the boundaries of the Trust. This has been the case for many years and is very highly regarded by residents. For those who wish to purchase alcohol there are already three outlets selling alcohol within ten minutes' walk of Shenley Green, all outside the boundaries of Trust land.

Shenley Green is bounded on one side by a very busy dual carriageway, the land around the shops is quite sloping, with steps giving access from one side, landscaped, paved with seats, trees, well used parking and other facilities making it a safe place for children and elderly or disabled folk to use. Immediately around the Green are a Registered Nursery, a Church and its hall which host many group activities including children's activities during the daytime and evening hours, a doctor's surgery, and a group of old people's bungalows, not to mention flats over the premises themselves. It is also well used by mothers and children walking to and from an infant and junior school only a couple of hundred yards away.

In summary, I strongly believe that this site is completely unsuited to the granting of the requested licence, would risk badly affecting the local area, causing considerable danger to the many vulnerable people who currently use the facilities, and the consequent policing of the locality. I therefore formally request that the application should be refused.

Yours faithfully,

BCC		6. FEBRUARY 2017.
REGULATION & ENFORCEMENT		
LICENSING SECTION		
DATE RECEIVED		
REF NO		SHENLEY GREEN
INITIALS		SEELY OAK
		B. 29

DEAR SIRS,

RE: APPLICATION TO SELL ALCOHOL (LICENCE)  
SHENLEY GREEN SUPERMARKET.

WE ARE WRITING TO YOU REGARDING THE  
 ABOVE APPLICATION, HOPING THAT IT WILL BE  
 DENIED BY YOURSELVES.

WE ARE THE SHOPS  
 ON SHENLEY GREEN, HAVING LIVED HERE FOR  
 OVER 15 YEARS, AND FEEL THAT THIS LICENCE  
 WILL AFFECT OUR QUALITY OF LIFE IF GRANTED.  
 WE ALREADY HAVE PROBLEMS WITH YOUTHS USING  
 OUR STAIRWELL TO SMOKE TABACCO AND DOPE,  
 LEAVING LITTER ETC FROM FOOD AND CONFECTIONARY  
 AND USING IT AS A TOILET ON OCCASSIONS.  
 WE ARE ALSO CONCERNED THAT THE BENCHES  
 OUTSIDE WILL BE  
 USED BY PEOPLE CONSUMING ALCOHOL,  
 CAUSING ANTISOCIAL BEHAVIOUR ETC. AT  
 ALL TIMES OF THE DAY AND NIGHT.

BOURNVILLE VILLAGE TRUST HAS ALWAYS  
HAD A POLICY OF NO ALCOHOL SALES  
ON THEIR ESTATES AND WE FEEL IT'S  
INTRODUCTION WOULD CAUSE A GENERAL  
DECLINE IN THE STANDARDS OF THE AREA.

YOURS FAITHFULLY

P.S. THIS LICENCE IS FOR THE SALE OF  
ALCOHOL FROM 7AM - 9PM. I WOULD  
JUST LIKE TO SAY I HAVE TO GET UP  
AT 4AM IN THE MORNING AND THE  
SUPERMARKET IS ...

... , SO I WOULD BE  
UNABLE TO SLEEP IF THE HOURS WERE  
EXTENDED FOR ALCOHOL PURCHASES.



BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED  18/02/2017 EXTENDED INITIALS
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Clen Road,  
Northfield,  
Birmingham  
B31

8.2.2017

Dear Sir,

It has come to my notice that the owner of S.M.S. Express, Shenly Green have applied for a license to sell alcohol. I, along with others on this estate, object to this application. Most of us chose to live on Bournville Trust Land as it is well managed by B.V.T. and the Cadbury family deemed that it would be free from public houses and off license premises.

Alcohol is available in outlets within easy walking distance from the estate, so there is absolutely no reason for it to be sold on Shenly Green.

We all wish to keep this an alcohol free zone. In recent years B.V.T. has done a lot of work on Shenly Green, including security lighting, which has resulted in youths no longer playing football late in the evening and disturbing families

who live above the shops.

On the Green there is a children's nursery, playgroup, bungalow for elderly people and in the evening groups for cubo, scouts and other societies. When the meetings end for those involved, they do not want to find youths drinking or possibly drunk hanging around the shopping area. It could lead to bottles and cans being discarded in the area - a danger and a detriment to a beautiful area.

Yours sincerely,

11

BCC  
REGULATION & ENFORCEMENT  
LICENSING SECTION  
DATE RECEIVED

13/5/2017  
*Entered*

---

REF NO \_\_\_\_\_  
INITIALS \_\_\_\_\_

Holly brow  
Selly Oak  
Birmingham  
B29  
10th Feb. 2017

Dear Sir / Madam  
Licensing Section BCC

Licensing Act 2003 Premises Licence (Grant)  
Re. Shenley Green Stores, 2-3 Shenley Green, B29 4HH

I object to the licence application as above  
on the following grounds.

