



Walsall Council

Document Pack

Licensing Sub – Committee

5 April 2023 at 10:30am

Nisa Local, 152 Beacon Road,

Great Barr, B43 7BN

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REPORT OF THE DIRECTOR OF RESILIENT COMMUNITIES TO THE

LICENSING SUB – COMMITTEE

1 MARCH 2023

APPLICATION FOR A PREMISES LICENCE VARIATION

UNDER SECTION 34 OF THE LICENSING ACT 2003

**Nisa Local
152 Beacon Road
Great Barr
B43 7BN**

1. Summary of Report

- 1.1. The purpose of this report is for the Licensing and Safety Sub-Committee to determine an application for the variation of a premises licence in respect of Nisa Local, 152 Beacon Road, Great Barr, B43 7BN. The premises is described as a convenience store and seeks permission to extend the sale of alcohol by 1 hour at the start of the day and by 3 hours towards the close of business.
- 1.2. The licence holders (M & M Family 9 Limited) also seek to add of Late Night Refreshment from 23:00 – 01:00 to sell hot pies, savouries, soup and hot drinks.
- 1.3. The licence holders also look to replace existing conditions with new conditions.
- 1.4. Prasanna Ganeshalingam is specified as the Designated Premises Supervisor.
- 1.5. During the consultation period, the Licensing Authority received 17 representations from 'Other persons' and also a representation from West Midlands Police objecting to the grant of the variation.

2. **Options**

- 2.1. The Sub-Committee is required to hold a hearing to consider the application and relevant representations and determine whether to:
- grant the variation as applied for;
 - grant the variation with modifications or conditions; or
 - refuse the variation application.

3. **Background Information**

- 3.1. The current premises licence is attached as **Appendix 1**. Currently the premises is licensed to sell alcohol for consumption off the premises Monday to Sunday 08:00 – 22:00.
- 3.2. The current premises licence was granted on the 1 September 2008. M & M Family 9 Limited have held the premises licence since 5 December 2022.
- 3.3. The application for variation was received by the Licensing Authority on the 4 January 2023. A copy of the application is attached as **Appendix 2**.
- 3.4. A summary of the variation and current licensable activities and times applied for is provided in the table below:

Licensable Activities/ Opening Hours	Days	Current	Proposed
Sale of alcohol for consumption off the premises (only)	Monday to Sunday (inclusive)	08:00 – 22:00	07:00 – 01:00
Late Night refreshment	Monday to Sunday (inclusive)	N/A	23:00 – 01:00
Hours open to public	Monday to Sunday (inclusive)	08:00 – 22:00	06:00 – 01:00

- 3.5. The variation also seeks to remove the conditions of the current licence and replacing them with conditions as per the application. A list of all the conditions to be removed, and all proposed conditions can be found in **Appendix 3**.

- 3.6. In accordance with regulations the application was served on all the statutory 'responsible authorities'.
- 3.7. The Licensing Act 2003 specifies that new premises licence applications must be advertised in the following ways:
- a) by way of a blue site notice displayed at or on the premises for a statutory consultation period of 28 consecutive days starting on the day after the day on which the valid application was given to the Licensing Authority. The last day for representations was **01 February 2023**.
 - b) by publishing a licensing notice in a newspaper (or similar) circulating within the area of the premises, by the tenth working day of the consultation period; and
 - c) by publication of a notice on the Licensing Authority's website for no less than 28 days during the consultation period.
- 3.8. This combination of requirements ensures that 'other persons', regardless of their status or geographic proximity to the premises, are aware that an application for a premises licence has been made and of their right and opportunity to comment, should they wish to do so.
- 3.9. The blue notice was displayed and the newspaper notice published in accordance with the requirements of the Licensing Act 2003.
- 3.10. Any responsible authority, or other person, may submit a representation to the Licensing Authority, however generally only relevant representations received during the advertised consultation period may be considered when determining the application.
- 3.11. The applicant has nominated herself as the Designated Premises Supervisor (DPS). She holds a personal licence with Walsall Council.

4. Representations

4.1. Representations/Responses from Responsible Authorities

The Licensing Authority received the following responses to the consultation from responsible authorities:

Community Protection

On the 5 January 2023, Walsall Council's Community Protection team responded with no comments to the application. A copy of the response is attached as **Appendix 4**.

West Midland Fire Service

On 17 January 2023, West Midland Fire Service confirmed that they had no comments or concerns in respect of the application. The email response is attached as **Appendix 5**.

West Midlands Police

On 5 January 2023, the Police Licensing Officer confirmed that West Midlands Police will be objecting to this variation and the applicant have been advised prior to the submission of this variation, the Police would not support such an application. A copy of the email is attached as **Appendix 6**. West Midlands Police submitted their representation objecting to the grant of the variation on the 25 January 2023. A copy of the representation is attached as **Appendix 7**. West Midlands Police believe that the granting of the variation would undermine the following Licensing Objectives:

- The prevention of crime and disorder;
- The prevention of public nuisance; and
- Public safety.

The police representation refers to:

- On going problems of Crime & Disorder and Anti-social behaviour;
- Area is known meeting place for youths;
- Youths congregating in the area harassing members of the local community.
- Location is a hot spot for vehicles to frequent with occupants engaging in drinking alcohol and consuming illegal drugs of an evening.
- Various assaults in area, vehicles being attacked and stolen.

Other responsible authorities

No comments were received from any other responsible authorities in relation to this application.

4.2. Representations from ‘other persons’

The Licensing Authority are in receipt of 17 representations from ‘other persons’ objecting to the grant of the variation on the grounds of Crime & Disorder, Public Nuisance and Public Safety. Copies of the representations are attached as **Appendix 8**.

5. **Walsall Council Licensing Policy** (in effect from September 2021)

A copy of the council's statement of licensing policy can be found by following the link below:

[Statement of licensing policy | Walsall Council](#)

- 5.1. **Appendix 9** is a plan outlining other licensed premises within 100 metres of Nisa Local, 152 Beacon Road. This also includes the type of premises and also the licensed hours permitted for the premises within close proximity of Nisa Local.

6. **Resource Considerations**

- 6.1. **Financial:** Application fees are set by central government and are non-refundable. The Licensing Authority would have to cover the cost of any successful appeals made to magistrate's court.
- 6.2. Any decision taken by the Licensing Authority may be appealed to the Magistrates' Court. The Licensing Authority would have to bear the costs of defending such an appeal.
- 6.3. **Legal:** Any representations received must be relevant to the likely effect on the promotion of the licensing objectives in respect of the application received, namely: Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, Protection of Children from Harm. Representations, which are not relevant, must be rejected.
- 6.4. The Licensing Authority upon receipt of relevant representations and only if it is considered to be appropriate to promote the licensing objectives may consider attaching additional conditions, modifying existing conditions as given in the operating schedule, or to reject the application.
- 6.5. Any conditions further imposed by the committee must be appropriate and should be tailored to the size, style, characteristics and activities taking place at the premises. They should not be merely aspirational and should not go further than what is needed for that purpose.
- 6.6. Walsall Council has stated that at all times the Licensing Authority will try to strike a fair balance between the benefits to the community of a licensed venue and the risk of disturbance to local residents.
- 6.7. The Licensing Sub Committee must have due regard to the licensing authorities licensing policy statement and the statutory guidance issued under section 182 of the Licensing Act 2003.

7. Relevant Extracts from Section 182 Guidance:

- 7.1. The section 182 guidance issued under the Licensing Act 2003 states: *“Licensing authorities should look to the police as the main source of advice on crime and disorder.”*
- 7.2. *1.17 - Each application must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.*
- 7.3. *2.7 - Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning.*
- 7.4. *2.15 - The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.*
- 7.5. *2.16 - Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.*
- 7.6. *2.8 - A number of matters should be considered in relation to public safety. These may include:*

- Fire safety;
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
- Considering the use of CCTV in and around the premises (this may also assist with promoting the crime and disorder objective).

- 7.7. 3.12 - Schedule 2 to the 2003 Act provides a definition of what constitutes the provision of late night refreshment. It involves the supply of 'hot food or hot drink' between the hours of 23.00 and 05.00 to the public for consumption on or off the premises. It includes the supply of hot food or hot drink between those hours on premises to which the public has access. Under Schedule 2, food or drink is considered to be 'hot' if, before it is supplied, it has been heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and at the time of supply it is above that temperature; or after it is supplied, may be heated on the premises for the purpose of enabling it to be consumed at a temperature above the ambient air temperature.
- 7.8. 3.14 - Some premises provide hot food or hot drink between 23.00 and 05.00 by means of vending machines. The supply of hot drink by a vending machine is not a licensable activity and is exempt under the 2003 Act provided the public have access to and can operate the machine without any involvement of the staff.
- 7.9. 3.21 - The provision of late night refreshment is regulated primarily because it is often linked to alcohol-fuelled crime and disorder in the night-time economy, such as at fast-food takeaways where late-night drinkers congregate. However, these safeguards may not be needed everywhere or for every type of late night refreshment business. For example, some late-night cafés serving hot drinks after 23.00 may be located nowhere near pubs and nightclubs or areas associated with alcohol-related crime and disorder.
- 7.10. 10.15 - Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

- 7.11. 14.19 - *There can be confusion about the difference between the “need” for premises and the “cumulative impact” of premises on the licensing object “Need” concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.*
- 7.12. 8.43 - *“Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.*
- 7.13. 9.4 - *A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.*

8. Relevant Representations

8.1. In determining whether a representation is 'relevant', and may therefore be taken into account, the Sub-Committee must have regard to Sections 18(6) and 18(7) of the Licensing Act 2003, which state:

8.2. 18 (6) For the purposes of this section, "relevant representations" means representations which—

- (a) are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives;
- (b) meet the requirements of subsection (7);
- (c) if they relate to the identity of the person named in the application as the proposed premises supervisor, meet the requirements of subsection (9); and
- (d) are not excluded representations by virtue of section 32 (restriction on making representations following issue of provisional statement).

18 (7) the requirements of Section 18 subsection (7), referenced above, are—

- (a) that the representations were made by a responsible authority or other person] within the period prescribed under section 17(5)(c);
- (b) that they have not been withdrawn; and
- (c) in the case of representations made by a person who is not a responsible authority , that they are not, in the opinion of the relevant licensing authority, frivolous or vexatious

8.3. Licensing Objectives

The Licensing Objectives are:

- The prevention of crime and disorder;
- The prevention of public nuisance;
- The protection of children from harm; and
- Public Safety.

8.4. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant.

8.5. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For

representations in relation to variations to be relevant, they should be confined to the subject matter of the variation.

- 8.6. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.
- 8.7. Should the Sub-Committee decide to grant the licence with additional conditions, such conditions must comply with the requirements specified in the Section 182 Guidance - specifically:

1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
 - must be precise and enforceable;
 - must be unambiguous and clear in what they intend to achieve;
 - should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
 - must be tailored to the individual type, location and characteristics of the premises and events concerned;
 - should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
 - should not replicate offences set out in the 2003 Act or other legislation;
 - should be proportionate, justifiable and be capable of being met;
 - cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
 - should be written in a prescriptive format.
- 8.8. Conditions must be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally.

Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and

it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

- 8.9. The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 8.10. Applicants have the opportunity to demonstrate how they intend to promote the licensing objectives through the operating schedule, section 8.41 of the guidance states: “in completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area.

They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application”.

- 8.11. Applicants are expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:
- the layout of the local area and physical environment, including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
 - any risk posed to the local area by the applicants’ proposed licensable activities; and
 - any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.
- 8.12. Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their

proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

- 8.13. Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.
- 8.14. The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 8.15. The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises.
- 8.16. The Licensing Sub Committee may grant the application as requested, grant with additional/modified conditions attached to the premises licence or reject the application.
- 8.17. Where the applicant, a responsible authority, or other person who has made a relevant representation is aggrieved by the decision of the Licensing Authority, they may appeal to the Magistrates' Court.

8.18. Staffing issues:

None arising from this report.

9. Citizen Impact

- 9.1. Residents or businesses ('Other Persons') within the licensing authorities' area are able to submit 'relevant representations'

10. Community Safety

- 10.1. Issues raised in relation to potential public safety are addressed by committee through the decision-making process.

11. Environmental Impact

11.1. Nothing arising from this report.

12. Performance and Risk Management Issues

12.1. Nothing arising from this report.

13. Equality Implications

14.1 When considering this application and reaching a determination the Licensing Authority must always have due regard to the Public Sector Equality Duty set out in section 149 of the Equality Act 2010:

A public authority must, in the exercise of its functions, have due regard to the need to—

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14. Consultation

14.1. Consultation/advertising is carried out in accordance with prescribed statutory regulation.

15. Associated Papers

Appendix 1 – Current Premises Licence.

Appendix 2 – Application to vary Premises Licence

Appendix 3 – All existing Conditions to be removed and replaced with New conditions.

Appendix 4 – Response from Community Protection

Appendix 5 – response from west Midlands Fire Service

Appendix 6 – Email from West Midlands Police with intention to make representation

Appendix 7 – representation from West Midlands Police

Appendix 8 – representations from Other Persons

Appendix 9 – Licensed Venues within 100 metre radius.

16. Contact Officer

Muhammed Sayful Alom, Licensing Team Leader –
Licensing@walsall.gov.uk

Licensing Act 2003 Premises Licence Number: WS/PRL/0794

(Walsall Council reference WK202233292)

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Nisa Local
152 Beacon Road
Great Barr
Birmingham
B43 7BN

Telephone number of premises



Where the licence is time limited the dates

The licence is not time limited

Subject to the conditions set out in this licence and its annexes, the following licensable activities are licensed:

Alcohol Sales for consumption off the premise

The times the licence authorises the carrying out of licensable activities

Alcohol Sales

Monday to Sunday 08:00 – 22:00

The opening hours of the premises

Monday to Sunday 08:00 – 22:00

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

Only "Off"

Part 2 – Details of Licence Holder

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

M & M Family 9 Limited
Park Farm Road
Birmingham
B43 7QQ



Registered number of holder, for example company number, charity number (where applicable)

14162728

Part 3 – Details of Designated Premises Supervisor

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Prasanna Ganeshalingam



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Personal Licence Number – WN/050595
Licensing Authority – Wolverhampton City Council

Part 4 – Licence approval

Approved on behalf of Walsall Metropolitan Borough Council



**Head of Community Safety and Enforcement
Resilient Communities
Economy Environment & Communities**

Effective from: 05 December 2022 (*Original Licence: 01 September 2008*)

Annex 1 - Mandatory conditions

The following conditions apply where relevant:

Conditions that apply to the sale of Alcohol:

No supply of alcohol may be made under this licence;

- (a) At a time when there is no Designated Premises Supervisor in respect of this licence, or
- (b) at a time when the Designated Premises Supervisor does not hold a personal Licence or his/her personal licence is suspended

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

Conditions that apply to Security:

Each individual at the premises in order to carry out security activity must be licensed by the Security Industry Authority (SIA)

Conditions that apply to the exhibition of films:

Where a film classification body has specified that the exhibition of a film is restricted, the admission of children to the film must be restricted in accordance with the recommendations of that body.

Mandatory Licensing Conditions (Amendment) Order 2014

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
 4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it

is available to customers in the following measures—

- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Mandatory Licensing Conditions Order 2014

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

4. Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

Annex 2 - Conditions consistent with the Operating Schedule

Alcohol Sales

Off the premises

Day	Start	Finish	
Mon	08:00	22:00	
Tues	08:00	22:00	
Wed	08:00	22:00	
Thurs	08:00	22:00	
Fri	08:00	22:00	
Sat	08:00	22:00	
Sun	08:00	22:00	

Opening Hours

Day	Start	Finish	
Mon	08:00	22:00	
Tues	08:00	22:00	
Wed	08:00	22:00	
Thurs	08:00	22:00	
Fri	08:00	22:00	
Sat	08:00	22:00	
Sun	08:00	22:00	

Conditions volunteered by the applicant in order to promote the licensing objectives:

(a) General – all four licensing objectives

The DPS or nominated person will train any sales staff at the premises on the basic laws of selling alcohol and the conditions on the Premises Licence.

A training record will be kept and maintained by the DPS at the premises which will include the date of training, the topics covered and the name of the trainer and staff being trained.

(b) The prevention of crime and disorder

Digital CCTV will be installed at the premises to the reasonable satisfaction of West Midlands Police. All recordings will be kept for a minimum of 28 days. Full access to the recordings will be given to the Responsible Authorities upon request.

A notice stating that no sales of alcohol to under 18 years will be displayed at the premises.

A notice stating that it is illegal for persons to buy alcohol on behalf of persons under 18 years of age will be displayed at the premises.

A notice will be displayed stating that persons known to be purchasing alcohol on behalf of persons under 18 years of age will be barred from the premises.

(c) Public safety

Nothing further identified as necessary.

(d) The prevention of public nuisance

Nothing further identified as necessary.

(e) The protection of children from harm

A challenge 21 policy will be operated by the premises with notices informing customers of the policy being displayed within the premises with at least 1 sign on the door to the premises and 1 displayed behind the counter. The staff will be regularly reminded to enforce the challenge 21 policy.

All alcohol sale refusals will be noted in a refusals book.

Acceptable ID will be a passport, photo driving licence or a recognised proof of age card.

Conditions agreed by the applicant following mediation

The following conditions have been agreed with West Midlands Police:

CCTV to be recording at all times when the premise is open for any licensable activity.

Times and dates to be displayed on the images and will show accurate times and dates.

A minimum of two staff will be on duty on the shopfloor each day the premise trades after 18.00hrs.

Risk assessment by management should dictate staff levels prior to this time and increase staff numbers to above two after 18.00hrs should the risk assessment so dictate.

The premises shall be protected by a monitored intruder alarm and a monitored panic alarm will be installed and maintained in good working order. The panic alarm shall be situated at point of sale.

Refusals will be logged in a refusal book which will be available for inspection by any regulatory authority.

Careful consideration will be given to the layout of the premise in order to prevent children unnecessarily entering the alcohol display area.

Spirits shall only be displayed behind the service counter.

Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable - this application was not subject to a hearing.

Annex 4 – Plans

Plans detailing those aspects of the premise covered by this Licence form part of this Licence and are attached.

End of annexes

LICENSING UNIT, WALSALL COUNCIL, CIVIC CENTRE, DARWALL STREET, WALSALL, WS1 1TP.

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We **M & M FAMILY 9 LIMITED**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number WS/PRL/0794

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
--	--	--	--

NISA LOCAL 152 BEACON ROAD GREAT BARR			
---	--	--	--

Post town	BIRMINGHAM	Postcode	B43 7BN
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Telephone number at premises (if any)	
---------------------------------------	--

Non-domestic rateable value of premises	£11250
---	--------

Part 2 – Applicant details

Daytime contact telephone number	
-------------------------------------	--

E-mail address (optional)	
---------------------------	--

Current postal address if different from premises address	
---	--

Post town		Postcode	
-----------	--	----------	--

LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

X Yes

☐ No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☒ Yes ☐ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

- 1) AMEND THE RETAIL LAYOUT AS PER ATTACHED DRAWING.
- 2) REGULARISE THE PREMISES LICENSING HOURS FROM CURRENT TO 07.00 UNTIL 01.00 HOURS PER DAY, 7 DAYS A WEEK.
- 3) ADD THE LICENSABLE ACTIVITY OF LATE NIGHT REFRESHMENT 23.00 TO 01.00 HOURS, 7 DAYS A WEEK.
- 4) DELETE ALL EXISTING CONDITIONS AND HOURS AS PER ANNEX 2 & 3 AND REPLACE WITH NEW CONDITIONS AND HOURS AS DETAILED IN THIS APPLICATION.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

11/11/2016

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input type="checkbox"/>
f) recorded music (if ticking yes, fill in box F)	<input type="checkbox"/>
g) performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	X
---	---

<u>Supply of alcohol</u> (if ticking yes, fill in box J)	X
---	---

In all cases complete boxes K, L and M

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23.00	01.00	<u>Please give further details here</u> (please read guidance note 5) THE CONVENIENCE STORE WILL OFFER HOT PIES, SAVOURIES, SOUP, HOTDRINKS ETC CONSISTENT WITH A TAKEOUT SERVICE FOR CONSUMPTION ON OR OFF THE PREMISES		
Tue	23.00	01.00			
Wed	23.00	01.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	23.00	01.00			
Fri	23.00	01.00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	23.00	01.00			
Sun	23.00	01.00			

LICENSING UNIT, WALSALL COUNCIL, CIVIC CENTRE, DARWALL STREET, WALSALL, WS1 1TP.

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	X
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon	07.00	01.00			
Tue	07.00	01.00			
Wed	07.00	01.00			
Thur	07.00	01.00			
Fri	07.00	01.00	<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	07.00	01.00			
Sun	07.00	01.00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

NONE

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7)
Mon	06.00	01.00	
Tue	06.00	01.00	
Wed	06.00	01.00	
Thur	06.00	01.00	
Fri	06.00	01.00	
Sat	06.00	01.00	
Sun	06.00	01.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- 1) TO UPDATE THE RETAIL LAYOUT AS PER ATTACHED DRAWING.
- 2) REGULARISE THE PREMISES LICENSING HOURS FROM CURRENT TO 07.00 UNTIL 01.00 HOURS PER DAY 7 DAYS A WEEK TO REFLECT THE STORES NEW OPENING HOURS.
- 3) ADD THE LICENSABLE ACTIVITY OF LATE NIGHT REFRESHMENT 23.00 TO 01.00 HOURS, 7 DAYS A WEEK WHICH IS CURRENTLY NOT AVAILABLE ON THE PREMISES LICENCE.
- 4) DELETE ALL EXISTING CONDITIONS AND HOURS AS PER ANNEX 2 & 3 AND REPLACE WITH NEW CONDITIONS AND HOURS AS DETAILED IN THIS APPLICATION.

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

Please tick as appropriate

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
2. The CCTV system shall continually record whilst the premises is open for all licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping.
3. Viewing of recordings shall be made available as soon as practicable upon the reasonable request of the Police or authorised officer with a copy provided if required no later than 24 hours after the request.
4. There shall be no self-service of spirits on the premises, save for spirit mixtures less than 6.5% ABV.
5. All sales staff shall be trained in the sale of alcohol with written and signed training records available for review by the responsible authorities upon reasonable request. Refresher training shall be undertaken at least annually by all sales staff.
6. All training will be consistent with the alcohol guidance manual supplied to the applicant. Both the DPS and the staff member being trained are required to sign the documentation confirming the required standard of knowledge has been attained concerning the sale of alcohol.
7. A refusal log will be maintained to record any alcohol sale refusals and will be available for immediate inspection by the responsible authorities.
8. A Challenge 25 policy will be adopted with staff to ask for suitable identification when appropriate. Suitable identification is photo driving licence, a valid passport or a PASS accredited proof of age card. Appropriately worded notices will be displayed prominently instore.
9. Appropriately worded notices will be displayed prominently instore and around the store entrance with regard to no sales to under 18 year old persons, proxy purchasing and a warning that CCTV cameras are recording 24 hours a day instore.
10. Notices requesting customers to leave quietly, and respect local residents will be displayed prominently instore.
11. The store frontage will be swept regularly.
12. The premises shall use till prompts to remind staff to ask for proof of age.
13. A minimum of two staff will be on duty at the premises at all times between 18:00 hours and 01.00 hours the following morning.

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

b) The prevention of crime and disorder

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
2. The CCTV system shall continually record whilst the premises is open for all licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping.
3. Viewing of recordings shall be made available as soon as practicable upon the reasonable request of the Police or authorised officer with a copy provided if required no later than 24 hours after the request.
4. There shall be no self-service of spirits on the premises, save for spirit mixtures less than 6.5% ABV.
5. Appropriately worded notices will be displayed prominently instore and around the store entrance with regard to no sales to under 18 year old persons, proxy purchasing and a warning that CCTV cameras are recording 24 hours a day instore.
6. Notices requesting customers to leave quietly, and respect local residents will be displayed prominently instore.
7. A minimum of two staff will be on duty at the premises at all times between 18:00 hours and 01.00 hours the following morning.

c) Public safety

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
2. The CCTV system shall continually record whilst the premises is open for all licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping.
3. Viewing of recordings shall be made available as soon as practicable upon the reasonable request of the Police or authorised officer with a copy provided if required no later than 24 hours after the request.
4. A minimum of two staff will be on duty at the premises at all times between 18:00 hours and 01.00 hours the following morning.

d) The prevention of public nuisance

1. Notices requesting customers to leave quietly, and respect local residents will be displayed prominently instore.
2. The store frontage will be swept regularly.

e) The protection of children from harm

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

1. All sales staff shall be trained in the sale of alcohol with written and signed training records available for review by the responsible authorities upon reasonable request. Refresher training shall be undertaken at least annually by all sales staff.
2. All training will be consistent with the alcohol guidance manual supplied to the applicant. Both the DPS and the staff member being trained are required to sign the documentation confirming the required standard of knowledge has been attained concerning the sale of alcohol.
3. A refusal log will be maintained to record any alcohol sale refusals and will be available for immediate inspection by the responsible authorities.
4. A Challenge 25 policy will be adopted with staff to ask for suitable identification when appropriate. Suitable identification is photo driving licence, a valid passport or a PASS accredited proof of age card. Appropriately worded notices will be displayed prominently instore.
5. Appropriately worded notices will be displayed prominently instore and around the store entrance with regard to no sales to under 18 year old persons, proxy purchasing and a warning that CCTV cameras are recording 24 hours a day instore.
6. The premises shall use till prompts to remind staff to ask for proof of age.