- a) The Prevention of Public Nuisance  
We already have people congregating at  
Shenley Green. Local availability of alcohol  
could cause a public nuisance.
- b) The Protection of Children from harm  
There is a Childrens Nursery at Shenley Green  
Also a 'Small World' group of under school aged  
children meet in the Church Hall. Any person  
intoxicated by drink (alcohol) would cause a  
threat to the children.

Yours faith fully

## Appendix 12

Entered

21

---

**From:**  
**Sent:** 13 February 2017 11:52  
**To:** Licensing  
**Subject:** objection

I am writing to object AT 2/3 Shenley green having a licence to sell alcohol, on the grounds of anti-social Behaviour.  
An alcohol restriction zone was declared, for the Shenley area.  
There is plenty of shops to buy from in the B31 1NU AREA.

ENTERED  
R

---

**From:**  
**Sent:** 13 February 2017 23:37  
**To:** Licensing  
**Subject:** Application for licence to sell alcohol at 2/3 Shenley Green

Dear Sir/Madam,

**LETTER OF OBJECTION TO ALCOHOL LICENCE APPLICATION, APPLICATION REF:  
100337**

**2/3 SHENLEY GREEN, SELLY OAK, BIRMINGHAM. B29 4HH**

As a resident on the Bournville Village Trust estate, a local representative on the Estate Management Scheme Committee, a member of the Shenley Network and a Lay Reader at St David's Church, Shenley Green, I wish to strongly oppose the granting of a licence to sell alcohol at the premises listed above.

I have consulted with over 60 people who either reside in the local area or attend services or other activities at the Church or other venues on Shenley Green and all have expressed the view that the awarding of the licence would be undesirable on the grounds that it would irrevocably change the nature of the area, giving rise to Public Nuisance of litter, noise and potential anti-social behaviour.

They are also concerned because the area is much used by children and young people on their way to and from 2 schools, a near-by Youth Centre and activities such as Scout and Guide meetings which take place 4 nights a week at the Church Hall. There is also a Day Nursery who regularly take their children out for walks in the local area and a Mother and Toddler Group which meets 3 times a week. Accompanied children could be absorbing a bad example of unhealthy living and unaccompanied youngsters be at additional risk from people consuming alcohol around the shop and being the worse for it.

The area has already been designated an Alcohol Restricted Zone, to discourage the crime and disorder that used to take place in the Church Car Park and has been the better for it.

Having lived for 42 years on the edge of the estate, where there is a Public House and a shop with a licence within a short distance, I concur with these views as I am very aware of the difference in character between the areas where alcohol is readily available to purchase and take away and where it is not.

Bournville Village Trust placed a restriction on the sale of alcohol on their land from the very beginning of the development in order to promote quiet enjoyment of the area for the residents and I and all those whom I have met who come to live on the estate know this, appreciate what it delivers and wish it to continue.

Yours faithfully,

Long Mynd Road, Northfield, B31



**Birmingham**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[licensingonline@birmingham.gov.uk](mailto:licensingonline@birmingham.gov.uk)  
 Telephone: 0121 303 9896

\* required information

**Section 1 of 19**

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

Not Currently in Use

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

Your reference

SHENLEY GREEN

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

THANGARAJAH

\* Family name

KAMALAKANNAN

\* E-mail

Main telephone number

Include country code.

Other telephone number

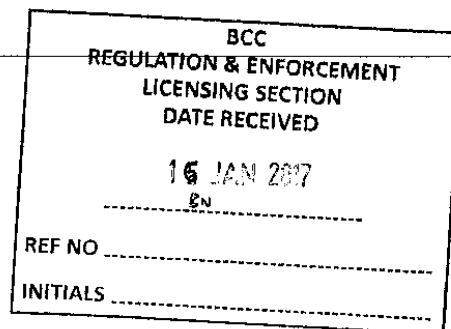
☒ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☐ 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.



Continued from previous page...

**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"/>

**Agent Details**

* First name	<input type="text" value="ANIL"/>
* Family name	<input type="text" value="BHAWSAR"/>
* E-mail	<input type="text"/>
Main telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

include country code.

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

Are you:

- ☐ An agent that is a business or organisation, including a sole trader
- ☒ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Your Address**

Address official correspondence should be sent to.

* 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"/>

**Section 2 of 19**

**PREMISES DETAILS**

**Continued from previous page...**

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	<input type="text" value="2-3"/>
Street	<input type="text" value="SHENLEY GREEN"/>
District	<input type="text"/>
City or town	<input type="text" value="BIRMINGHAM"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="B29 4HH"/>
Country	<input type="text" value="United Kingdom"/>

**Further Details**

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="10,750"/>



**Section 3 of 19****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company
- ☐ A partnership
- ☐ An unincorporated association
- ☐ 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
- ☐ Other (for example a statutory corporation)

**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 19****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

THANGARAJAH

Family name

KAMALAKANNAN

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No

Continued from previous page...