Checklist:

Please tick to indicate agreement


- | | |
|---|---|
| • I have made or enclosed payment of the fee; or | X |
| • I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. | X |
| • I have sent copies of this application and the plan to responsible authorities and others where applicable. | X |
| • I understand that I must now advertise my application. | X |
| • I have enclosed the premises licence or relevant part of it or explanation. | X |
| • I understand that if I do not comply with the above requirements my application will be rejected. | X |

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

Part 5 – Signatures (please read guidance note 12)



Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

Signature	
Date	4 th JANUARY 2023
Capacity	AGENT

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) RICHARD BAKER RB RETAIL & LICENSING SERVICES LIMITED 23 MAGISTER DRIVE LEE ON THE SOLENT			
Post town	PORTSMOUTH	Post code	PO13 8GE
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) 			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

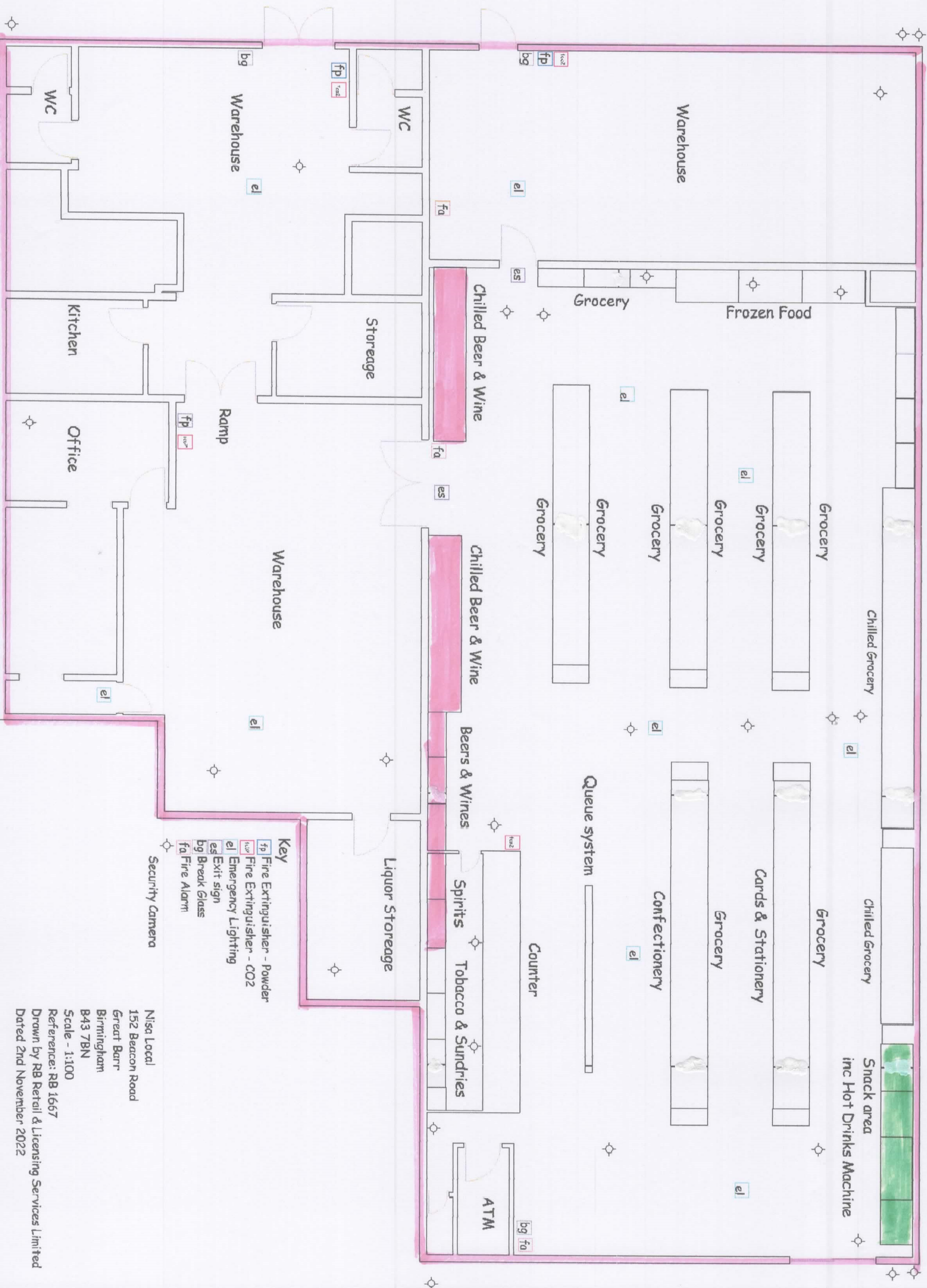
1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.

**LICENSING UNIT, WALSALL COUNCIL, CIVIC
CENTRE, DARWALL STREET, WALSALL, WS1 1TP.**

- any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please 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.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please 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 or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

LICENSING UNIT, WALSALL COUNCIL, CIVIC CENTRE, DARWALL STREET, WALSALL, WS1 1TP.

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



Nisa Local
152 Beacon Road
Great Barr
Birmingham
B43 7BN
Scale - 1:100
Reference: RB 1667
Drawn by RB Retail & Licensing Services Limited
Dated 2nd November 2022

Current Conditions:

General – all four licensing objectives

The DPS or nominated person will train any sales staff at the premises on the basic laws of selling alcohol and the conditions on the Premises Licence.

A training record will be kept and maintained by the DPS at the premises which will include the date of training, the topics covered and the name of the trainer and staff being trained.

The prevention of crime and disorder

Digital CCTV will be installed at the premises to the reasonable satisfaction of West Midlands Police. All recordings will be kept for a minimum of 28 days. Full access to the recordings will be given to the Responsible Authorities upon request.

A notice stating that no sales of alcohol to under 18 years will be displayed at the premises.

A notice stating that it is illegal for persons to buy alcohol on behalf of persons under 18 years of age will be displayed at the premises.

A notice will be displayed stating that persons known to be purchasing alcohol on behalf of persons under 18 years of age will be barred from the premises.

Public safety

Nothing further identified as necessary.

The prevention of public nuisance

Nothing further identified as necessary.

The protection of children from harm

A challenge 21 policy will be operated by the premises with notices informing customers of the policy being displayed within the premises with at least 1 sign on the door to the premises and 1 displayed behind the counter. The staff will be regularly reminded to enforce the challenge 21 policy.

All alcohol sale refusals will be noted in a refusals book.

Acceptable ID will be a passport, photo driving licence or a recognised proof of age card.

Conditions Agreed by the applicant with West Midlands Police

The following conditions have been agreed with West Midlands Police:

CCTV to be recording at all times when the premise is open for any licensable activity.

Times and dates to be displayed on the images and will show accurate times and dates.

A minimum of two staff will be on duty on the shop floor each day the premise trades after 18.00hrs.

Risk assessment by management should dictate staff levels prior to this time and increase staff numbers to above two after 18.00hrs should the risk assessment so dictate.

The premises shall be protected by a monitored intruder alarm and a monitored panic alarm will be installed and maintained in good working order. The panic alarm shall be situated at point of sale.

Refusals will be logged in a refusal book which will be available for inspection by any regulatory authority.

Careful consideration will be given to the layout of the premise in order to prevent children unnecessarily entering the alcohol display area.

Spirits shall only be displayed behind the service counter.

Proposed Conditions:

General

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
2. The CCTV system shall continually record whilst the premises is open for all licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping.
3. Viewing of recordings shall be made available as soon as practicable upon the reasonable request of the Police or authorised officer with a copy provided if required no later than 24 hours after the request.
4. There shall be no self-service of spirits on the premises, save for spirit mixtures less than 6.5% ABV.
5. All sales staff shall be trained in the sale of alcohol with written and signed training records available for review by the responsible authorities upon reasonable request. Refresher training shall be undertaken at least annually by all sales staff.
6. All training will be consistent with the alcohol guidance manual supplied to the applicant. Both the DPS and the staff member being trained are required to sign the documentation confirming the required standard of knowledge has been attained concerning the sale of alcohol.
7. A refusal log will be maintained to record any alcohol safe refusals and will be available for immediate inspection by the responsible authorities.
8. A Challenge 25 policy will be adopted with staff to ask for suitable identification when appropriate. Suitable identification is photo driving licence, a valid passport or a PASS accredited proof of age card. Appropriately worded notices will be displayed prominently instore.
9. Appropriately worded notices will be displayed prominently instore and around the store entrance with regard to no sales to under 18 year old persons, proxy purchasing and a warning that CCTV cameras are recording 24 hours a day instore.
10. Notices requesting customers to leave quietly, and respect local residents will be displayed prominently instore.
11. The store frontage will be swept regularly.
12. The premises shall use till prompts to remind staff to ask for proof of age.
13. A minimum of two staff will be on duty at the premises at all times between 18:00 hours and 01:00 hours the following morning.

The Prevention of Crime and Disorder

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
2. The CCTV system shall continually record whilst the premises is open for all licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping.
3. Viewing of recordings shall be made available as soon as practicable upon the reasonable request of the Police or authorised officer with a copy provided if required no later than 24 hours after the request.
4. There shall be no self-service of spirits on the premises, save for spirit mixtures less than 6.5% ABV.
5. Appropriately worded notices will be displayed prominently instore and around the store entrance with regard to no sales to under 18 year old persons, proxy purchasing and a warning that CCTV cameras are recording 24 hours a day instore.
6. Notices requesting customers to leave quietly, and respect local residents will be displayed prominently instore.
7. A minimum of two staff will be on duty at the premises at all times between 18:00 hours and 01:00 hours the following morning.

Public Safety

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
2. The CCTV system shall continually record whilst the premises is open for all licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping.
3. Viewing of recordings shall be made available as soon as practicable upon the reasonable request of the Police or authorised officer with a copy provided if required no later than 24 hours after the request.
4. A minimum of two staff will be on duty at the premises at all times between 18:00 hours and 01:00 hours the following morning.

The Prevention of Public Nuisance

1. Notices requesting customers to leave quietly, and respect local residents will be displayed prominently instore.
2. The store frontage will be swept regularly.

Rebecca Dangor

From: Sarah Heath
Sent: 05 January 2023 15:35
To: Licensing; 'H_WALSALL_LICENSING@west-midlands.pnn.police.uk'; [REDACTED]
planningservices; Community Protection; firesafety.admin;
'alcohol@homeoffice.gsi.gov.uk'; Environmental Health; TradingStandards; [REDACTED]
[REDACTED] PHBusinessSupport
Subject: RE: Premises Licence Variation Application - Nisa Local

hi

There are no concerns or comments regarding this application for variation from the community protection team

Regards

Sarah

Sarah Heath-Marshall ICA QA(RCO)
Community Protection Officer
Walsall Council



Walsall Council

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From: Rebecca Dangor [REDACTED] **On Behalf Of** Licensing
Sent: 05 January 2023 09:33
To: 'H_WALSALL_LICENSING@west-midlands.pnn.police.uk' <H_WALSALL_LICENSING@west-midlands.pnn.police.uk>; [REDACTED]@walsall.gov.uk; planningservices
<planningservices@walsall.gov.uk>; Community Protection <CommunityProtection@walsall.gov.uk>; Sarah Heath
[REDACTED] firesafety.admin <firesafety.admin@wmfs.net>; 'alcohol@homeoffice.gsi.gov.uk'
<alcohol@homeoffice.gsi.gov.uk>; Environmental Health <EnvironmentalHealth@walsall.gov.uk>; TradingStandards
<TradingStandards@walsall.gov.uk> [REDACTED] PHBusinessSupport
<PHBusinessSupport@walsall.gov.uk>
Subject: Premises Licence Variation Application - Nisa Local

Good Morning,

Please see attached premises licence variation application received yesterday for Nisa Local, 152 Beacon Road, Great Barr B43 7BN.

Last date for representations is **01 February 2023**.

Please let me know if you have any questions.

Regards

Rebecca Dangor
Licensing Officer
Walsall Council

www.walsall.gov.uk



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From: Neil Aston-Baugh [REDACTED]
Sent: 17 January 2023 08:34
To: Licensing
Cc: info@rbrls.co.uk
Subject: Fire Authority response to an application to vary a premises licence, no reps.

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OFFICIAL

LICENSING ACT 2003
NAME OF PREMISES: Nisa
ADDRESS: 152 Beacon Road, Great Barr. B43 7BN

I refer to the application for the Variation of a Premises Licence, made in respect of the above premises.

Having visited your premises, I am pleased to inform you that The Fire Authority will **not make representation** to the application, on the grounds of Public Safety, at this time.

From my visit, I have noticed that,

- ***The fire exit at the rear of the storeroom was found to be locked and shuttered at the time of the visit.***
 - In the event of danger, it must be possible for persons to evacuate the premises as quickly and as safely as possible therefore emergency doors must not be so locked or fastened that they cannot be easily and immediately opened by any person who may require to use them in an emergency.
- You should put in a system of daily check to prevent this from happening again. It is recommended that you record these checks in your fire logbook.
- ***The fire alarm 'weekly' checks and the emergency lighting 'monthly' checks were not being recorded.***
 - It is recommended all checks are recorded in the fire logbook.
 - ***The office is an inner room, meaning persons may not be aware of a fire in the access room (the warehouse), whilst in the office. The vision panel window was obstructed and could not be viewed from the secondary computer station.***

In order to alleviate this, you should extend the fire alarm system to include appropriate smoke detection in the side warehouse so that a fire is detected early and persons using the office are made aware. Works should be carried out by a competent engineer in accordance with BS 5839-1 L5.