### Applicant Postal 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

Add another applicant

## Section 5 of 19

### OPERATING SCHEDULE

When do you want the premises licence to start?

15	/	02	/	2017
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

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.

Provide a general description of the premises

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.

THE STORE IS CURRENTLY A GROCERY NEWSAGENT CONVENIENCE STORE LOCATED IN A PARADE WITH OTHER TYPES OF BUSINESSES IN A RESIDENTIAL AREA . ANY ALCOHOL SOLD ,WILL BE FOR CONSUMPTION OF THE PREMISES

*Continued from previous page...*

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 19**

**PROVISION OF PLAYS**

Will you be providing plays?

☐ Yes ☒ No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

☐ Yes ☒ No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

☐ Yes ☒ No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

☐ Yes ☒ No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

☐ Yes ☒ No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

☐ Yes ☒ No

**Section 13 of 19**

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

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

☐ Yes ☒ No

Continued from previous page...

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

☐ Yes

☒ No

**Section 15 of 19**

**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

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

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...**

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

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

Continued from previous page...

### 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 19

#### 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.

NONE

### Section 17 of 19

#### 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.

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 07:00

End 21:00

Start

End

SUNDAY

Start 07:00

End 21:00

Start

End

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 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.

--

#### Section 18 of 19

##### 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.

ANY ALCOHOL SOLD WILL BE SOLD WITH IN THE LAW OF THE LICENCING ACT 2003 ,ALL ALCOHOL WILL BE SOLD WITH DUTY OF CARE AND ATTENTION AND THE APPLICANT IS PROPOSING TO BE A REPOSNSIBLE RETAILER

b) The prevention of crime and disorder

PROVIDE A CAMERA SYSTEM THAT COVERS 30 DAYS RECORDING.  
RECORDINGS WILL BE MADE AVAILABLE TO POLICE,SHOULD THEY BE REQUIRED.  
ALL STAFF SERVING ALCOHOL WILL BE TRAINED EVERY 12 MONTHS .  
A REFUSALS BOOK WILL BE USED TO RECORD DETAILS , KEPT BEHIND COUNTER.  
PHOTO ID WILL BE CHECKED TO PREVENT UNDER AGE SALES.

c) Public safety

USE ADEQUATE AND APPROPRIATE LIGHTING. MAKE SURE ALL AREAS AVAILABLE TO CUSTOMERS ,ARE CLEAN AND CLEAR.  
NOT OBSTACLES ON FLOOR TO CAUSE ACCIDENTS INSIDE STORE



Continued from previous page...

d) The prevention of public nuisance

REFUSE TO SERVE CUSTOMERS CAUSING ANTI SOCIAL BEHAVIOUR , MINIMISE NOISE WHEN REMOVING DUSTBINS FOR RESUSE COLLECTION

e) The protection of children from harm

CHALLENGE 21 SCHEME WILL BE USED

LOG REGISTER/REFUSAL BOOK AND TRAINING BOOK WILL BE USED AND KEPT BEHIND COUNTER

USE 'NO I.D. NO SALE' POSTERS .

ACCEPT ONLY GOVERNMENT APPROVED I.D. PROMOTE AND OBTAIN PROOF OF AGE SCHEME LEAFLETS .

THE ABOVE WILL BE OBTAINED FROM THE TRADING STANDARDS DEPARTMENT

#### Section 19 of 19

#### 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 [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

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 (£)

190.00

#### DECLARATION

**Continued from previous page...**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

☒ 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 ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="SHENLEY GREEN"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 Next >



## Appendix 15

**From:** greenhill licences [1]  
**Sent:** 19 January 2017 22:32  
**To:** bw licensing  
**Subject:** Re: Shenley Green Stores, Application for a premises licence

Dear Adam,

The applicant has agreed with your recommendations. Thank you.

Regards,

Greenhill Licences

---

**From:** bw licensing  
**Sent:** 19 January 2017 14:13:29  
**To:** 'greenhill.licences'  
**Subject:** Shenley Green Stores, Application for a premises licence

FAO Anil Bhawsar,

I have received and will be dealing with your application for the above premises licence.