If you do not act in accordance with my advice and your legal requirements, the Fire Authority may serve an enforcement notice under the Regulatory Reform (Fire Safety) Order 2005 and may call for a review of the Premises Licence.

Should you require any further information, please do not hesitate to contact me.

Regards

Neil Aston-Baugh

Fire Safety Officer -LEEPS Team
Tipton Fire Station
Alexandra Road
Tipton
West Midlands
DY4 7NZ



Fire Safety Admin Email firesafety.admin@wmfs.net



West Midlands Fire Service

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Rapinder Kaur Kler

From: Walsall Licensing <H_WALSALL_LICENSING@westmidlands.police.uk>
Sent: 05 January 2023 11:27
To: Licensing
Cc: Environmental Health; Community Protection; firesafety.admin
Subject: RE: [External]: Premises Licence Variation Application - Nisa Local

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Please note that West Midlands Police will be objecting to this variation. The applicant has been advised prior to submission of this variation, the police would not support such an application.

Full details will be provided within the appropriate time scales.

Regards

Jen

60384 Jennifer Mellor
Walsall Licensing and Regulatory Services Officer
Walsall Partnership Team, West Midlands Police



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

[If it's not 999, search WMP Online](#)



From: Rebecca Dangor [redacted] **On Behalf Of** Licensing
Sent: 05 January 2023 09:33
To: Walsall Licensing <H_WALSALL_LICENSING@westmidlands.police.uk>; Namita Mistry [redacted] planning services <planningservices@walsall.gov.uk>; Community Protection <CommunityProtection@walsall.gov.uk>; [redacted] firesafety.admin <firesafety.admin@wmfs.net>; 'alcohol@homeoffice.gsi.gov.uk' <alcohol@homeoffice.gsi.gov.uk>; Environmental Health <EnvironmentalHealth@walsall.gov.uk>; Trading Standards <TradingStandards@walsall.gov.uk>; [redacted] PHBusinessSupport <PHBusinessSupport@walsall.gov.uk>
Subject: [External]: Premises Licence Variation Application - Nisa Local

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Good Morning,

Please see attached premises licence variation application received yesterday for Nisa Local, 152 Beacon Road, Great Barr B43 7BN.

Last date for representations is **01 February 2023**.

Please let me know if you have any questions.

Regards

Rebecca Dangor
Licensing Officer
Walsall Council

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Rapinder Kaur Kler

From: Walsall Licensing <H_WALSALL_LICENSING@westmidlands.police.uk>
Sent: 25 January 2023 10:26
To: Licensing; Walsall Licensing; Community Protection; Sarah Heath; firesafety.admin; Environmental Health; TradingStandards
Cc: Richard Baker
Subject: RE: [External]: Premises Licence Variation Application - Nisa Local

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Further to the variation application for the Nisa Local 152 Beacon Road, Great Barr B43 7BN West Midlands Police wish to make representations as we believe the application undermines the following licensing objectives:

Crime and Disorder
Public Safety
Public Nuisance

The location is known to police as an area of concern therefore any increase in hours and the addition of late night refreshment would undermine the above mentioned licensing objectives.

Nisa Local is situated virtually in the middle of a housing estate with a major road going directly through this residential area. Barr Beacon School is also within walking distance with teachers on patrol near the frontage of the shops which the Nisa is situated on due to on-going problems with crime and disorder and anti-social behaviour. West Midlands Police (WMP) understand any issues from the school would occur during school hours and on school finishing times not during the hours requested in the variation however, this area is a known meeting place with youths during the day and evening hence our representations.

West Midlands Police have worked with a neighbouring licensed premise due to levels of crime and disorder on their car park when the premise was open but also when it was closed of an evening. This area is a magnet for local youths from the area and beyond to congregate and cause noise nuisance together with harassing members of the local community. Any additional hours at this premise will on the balance of probabilities undo all the hard work which has been put in place to reduce crime in the area and reduce the feeling of public safety in this location. Barriers have now been positioned across the car park and the outside area has now enclosed at a substantial cost to the owners. However, despite this partnership working crime and disorder has not been eliminated from the area. Should this application proceed to a full hearing a breakdown of the crimes in this location will be provided, this data will be for crimes during the increase in hours requested as well as an overview during the day.

Further issues are predicted to arise should this application be granted as the nearby Barr Beacon nature reserve is short drive/walk up the road from this premise. This location is a hot spot location for vehicles to frequent with the occupants engaging in drinking alcohol and consuming illegal drugs of an evening. This area has also seen various assaults and vehicles either being attacked or stolen. Having this additional premise open late of an evening will have a negative impact on this activity of criminality.

Having the addition of late night refreshment will impact on the three licensing objections mentioned above. As stated this is already an area of concern for WMP. By providing hot food and drink will encourage people to loiter longer in this residential area which will undermine the crime and disorder, public nuisance and public safety. Due to the anti-social behaviour evidenced in the area, the provision of hot drinks, hot food and the ability to purchase alcohol will be again be a negative impact for the community. It will also be an attraction/ stopping point for persons visiting the nature reserve late of an evening. This is something which WMP would highlight as a major concern for everyone considered.

Prior to submitting this application the agent asked for the police's thoughts on such an application. Mr Baker was told that after consultation, West Midlands Police would not be in a position to support any variation in hours at this premise. Unfortunately given the concerns at the moment in this area, it would not be an optimum time for such an application. We also advised that if an application was submitted, WMP would make representations resulting in a Licensing Sub-Committee hearing.

Prior to the hearing the following will be made available:

Local Area Impact Statement

Licensing Officers Statement

Officer statements were relevant

Photographs of the location of this premise in relation to residential housing

Relevant crime data for the area

Given the concerns mentioned above at this location, West Midlands Police make formal representations against this application.

Licensing Authority: Can you please confirm receipt of our representations

Kind regards

Jennifer

60384 Jennifer Mellor

Walsall Licensing and Regulatory Services Officer

Walsall Partnership Team, West Midlands Police

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

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From: Rebecca Dangor [redacted] **On Behalf Of** Licensing

Sent: 05 January 2023 09:33

To: Walsall Licensing <H_WALSALL_LICENSING@westmidlands.police.uk>; [redacted]
<[redacted]>; planningservices <planningservices@walsall.gov.uk>; Community Protection
<CommunityProtection@walsall.gov.uk>; [redacted]; firesafety.admin
<firesafety.admin@wmfs.net>; 'alcohol@homeoffice.gsi.gov.uk' <alcohol@homeoffice.gsi.gov.uk>; Environmental
Health <EnvironmentalHealth@walsall.gov.uk>; TradingStandards <TradingStandards@walsall.gov.uk>; [redacted]
[redacted] PHBusinessSupport <PHBusinessSupport@walsall.gov.uk>

Subject: [External]: Premises Licence Variation Application - Nisa Local

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Good Morning,

Please see attached premises licence variation application received yesterday for Nisa Local, 152 Beacon Road, Great Barr B43 7BN.

Last date for representations is **01 February 2023**.

Please let me know if you have any questions.

Regards

Rebecca Dangor
Licensing Officer
Walsall Council

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Karen Price

From: Anne Cole
Sent: 29 January 2023 20:08
To: Licensing
Subject: Nisa Local, Beacon Road, Great Barr, Birmingham. B43 7BN

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Dear Sirs,

I would like to oppose the following applications made by above:

The increase of opening hours to 01.00

The increase of alcohol sale hours to 01.00

And late night refreshment hours of 23.00 – 01.00

The area is already subject to anti-social behaviour and this will only increase if the above late hours are granted. There is already a public house on the opposite corner of the road, which sells alcohol and regularly has visits from police due to problem behaviour outside. There is a 24 hour Asda within walking distance of the Nisa, therefore there is no public need for extended opening hours. The estate will only suffer further noise and problems if this is allowed to go ahead.

I would like my objections recorded.


Your faithfully,
Miss A. Cole
Waverley Avenue
Great Barr
Birmingham
B43 7PR



Licensing Act 2003 – Representation Form

Personal Details	
Title:	Mr <input type="checkbox"/> Mrs <input checked="" type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please specify)
First Name:	CAROL
Surname:	MAYER
Address:	RIPPINGILLE ROAD, BIRMINGHAM
Postcode:	B43 7DJ
Contact Telephone Numbers:	Daytime: : Mobile:

Premises Details (please give as much information as possible)	
Application Ref:	
Name of Premises	WISA LOCAL
Address of Premises:	152 BEACON ROAD - BIRMINGHAM B43 7BN

Reasons for Representation
Please provide your reasons under the relevant licensing objective below. You are not required to complete all sections. Complete only those that you consider are relevant to your representation.
The Prevention of Crime and Disorder THE SHOP + ADJOINING PREMISES ATTRACT LOTS OF ASB + LITTERING. NO POLICE AVAILABILITY TO RESPOND.
The Prevention of Public Nuisance AS ABOVE - ASB IS INTOLERABLE 1ST YOUTHS VERY INTIMIDATING.
Public Safety EXTRA HOURS ENCOURAGING DRINK DRIVE + NOISE FOR RESIDENTS IT MUST BE HELL
The Protection of Children from Harm
In accordance with the provisions of the Licensing Act 2003, the Licensing Authority is required to include all personal details in the Committee report. Should there be exceptional circumstances, which require the protection of your identity, please explain the reasons below:
Declaration
I confirm that the information I have provided is true and correct.
Signed:  Dated: 30th Jan 23

Karen Price

From: Sadie Lambert
Sent: 29 January 2023 19:20
To: Licensing
Subject: application for change of licensing to Nisa local Beacon road Great Barr

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Mrs Dianne Dimbylow
Park Farm Road
Great Barr
Birmingham
B43 7QH

Dear Licensing Officer,

It has been brought to my attention that
M & M Family Limited
Nisa Local
154 Beacon Road
Great Barr
Birmingham
B43 7BN

Has applied for a variation to the licensing activities :

FOR ADDITIONAL HOURS FOR THE SALE OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES TO BE EXTENDED TO
1am in the morning

AND

ADD THE LICENSEABLE ACTIVITY OF LATE NIGHT REFRESHMENTS

AND

DELETE ALL CONDITIONS AT ANNEX 2 & 3 AND REPLACE WITH CONDITIONS AS PER THIS LICENSING SCALE PLAN.

Proposed days and hours of licensable activity:

EVERY DAY

ALCOHOL SALES 07.00 to 01.00 HOURS

LNR 23.00 to 01.00 HOURS

I have lived on Park Farm Estate for 55 years and do not think extending the opening hours of a supermarket and takeaway to 1am in the morning is appropriate for our estate, I OBJECT to this application.

Nisa Local is in such a location it has houses and homes located within a few metres around it. The neighbouring shops to Nisa have houses above them. Nisa is at one of two entrances to Park Farm estate which is a nice community estate with a variety age range of residents. We have occasional issues with antisocial behaviour, a lot of the time from people who DONOT live around the estate. I feel that extending opening hours of Nisa Local to 01.00 would be a very BIG mistake, my fears are that the gathering of young people in cars, that Asda QUESLETT have just managed to get rid of, from their carpark at night, will start gathering on Nisa carpark. It has taken ASDA a number of years to sort this antisocial behaviour out. The area has had to put up with car meet ups and our estate and Pheasey estate being used as a racing track till all hours of the night, for a few years. All we want at night is peace and quiet. Why give opportunity for more antisocial behaviour.

Asda Queslett are already open 24hrs and a spar near Kingstanding is open till late, we DONOT need another shop open till 1 am. All selling alcohol and takeaway food.

As for take away food till 1am in the morning all it is going to cause is delivery drivers and customers causing NOISE POLLUTION with car doors banging, engines roaring, talking and shouting, till 1 am in the morning every night of the week.

Great Barr and nearby Kingstanding are blighted by young moped/motor bikers. They roam in GANGS pulling wheelies as they pass traffic. I would not wish to tempt fate by encouraging them to frequent the car park of Nisa. They have been there before and it was intimidating.

It seems the whole country is having problems with lazy people dropping litter and not having a thought for their responsibility to the ENVIRONMENT, I feel by extending the licensing hours for Nisa to 1am this problem will be multiplied. Our estate has a team of litter pickers that clean up our local area for free ,my concerns are they will lose heart if rubbish appears every night of the week.

I am a 78 year old pensioner who has had her home broken into twice and my car stolen, I think opening Nisa till 1am in the morning is just going to encourage strangers to wander around our estate, and that's a bad idea.

Yours sincerely

Dianne Dimbylow

Sent from [Mail](#) for Windows

Rebecca Dangor

From:
To: Licensing
Subject: RE: Nisa Local, 152 Beacon Road, Great Barr, B43 7BN

From: gary lambert <gary.lambert@walsall.gov.uk>
Sent: 30 January 2023 13:53
To: Licensing <Licensing@walsall.gov.uk>
Subject: Nisa licensing variation, Beacon Road, Great Barr

You don't often get email from [gary.lambert@walsall.gov.uk](#). [Learn why this is important](#)

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Gary Lambert
Park Farm Road
Great Barr Birmingham,
B43 7QH
Phone:

Dear Licensing Officer,

It has been brought to my attention that
M & M Family Limited
Nisa Local
154 Beacon Road
Great Barr
Birmingham
B43 7BN

Has applied for a variation to the licensing activities :
FOR ADDITIONAL HOURS FOR THE SALE OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES TO BE EXTENDED TO
1am in the morning
AND
ADD THE LICENSEABLE ACTIVITY OF LATE NIGHT REFRESHMENTS
AND
DELETE ALL CONDITIONS AT ANNEX 2 & 3 AND REPLACE WITH CONDITIONS AS PER THIS LICENSING SCALE PLAN.
Proposed days and hours of licensable activity:
EVERY DAY
ALCOHOL SALES 07.00 to 01.00 HOURS
LNR 23.00 to 01.00 HOURS

I wish for you to take note of my OBJECTION and give notice to you, that I object strongly to the change of licensing HOURS that has been proposed by Nisa Local. The grounds and nature for my strong objections are as follows;

- Nisa Local is in such a location it has houses and homes located within a few metres around it. The neighbouring shops to Nisa have houses above them. Nisa is at one of two entrances to Park Farm estate which is a nice community estate with a variety age range of residents. We have occasional issues with antisocial behaviour, a lot of the time from people who DONOT live around the estate. I feel that extending opening hours of Nisa Local to 01.00 would be a very BIG mistake. My fears are that the gathering of young people in cars, that Asda QUESLETT have just managed to get rid of from their carpark at night, will start gathering on Nisa carpark. It has taken ASDA a number of years to sort this antisocial behaviour out. The

area has had to put up with car meet ups and our estate and Pheasey estate being used as a racing track until all hours of the night, for a few years. All we want at night is peace and quiet. Why give opportunity for more antisocial behaviour.

- Asda Queslett are already open 24hrs and a spar near Kingstanding is open till late, we DONOT need another shop open till 1 am. All selling alcohol and takeaway food.
As for take away food till 1am in the morning all it is going to cause is delivery drivers and customers causing NOISE POLLUTION with car doors banging, engines roaring, talking and shouting, till 1 am in the morning every night of the week.

Great Barr and nearby Kingstanding are blighted by young moped/motor bikers. They roam in GANGS pulling wheelies as they pass traffic. I would not wish to tempt fate by encouraging them to frequent the car park of Nisa. They have been there before and it was intimidating.

- Litter is a big problem in the area. I feel by extending the licensing hours for Nisa to 1am this problem will be multiplied. Our estate has a team of litter pickers that clean up our local area for free. My concerns are they will lose heart if rubbish appears every night of the week.

I appeal to your community heart, and ask you to put yourself in our shoes. I want to feel proud of my local community and would appeal to Nisa (LOCAL) to reconsider these inconsiderate opening hours idea, and be a little more community focused.

Yours sincerely

Gary Lambert

Sent from [Outlook for Android](#)

Beacon Road

Great barr

Birmingham

B43 7DA

27th January

Dear Walsall Council

I am a resident of Beacon Road, Great Barr, Birmingham. Over the past few years our lives have been made a nightmare by the Cat & Fiddle Pub. The brewery has failed to put a good landlord in there and as a result the landlords are too scared to deal with the issues on the car park. At present cars are parking up and using the car park to sell and take drugs. They park up with their headlights on which shine directly into the houses opposite on beacon road. There are fights and often parties in the cars which go on to all hours. The landlord does not intervene and we all have to suffer for it. There are gates on the carpark but most of the time this happens during pub hours or the cars are not moved off after the pub is closed.

Now the Nisa is asking for permission to stay over till 1am in the morning!. Jag and Bal Singh had the Nisa for 15 years and managed to make a living in that time, closing at 9. There are several off licences in the vicinity where people can buy alcohol after 9 and Asda is open. Surely there is enough drinking time during these hours without encouraging people to drink more.

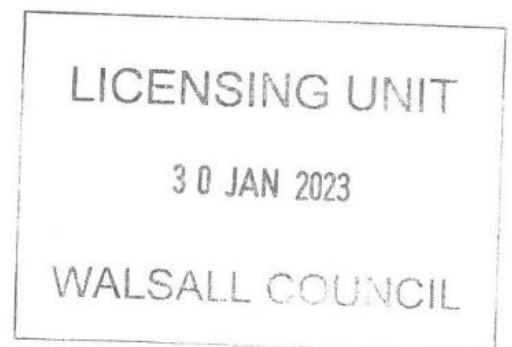
Anti-social behaviour is a regular occurrence and the police do not control the situation. We are sick and tired as residents of being let down by the authorities. All we want is to live in relative peace, but this is not the case, I know living on the same road as a pub is going to have its issues but we need to prevent these issues not fuel the fire.

I am 100% opposed to this application and wish that this is declined.

Please do the right thing by the residents and stop this happening.

Regards

Hayley Myford



From: bradford lorraine
Sent: 27 January 2023 12:39
To: Licensing
Subject: Nisa Local, Beacon Road, Great Barr Birmingham B43 7BN M&M Family Ltd

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Dear Sirs,

I have just seen the application for the above shop to extend hours of opening and hours they are able to sell alcohol.

I live just down the road from this shop, which already has anti-social behaviour from school pupils at certain times of the day and some anti-social behaviour from some users of the Cat & Fiddle pub opposite this shop.

I strongly feel that opening the store until 1am is both unnecessary and unwanted by the local neighbours. The ability to sell alcohol until 1am will cause anti social behaviour to increase, especially in the summer months, due to the Cat & Fiddle pub being just across the road, and the Old Horns pub just down the road. I fear that it will be used as a 'meeting point' once the pubs close.

I am also worried about what No.4 relates to - 'add late night refreshments between the hours of 23.00 to 01.00 daily' would entail. Does this mean they will be selling alcohol for consumption on the premises? If so this would essentially become a pub/club and would disturb the local residents. If it means just food - why only between 11pm and 1am?

I would like it to be noted that I strongly object to this application.

Yours faithfully

Lorraine Bradford
Stonehurst Road
Great Barr
Birmingham
B43 7RN

From: louise wood
Sent: 31 January 2023 19:43
To: Licensing
Subject: Nisa local, B43 7BN

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Mrs Louise Wood
Beacon Road
Great Barr, Birmingham
B43 7BT

31-1-2023

Dear Sir or Madam

I'm writing to object to the longer late night opening hours & later hours for the selling of alcohol at my local shop which I support as a customer at
'Nisa Local, Beacon Road, great barr Birmingham B43 7BN M&M Family Ltd'

My reasons are we have Asda 24hr & a Spar which is 24hrs too local to us on the Pheasey & parkfarm estate. We are targeted on the estate with youths causing trouble and have a high number of car theft.

I was born on the estate and I feel there isn't enough police presence in the area to allow for extended opening. The owners aren't responsible enough to monitor, and control the sort of people that opening this late will attract, I have worked in late night shops selling alcohol and it will be a numerous of aggressive drunks, multiple drink drivers, and it will be a focal point for drug dealers.

Many thanks,
Mrs Louise Wood

Karen Price

From: Mandy McCarthy
Sent: 27 January 2023 18:40
To: Licensing
Subject: Objection to extending opening hours: Nisa Local

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Good evening

I would like to register my objection to the extended opening hours at Nisa Local. This shop is in a residential area and already attracts problems and antisocial behaviour. I can't imagine what it would be like if it served alcohol until 1 - it's quite bad enough with it being so close to the Cat and Fiddle pub. I can see no valid reason to extend the time until later that would add value to the area - I can only see negatives.

The early opening would be fine in my opinion and useful for people going to work.

The business is :
Nisa Local, Beacon Road, Great Barr Birmingham B43 7BN M&M Family Ltd

Many thanks

Mandy Johnson
` Park Farm Road

Sent from my iPhone

From:
Sent: 30 January 2023 16:22
To: Licensing
Subject: Fw: Nisa Local Beacon Road

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Good Morning

I have become aware that Nisa Local, Beacon Road, Great Barr Birmingham B43 7BN - M & M Family Ltd are requesting for a license to sell alcohol up to 01.00 am . As a resident of Park Farm I would like to express my concern about this and do not feel it is necessary or a good idea for this licence to go ahead.

There is enough trouble when people leave the Cat & Fiddle pub, when they have been drinking all day. i have witnessed it with my own eyes fights breaking out on the car park and rolling onto the road and up the road. I feel that by giving individuals access to alcohol after the pub closes is just adding fuel to the fire and it totally unacceptable for the residents who live at the back of the Cat and Fiddle and Nisa.

There is also enough unsociable behaviour around this area, without young people being able to access alcohol til 01.00 am, who needs to purchase this at this time of the morning??

There is a burger / kebab shop opening in Moreton Avenue, which I would imagine will be open till late and then Nisa opening until 01.00 am will just add to the unsociable behaviour.

I am 100% **AGAINST** this happening and would like my opinion to be considered when this licence is being reviewed.

Many thanks

Michelle Reid

Karen Price

From: Tracey Pell
Sent: 28 January 2023 22:46
To: Licensing
Subject: Nisa Local Beacon Road Great Barr Birmingham B43 7BN M&M Family Ltd

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I wish to object to the licence request as follows

There is a pub over the road plus another one a 5 minute walk why do we need another place selling alcohol? There are also off licences and an Asda how many do we need in such a small area?

There are lots of food takeaways and a restaurant within a short distance so no need for another one especially one to open to 1am. This will have an impact on existing businesses.

It will encourage groups of people to gather/hang around creating noise and possibly anti social behaviours in a residential area with a lot of families and elderly people.

Litter is already an issue and will increase.

Ronald Butler
Hillingford Avenue, Great Barr, Birmingham, B43 7HN Telephone

Rebecca Dangor

From: Samantha Flynn
Sent: 31 January 2023 22:10
To: Licensing
Subject: Licence Objection

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To whom it may concern,

I wanted to send my objection to the following premises;

Nisa Local, Beacon Road, Great Barr Birmingham B43 7BN M&M Family Ltd

Being granted permission to sell alcohol until 1am. This will bring more ASB to the area. There are pubs, 24hr supermarket and a few off licences already, this is not needed. They only want to make more money, they do not care about local people who care and love the area. They have charged families over £10 for bottles of prime I believe.

Please DO NOT grant this and put our area under risk.

Samantha Flynn
Raeburn Road
Great Barr
Birmingham
B43 7LQ

Kind regards
Samantha

Sent from my iPhone

Rapinder Kaur Kler

From: Stirling Vaughan
Sent: 27 January 2023 13:07
To: Licensing
Subject: Nisa Local - B43 7BN
Attachments: Pupil-conduct-letter-06.05.202289.pdf

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Hi,

I've saw an application for this store to open longer and sell alcohol very late. I do NOT agree with this. Please see my reasons below.

Nisa Local, Beacon Road
Great Barr Birmingham, B43 7BN
M&M Family Ltd

I see lots of young people regularly hanging around in this area outside the Nisa front after school and late into the evening. Barr Beacon school is only a few minutes walk away.

There is often reports of anti social behaviour in the local area, some here below in the press:

Problems are said to be arising near to the Cat & Fiddle pub and convenience store Nisa Local on Beacon Road.

<https://www.birminghammail.co.uk/news/midlands-news/barr-beacon-school-alerts-parents-15812291>

Chip shop staff have reportedly been attacked by a gang of youths. The mob, according to police, smacked two workers outside Donya in Great Barr (was next door to Nisa).

<https://www.google.com/amp/s/www.birminghammail.co.uk/news/midlands-news/gang-launch-jam-jars-punch-16238164.amp>

I also attach a letter I found from the local school detailing their concerns previously. Have the school been contacted in relation to this new licence application.

Regards
Stirling Vaughan, local resident

Karen Price

From: Sue Field
Sent: 29 January 2023 10:12
To: Licensing
Subject: Planning application objection

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Good morning,

I am writing to object to the plans to extend the opening hours at Nisa Local, Beacon Road, Great Barr Birmingham B43 7BN.

The area already suffers from increasing anti social behaviour including widespread drug usage, frequent car cruising and problems in local pubs. The increased hours for alcohol sales will simply make matters worse, not only by increasing accessibility to alcohol to locals, in particular the younger population, but it will draw people in from other areas who need a late night alcohol fix. This used to be a nice, respectable and quiet area! We already have enough problems to deal with, please don't subject us to more problems by allowing this application to be granted.

My details are:

Sue Field

Dunbar Grove, Great Barr, B437pt

[Sent from Yahoo Mail for iPhone](#)

Rapinder Kaur Kler

From: Tina Harper
Sent: 27 January 2023 16:06
To: Licensing
Subject: Objection

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I would like to object to the proposal for extending opening hours.

There is enough noise and disruption for people on the estates now with the opening hours. Increased late night opening would make this even worse for the surrounding areas. This could cause more altercations, needing police intervention.

People would come out of the cat and Fiddle and the Old Horns and continue drinking and it's not clear what the late-night refreshment from 11.00pm-1.00am would entail. The excuse for people to make more noise and cause even more disruption than what there is at present.

I strongly object as a resident on the Park farm Estate.