I would like the following operating conditions to form part of the premises licence:

***CCTV to be installed and maintained to the satisfaction of West Midlands Police. The CCTV system to be in full working order at all times when the premises are open for licensable activities.***

***The CCTV system shall record and store images for a minimum of 28 days. Images to be made available to West Midlands Police and Local Authority officers upon request.***

***An incident log book will be kept and maintained on the premises, and will be made available for inspection by West Midlands Police and any other responsible authority.***

***A refusal log to be maintained at the premises which will be available for inspection by any of the responsible authorities. Staff to record all refusals of sale of alcohol.***

***The premises shall adopt the Challenge 25 Scheme and appropriate signage will be placed at the entrance to the premises and adjacent to the bar servery.***

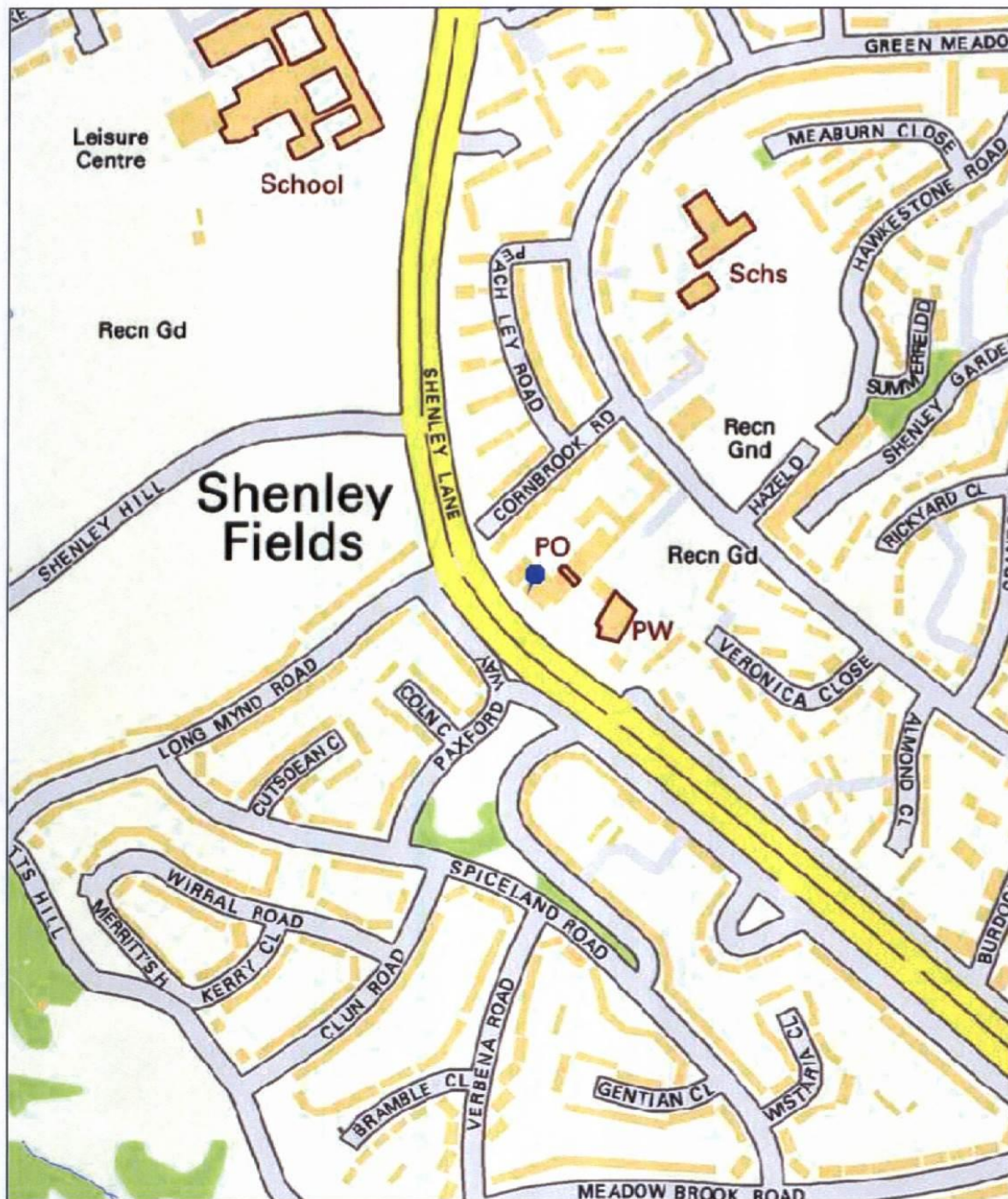
***Members of staff will receive regular training in their responsibilities under the Licensing Act 2003, to include use of the proof of age scheme adopted by the premises. Such training to be documented and records shall be retained at the premises and produced to responsible authorities upon reasonable request.***

Can you please discuss these with your client and ask if they agree to these conditions.

Regards  
ADam

Adam Mroczkowski 55096  
West Midlands Police  
Licensing & Regulatory Services Officer  
Birmingham Licensing Department

Website: <http://www.west-midlands.police.uk/>



Map Created By:

Notes

Date of Map Creation: 16/02/2017



Scale:  
1:4,000

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**Birmingham City Council**

Map Created By:

**Notes**

Date of Map Creation: 16/02/2017



Scale:  
1:1,250

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