Nisa Local
beacon Road
great Barr
Birmingham
B43 7BN

M&M Family Ltd

Kind Regards
Tina Harper

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Rapinder Kaur Kler

From: Tracy Herring
Sent: 27 January 2023 17:03
To: Licensing
Subject: Nisa, 152, Beacon road great barr

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R.E Nisa local 152 beacon rd, great barr Birmingham, B43 7BN. M&M family ltd.

I'm writing to say I reject the new planning application for opening hours until 1am with an added late night refreshments license to sell hot drinks/hot food. We already have people hanging around by the shops, parking up at all hours. Isn't this why The cat and fiddle pub and The old horns had to install car park barriers?? They had people parking on their car park drinking/drugs etc at all hours of the night! So this would only generate more anti social activity. There are house all around the shop with a lot of families and people going to work. If people need food, milk etc we already have a 24hour spar shop on the Queslett rd.

Yours faithfully

Tracy Herring

Beacon road

Great barr, b'ham b43 7bw

Karen Price

From: Tracey Pell
Sent: 28 January 2023 22:25
To: Licensing
Subject: Nisa Local Beacon Road Great Barr Birmingham B43 7BN M&M Family Ltd

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I wish to object to the request to the proposed variations for the following reasons:-

1. There is a pub over the road from this location, I do not see the need for alcohol to be sold until 1am.
2. There are food facilities in the same row of shops plus numerous other food outlets all within a short walking distance so I do not see the need for this store to sell refreshments until 1am.
3. By allowing the store to stay open to this time will attract groups of people, this is a residential area and we have already seen a rise in anti social behaviour, we need to be working to stop this not encourage it.
4. Litter is an issue, I am an active litter picker and the amount of food and drink litter I collect in the area is unbelievable and on the increase, another store will add to the problem. The shop owners in the area do nothing to clean up outside their shops why should more pressure be put on us volunteers to keep the area clean?
5. We have had many issues with the local pub at closing time with groups of youths gathering on the car park and trouble erupting due to drink, fighting breaks out and spills out onto our roads, I have called the police on many occasions, the police are already overstretched I do not see the benefit of another outlet selling alcohol until 1am will help the situation.
6. Noise of cars and people until 1am is unacceptable due to this being a residential area.
7. The store already sells alcohol plus there are off licences and an Asda in the area, why do they need to be selling alcohol until 1am?

Please take the concerns of the residents into consideration and visit the area to see how genuine our worries are. We are trying to improve our area this variation request will not help whatsoever.

Tracey Pell
Beacon Road, Great Barr, Birmingham, B43 7DA.
Telephone /

WALSALL COUNCIL
LICENSING ACT 2003
NOTICE OF APPLICATION
VARIATION OF A PREMISES LICENCE

Premises	Nisa Local 152 Beacon Road Great Barr Birmingham B43 7BN
-----------------	---

Notice is hereby given that **M & M Family 9 Limited** has applied to Walsall Council as the Licensing Authority for the variation of a premises licence under S.34 of the Licensing Act 2003.

The Proposed Variation(s)

- 1. Amend the licensing plan to reflect a new retail layout.**
- 2. Increase opening hours to 06:00-01:00 daily.**
- 3. Increase alcohol sale hours to 07:00-01:00 daily.**
- 4. Add late night refreshment between the hours of 23:00 – 01:00 daily.**
- 5. Delete all existing conditions and replace with conditions as detailed within the application.**

Anyone who wishes to make representations regarding this application must give notice in writing to: The Licensing Unit, Civic Centre, Darwall Street, Walsall, WS1 1TP. Representations must be received no later than:

01 February 2023

The Application Record and Register may be viewed during normal office hours at the above address.

It is an offence under Section 158 of the Licensing Act 2003, knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is up to level 5 on the standard scale (£5000)

Rapinder Kaur Kler

From: tracysandland
Sent: 27 January 2023 13:38
To: Licensing
Subject: Objection

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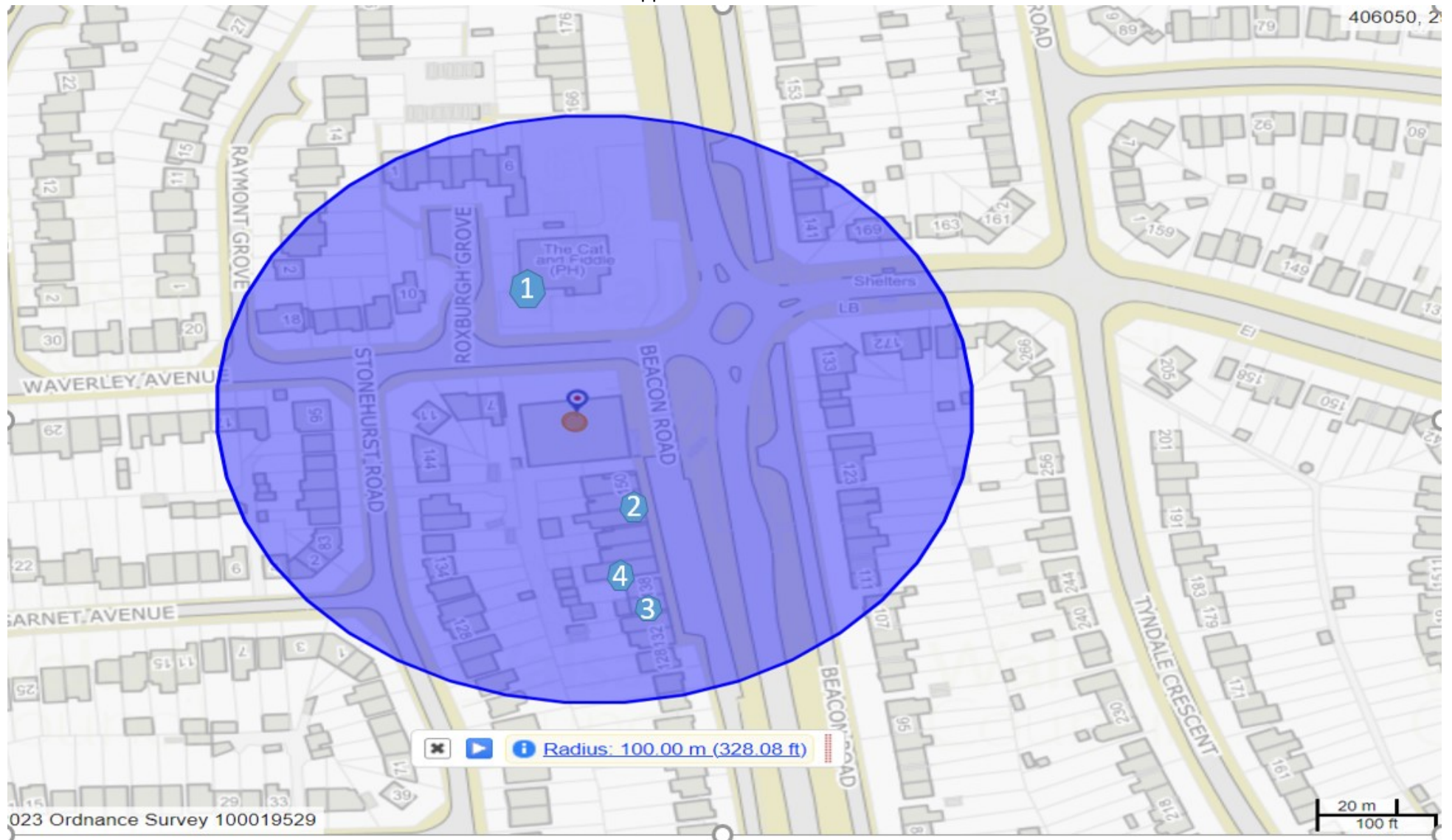
I am emailing to object to the application to extend the licence until 1am at Nisa local 152 beacon road, b43 7bn
By M&M family Ltd

There is already a problem with anti social behaviour around this store , it used to close at 9pm
As a carer I walk past this shop about 10.30pm and have noticed that it is still open and there can be youths gathering, this didn't happen until the change of ownership recently
As well as the risk of more anti social behaviour , noise litter etc it is in a residential area with houses close by
There is a shop 5 mins away spar queslett road , that is open 24hours
This has been there for some years and trades without any issues
My name is
Mrs t sandland
pinley grove
B43 7rb

Thank you for reading and considering my objections
Kind regards

Sent from my Galaxy

Nisa – 152 Beacon Road – Licensed venues within 100 metre Radius of applicant



Map Number	Name & Address	Type of Premises	Alcohol	Reg Entertainment	LNR
1	Cat & Fiddle, Beacon Road, Great Barr, Birmingham, B43 7RY	Pub	Monday to Thursday 10:00 – 00:00 Friday & Saturday 10:00 – 01:00 Sunday 10:00 – 23:00	Monday to Thursday 10:00 – 00:00 Friday & Saturday 10:00 – 01:00 Sunday 10:00 – 23:00	Monday to Thursday 23:00 – 00:00 Friday & Saturday 23:00 - 01:00
2	SRA News, 146 Beacon Road, Pheasey, Walsall, West Midlands, B43 7BN	Off Licence	Monday to Saturday 08:00 – 23:00 Sunday 10:00 – 22:30		
3	Beacon Fish Bar, 136 Beacon Road, Great Barr, B43 7BN	Takeaway			All Days 23:00 – 00:00
4	Als Bengali & Indian Cusine, 140 Beacon Road, Great Barr, Birmingham, B43 7BN	Restaurant	Monday to Sunday 12:00 – 00:00	Monday to Sunday 12:00 – 00:00	Monday to Sunday 12:00 – 00:00



Supporting Documentation relating to:

Nisa Local, 152 Beacon Road, Walsall Hearing.

1st March 2023

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3. Photographs of the location	Page 7
4. Crime Data	Page 13

WITNESS STATEMENT

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

Crime No. URN

Statement of Paul GREENFIELD

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

Occupation Police Constable 20325

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: *P.A. Greenfield* 20325 (witness)

Date 14/02/2023

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

I am PC20325GREENFIELD of the West Midlands Police I have been a Police Constable for the past 17 years mainly based in Birmingham City Centre. I have worked from Aldridge for the past 4 years after leaving the City Centre. Its is a large beat area with various issues arising in different areas mainly due to Anti Social Behaviour.

The most prominent location has been the Pheasey Estate most are male youths that I have to come into contact with during in my tour of duty, some have been expelled from school Barr Beacon but still congregate near to the local store that being the Nisa opposite the Cat and Fiddle Pub.

This is a known rendezvous point for local drug deal/dealers to sell on drugs as it's a well-known prominent location on a main road which has easy escape routes available. The local youths are well aware that the local officers complete their tour of duty at 23:00hrs when working late shifts. Officers are further draw into the Walsall Town centre on various weekends to cover the Night Time Economy normally Friday and Saturday nights commencing 20:00hrs to 05:00hrs.

The Cat and Fiddle Public House has now installed car park barriers and more importantly wooden fencing has been constructed around the perimeter of the beer garden, this had previously been a meeting area for the local youths and factions from outside the area. These youths have still been active in the vicinity.

The local school have to attend near the frontage of the Nisa to protect students making their way home as some have previously been attacked by youths loitering in the area. The previous shop keeper would state that there were issues but he would not provide any further details do to being in fear of reprisals.

Local residents have previously had to suffer loud music in the early hours of the morning on various days of the week coming from the car park entrance to the Cat & Fiddle and also the car park of the Nisa but again persons were not willing to support Police actions due to fear of reprisals.

Signature *P.A. Greenfield* 20325

Signature witnessed by

03/2016

OFFICIAL – (when complete)

Crime No. URN

Statement of Paul GREENFIELD

The local school has contacted me via e mail and I have attached their concerns: -

Please see the statement from Barr Beacon School below.

In relation to the local Nisa's application for a licence for sales of alcohol until 1.00am, I wish to place on record the school's desire to work with the Nisa to ensure that no sales of alcohol, tobacco or tobacco products are made to our pupils. We will continue to work with the Nisa owners and staff to ensure our pupils act in a responsible manner when using the shop whilst in school uniform before and after school.

While it is noted that the licence of alcohol currently extends until the close of business, at 21.00 hours, which is beyond the operating hours of the school day, extending the sales until 1.00am has the potential to lead to anti-social behaviour, which will impact on the local community and be a potential draw for vulnerable young people. The school would therefore support the shop opening only to be permitted to the current time of 21.00 hours.

If this application should be granted it will have a serious impact on the well being of local residents with regard to preventing public nuisance and the lack of Police resources to act on criminal activity is a serious concern due to lack of uniformed officers hence. this application will further have an impact on the prevention of crime and disorder.

Signature

P.A. Greenfield 20325

Signature witnessed by

03/2016

OFFICIAL – (when complete)

WITNESS STATEMENT**Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B****Crime No.****URN**

Statement of Jennifer Mellor

Age if under 18 018 (if over 18 insert "over 18")

Occupation Walsall Licensing & Regulatory Service
Officer, West midlands Police

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

Signature: (witness)**Date** 13th February 2023Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am Jennifer Mellor 60384, Walsall Licensing and Regulatory Services Officer currently stationed at Walsall Police, Civic Centre, Walsall.

This statement is written in relation to the variation of a Premise Licence for Nisa Local 152 Beacon Road, Walsall, B43 6JG. I have researched police systems where I have evidenced the following crimes which have occurred during the time this variation of hours is requested:

Between 00:00 and 06:00 hours on 22 February 2022 3 males jump on top of a vehicle causing possible damage, gained entry into the vehicle and then made off with said vehicle.

Between 00:45 and 01:00 on 27 Feb 2022 2 males were driven at by a vehicle and also drove at a wooden bench generating two crimes

At 23:30 hours on 17th March 2022 a report of a fight on the pub car park between various people from the traveller community, and possibly some unknown Asian males in a vehicle, one injured party advised police he was assault with a gold club. WMP received numerous calls regarding this incident which resulted in 4 crimes and the attendance of an ambulance.

Between 21:00 and 22:30 hours on 1st July 2022 youths have been loitering on the benches of the beer garden on the pub across the road from the Nisa. When approached by the staff at the pub and being told to leave as they were not paying customers, they were causing nuisance and also the staff member thought they could be smoking weed they have said "FUCK OFF, WE WILL KNOCK YOU OUT". This has caused the staff member to be in fear of violence and fearful of their safety.

On 2nd July WMP received multiple calls relating to youths in the area, the later one at 23:00 hours. . The caller believed youths around 17 years of age were smoking and taking drugs in the beer garden of the pub opposite Nisa Local, the caller believed it was the same youths which had been there earlier. Officers attended the pub whereby a large group of young males were in the beer garden. A number of them ran off

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upon police attendance. The remaining youths were not causing a disorder. Officers informed the remaining youths they would be getting searched under S23 MDA Act which caused even more to leave the pub. These youths were not customers of the pub however, the staff were in fear at times from them and found it difficult to move them on.

At 23:55 hours on 28th August 22 20/761462/22 there was a fight on the car park opposite, the injured party had tried to intervene and as a result, sustained an injury.

At 23:05 hours on 29th August 2022 29/08/2022 offenders have attended the car park opposite and smashed the driver's window of a vehicle. They have then entered the vehicle in an attempt to steal it. The owner of the vehicle was alerted to the alarm in the vehicle going off and ran to the vehicle and sat in the passenger's seat. Offender has then hit the vehicle owner to the face. Another offender has then appeared with a large machete (potentially a sword). Offenders have then failed to steal the car and made off in their vehicle.

At 23:26 hours on 11th October 2022 police received a report that resulted in two crimes. Two males were with a friend outside the pub opposite in the car park when they were approached by the offender's. Offenders said to one of the males that he owed him a drink but the pub was closed so they couldn't give them one. A physical altercation then started where the offenders punched one male and then "glassed" the other. Offenders then made off prior to Police arrival.

Myself and PC Greenfield have liaised with the pub operators opposite the Nisa as there has been issues when the pub has been open but some of these incidents have occurred whilst the pub has been closed, At a substantial cost to the owners, barriers were erected across the car part entrances however this has not eliminated all crimes or issues in the area. This location is still a concern to WMP.

There is a similar shop less than a mile away where the neighbouring premises have had CCTV installed and via our enquiries, we have received reports of ASB, drug dealing etc outside. Although this licence is 24 hours it shows a pattern of behaviours when venues are allowed to open late. In a recent report at this location large weapons were evidenced. Having this venue open until 01:00 hours, on the balance of probabilities will be detrimental to the area.

As I mentioned in my original representations further issues are predicted to arise should this application be granted as the nearby Barr Beacon nature reserve is a short drive/walk up the road from this premise. This location is a hot spot location for vehicles to frequent with the occupants engaging in drinking alcohol and consuming illegal drugs of an evening. This area has also seen various assaults and vehicles either being

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attacked or stolen. Having this additional premise open late of an evening will have a negative impact on this activity of criminality. Again on the balance of probabilities this will have an impact on public nuisance and crime and disorder

I produce photographs of the location (WMP/JRM) evidencing the closeness of residential housing. Having a licence until 01:00 hours is unacceptable due to the noise nuisance this would create at this hour with cars parking to the front of the premise where there are flats and to the side on Waverley Ave as the parking continues up to residential homes together with the noise of patrons leaving the shop.

Having the addition of late night refreshment will also further impact on the licensing objectives. This, given the issues in the location will be a place for youngsters to congregate late of an evening to have the benefit of hot food and drink and for those old enough to purchase alcohol until 01:00 hours. Given the large space outside of this venue as per the photographs in the evidence bundle, blends itself to an area of concern. By providing hot food and drink will encourage people to loiter longer in this residential area which will undermine the crime and disorder, public nuisance and public safety resulting in a negative impact for the community.

On the Crimera website it is stated "Birmingham is the most dangerous major city in the West Midlands, and is among the top 10 most dangerous overall out of the West Midlands's 44 towns, villages, and cities. The overall crime rate in Birmingham in 2021 was 137 crimes per 1,000 people. This compares poorly to the West Midlands's overall crime rate, coming in 17% higher than the West Midlands rate of 118 per 1,000 residents. For England, Wales, and Northern Ireland as a whole, Birmingham is the second most dangerous major city, and the 238th most dangerous location out of all towns, cities, and villages." This location postcode comes under Birmingham however under Walsall the following is stated "Walsall is the second most dangerous major town in the West Midlands, and is among the top 10 most dangerous overall out of the West Midlands's 44 towns, villages, and cities. The overall crime rate in Walsall in 2021 was 143 crimes per 1,000 people. This compares poorly to the West Midlands's overall crime rate, coming in 22% higher than the West Midlands rate of 118 per 1,000 residents. For England, Wales, and Northern Ireland as a whole, Walsall is among the top 5 most dangerous major towns, and the 206th most dangerous location out of all towns, cities, and villages."

From the Streetcheck website I also produce crime data (WMP/JM)

For all the reasons above, West Midlands Police strongly object to this application in totality and respectfully ask the committee to refuse this application

Signature 

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Witness contact details

URN : / /

Name of witness: Mr/Mrs/Ms/Miss/Dr

Former name

*Email address:

*Email address needed for correspondence i.e. support material to be sent

Address

Postcode:

Preferred telephone number:

Alternate telephone number:

Agreed means of contact and frequency :

Gender

Date and place of birth

Ethnicity Code (16+1)

DATES OF WITNESS NON-AVAILABILITY: (12 months)**Witness care**

Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? (*youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case. ALSO crimes involving gun and knife crimes and victims of Modern Slavery Act 2015*)

Yes ☐ No ☐ If 'Yes', submit **MG2** with file in NGAP, contested or indictable only cases OR to read VPS in GAP cases.

Witness Consent (for witness completion)

- | | | | |
|---|------------------------------|-----------------------------|------------------------------|
| a) I am aware that I may have to attend court. | Yes <input type="checkbox"/> | No <input type="checkbox"/> | |
| b) I have been given the Victims' leaflet with the crime number on . | Yes <input type="checkbox"/> | No <input type="checkbox"/> | |
| c) The Victim Personal Statement scheme (victims only) has been offered to me. | Yes <input type="checkbox"/> | No <input type="checkbox"/> | |
| d) It has been explained to me what will happen next with this investigation | Yes <input type="checkbox"/> | No <input type="checkbox"/> | |
| e) I consent to police having access to my medical record(s) in relation to this matter (<i>obtained in accordance with local practice</i>) | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA, CLPD. | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| g) Child witness cases only. I have had the provision regarding reporting restrictions explained to me. | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| I would like the CPS to apply for reporting restrictions on my behalf. | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |

- I understand that the information recorded above will be passed on to the Witness Service, which offers help and support to witnesses pre-trial and at court.
- I understand that my details may be passed to other agencies who can offer me help and support in relation to being a victim of this crime.

I give my informed and explicit consent for my personal details to be passed to other agencies that can support me or are involved in the criminal justice process.

Yes ☐ No ☐

Signature..... Date

Parent/guardian signature..... Date

Address

Contact tel no

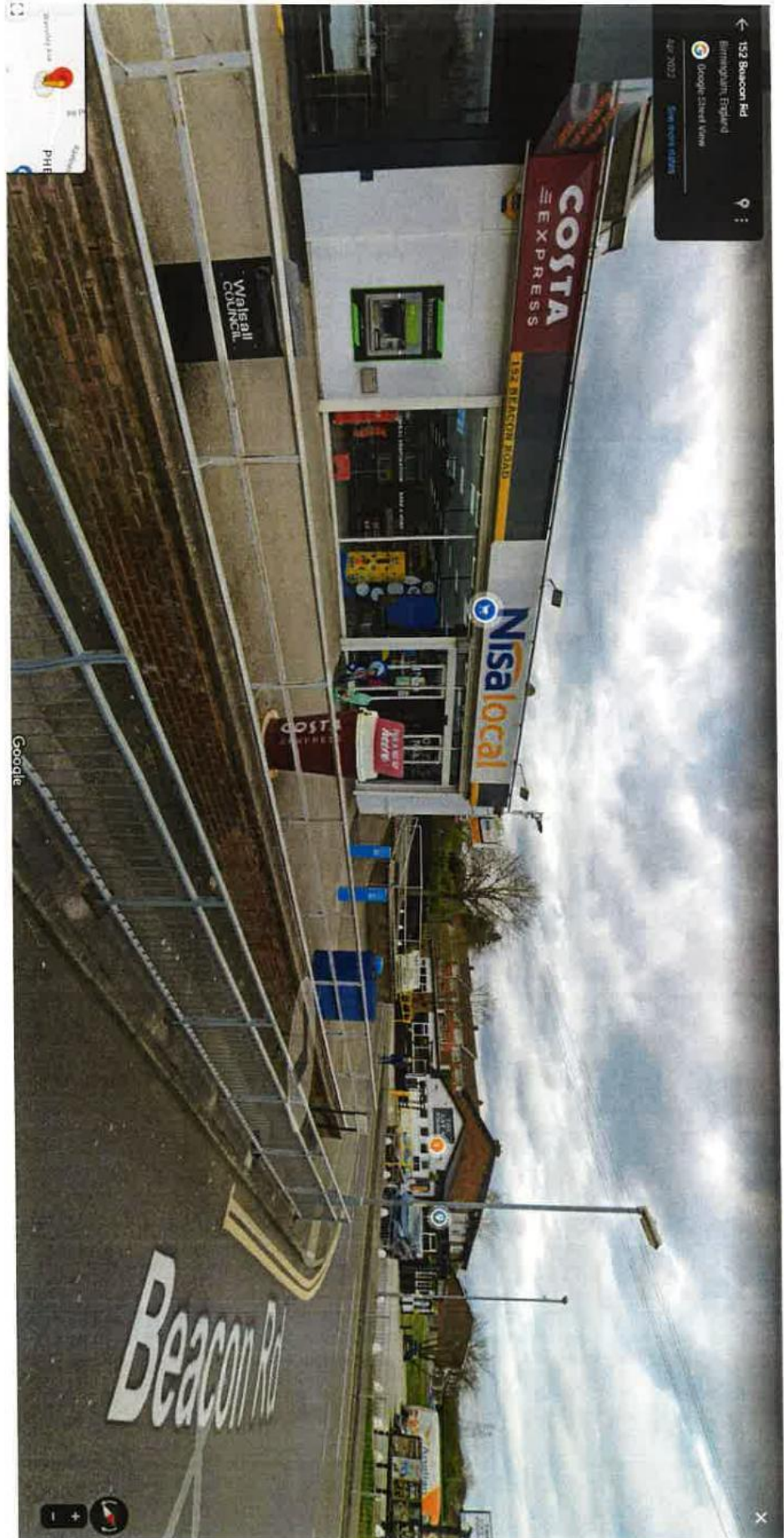
Supporter signature..... Date

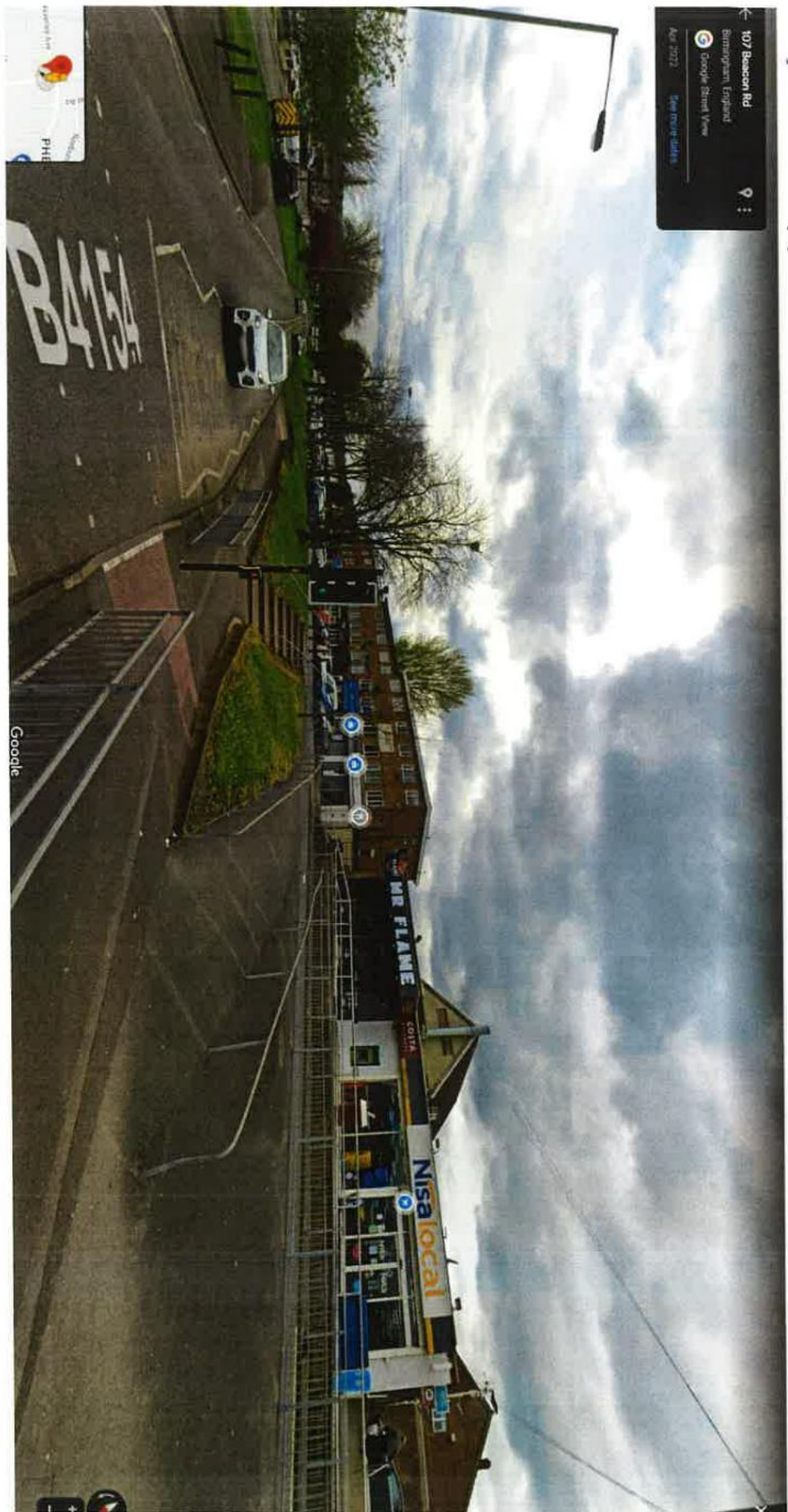
Statement taken by (*print name*):

Station:

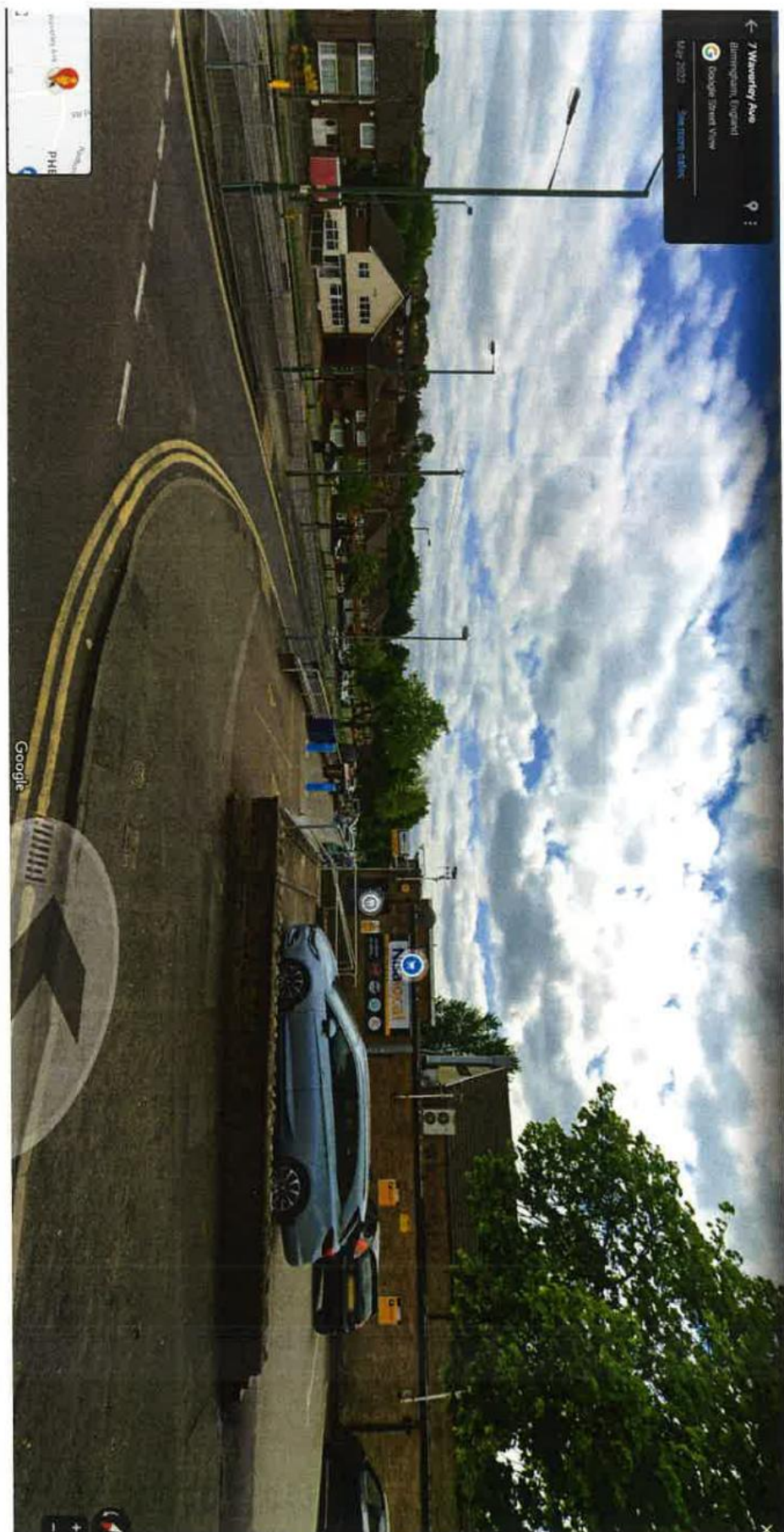
Time and place statement taken:

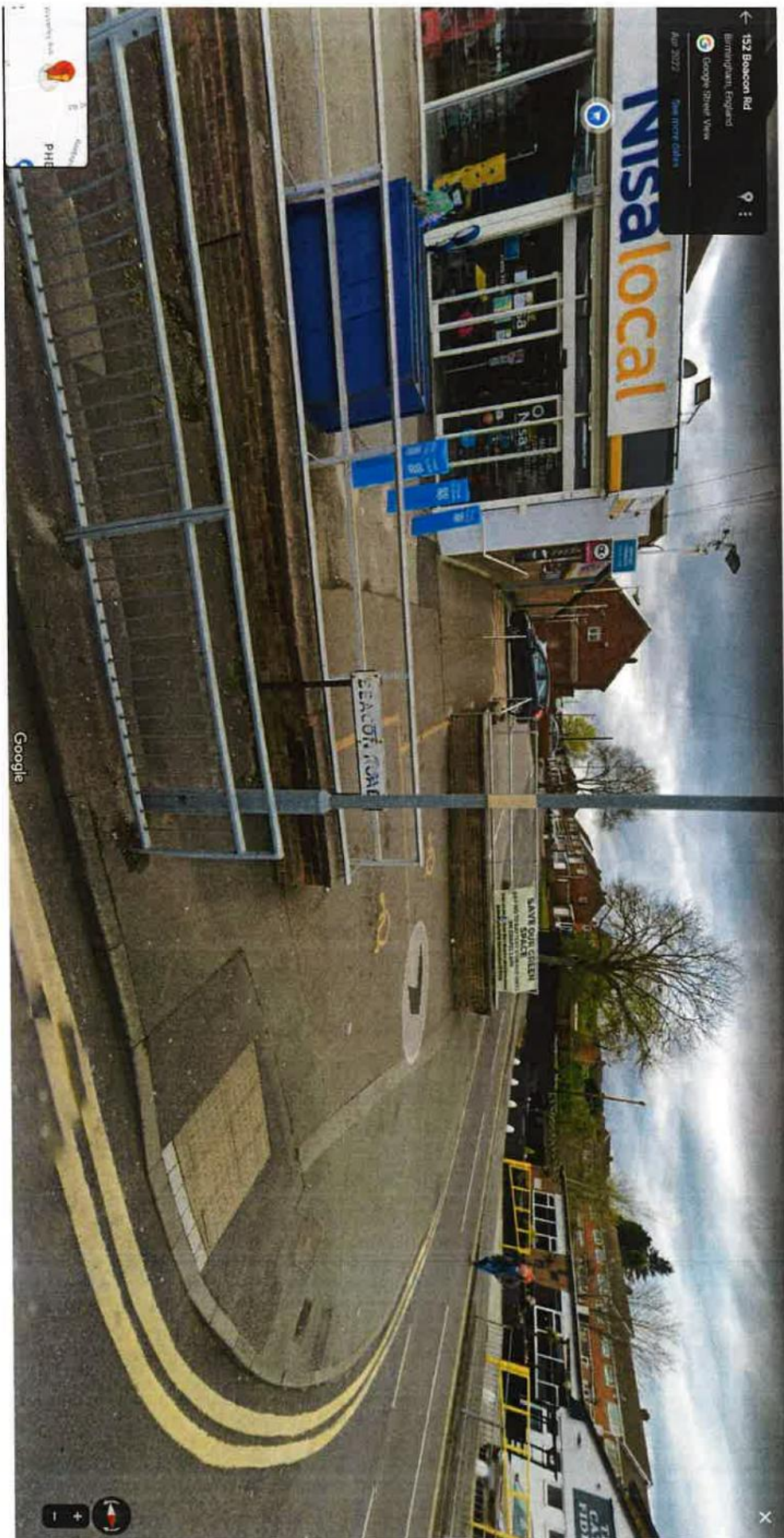
Signature Signature witnessed by







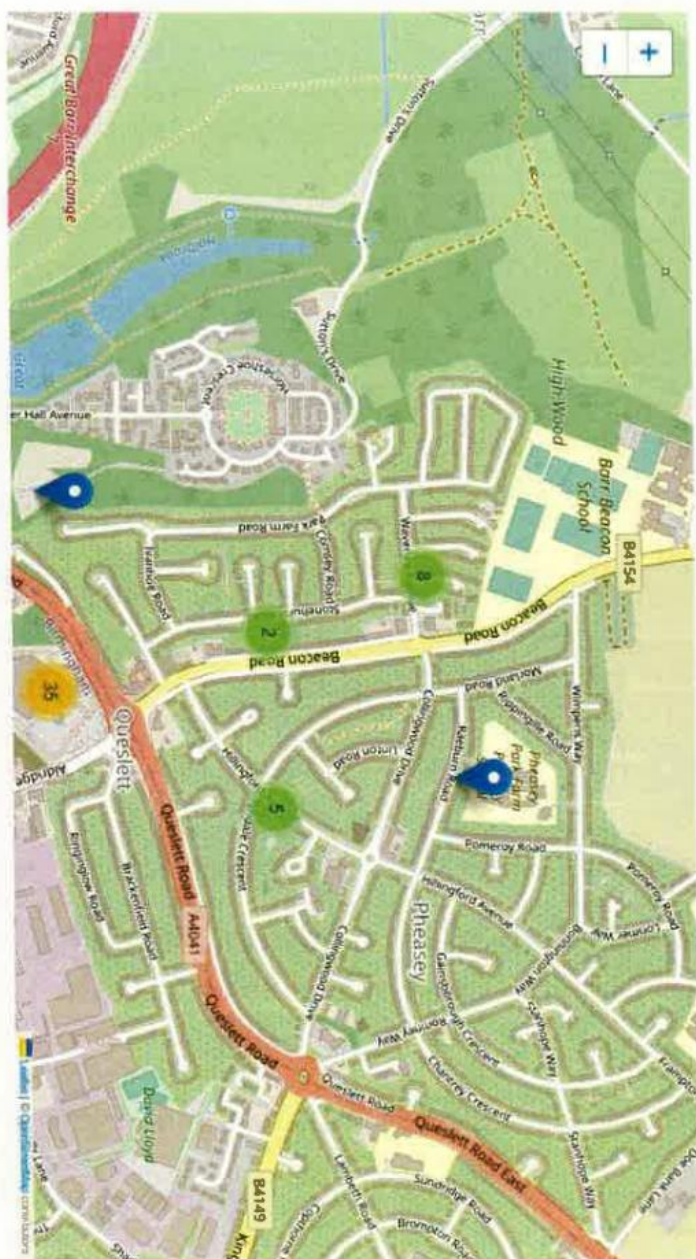




Information gained by www.streetcheck.co.uk

We have found **52** crimes in December 2022 within half a mile of the centre of [B43 7BN](#)

Change Month: December 2022 ▾



We have found **56** crimes in July 2022 within half a mile of the centre of [B43 7BN](#).

Change Month: **July 2022** ▼

