

Agenda

Licensing Sub Committee 1

Friday, 17 December 2021 at 10.00 am
At Council Chamber - Sandwell Council House, Oldbury

This agenda gives notice of items to be considered in private as required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

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1 Apologies for Absence

Members to declare any interests in matters to be discussed at the meeting.

2 Declarations of Interest

Members to declare any interests in matters to be discussed at the meeting.

3 Application for a variation of a Premises Licence for Nowa Polka, 17 Waterloo Road, Smethwick B66 4JX

5 - 42

To consider the application for a Full Variation of the current premises licence under section 34 of the Licensing Act 2003 in respect of Nowa Polka, 17 Waterloo Road, Smethwick B66 4JX.



4 **Application for a variation of a Premises
Licence for Tani Sklep, 6 – 8 Waterloo Road,
Smethwick B66 4JW**

43 - 86

To consider an application for a variation of a
Premises Licence in respect of Tani Sklep, 6 – 8
Waterloo Road, Smethwick B66 4JW.

Kim Bromley-Derry CBE DL
Interim Chief Executive
Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution
Councillor Allen (Chair)
Councillors Chidley and Fenton

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Report to Licensing Sub Committee 1

Friday 17 December at 10.00am

Subject:	Application for a Full Variation of the current Premises Licence at Nowa Polka, 17 Waterloo Road, Smethwick B66 4JX
Director:	Director – Borough Economy Alice Davey
Contact Officer:	Kiran Dhesi Licensing Officer licensing_team@sandwell.gov.uk

1. Recommendations

- 1.1 To consider the application for a Full Variation of the current premises licence under section 34 of the Licensing Act 2003 in respect of Nowa Polka, 17 Waterloo Road, Smethwick B66 4JX
- 1.2 Each application must be considered on its merits taking into account the evidence presented at the hearing, and the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's Licensing Policy. The options that can be considered once evidence has been heard are detailed at section 5.


2. Reasons for Recommendations

- 2.1 The Licensing Sub Committee is asked to make a decision on the application based on any evidence presented at the hearing taking into account the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy and to give reasons for their decision.



- 2.2 To consider an application for the Variation of a premises licence in respect of Nowa Polka, 17 Waterloo Road, Smethwick B66 4JX following receipt of a representation received from the Police Licensing Officer of West Midlands Police. This is due to concerns that the Licensing objective Prevention of Crime and Disorder would be undermined.

3. How does this deliver objectives of the Corporate Plan?

	<p>A strong and inclusive economy</p> <p>Investing in people and jobs. Licensed premises provide employment in the Borough and help to support the Borough's economy.</p> <p>It is the Authority's aim to offer a wide choice of high quality and well managed entertainment and cultural venues within a safe, orderly and attractive environment; valued by those who live here, work here and come to visit. We want to ensure that businesses operate responsibly and safely so that our residents live in decent neighbourhoods and have a good quality of life.</p>
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4. Context and Key Issues

- 4.1 Under the Licensing Act 2003, a responsible authority or any other person may make representations in respect of the application which must be relevant to one or more of the four licensing objectives, namely:
- The Prevention of Crime and Disorder
 - Public Safety
 - The Prevention of Public Nuisance
 - The Protection of Children from Harm
- 4.2 Representation has been received from the Police Licensing Officer. A copy of the representation is attached at Appendix 2.

CURRENT POSITION

- 4.3 An application has been made by Hamidreza Radjou for the Variation of a Premises Licence.
- 4.4 A copy of the application is attached at Appendix 1.



- 4.5 The application is to increase operating hours and sale of alcohol at the premises to 24 hours a day. A copy of the current Licence is attached at Appendix 4.
- 4.6 The proposed hours the premises will be open to the public Monday - Sunday 00:00 – 23.59 and the hours for sale of alcohol also being Monday to Sunday 00:00 – 23:59
- 4.7 The premises operates as a Convenience store with an Off Licence known as Nowa Polka.
- 4.8 **Operating Schedule/Proposed Conditions**

General

A Challenge 25 policy will be strictly followed by all staff. Staff are trained as appropriate in respect of relevant licensing law. The open nature of the Shop allows for good viewing coverage.

CCTV cameras are installed.

A minimum of 2 members of staff will be on duty between the hours of 22:00 and 07:00

The prevention of crime and disorder

The premises will operate Challenge 25 policy as a minimum in order to ensure that alcohol is sold only to persons of lawful age.

The Designated Premises Supervisor and their staff will at all times remain aware of their responsibilities for the prevention of crime and disorder on the premises and demonstrate a responsible attitude to the marketing and sale of alcohol. Any person who appears drunk /aggressive will not be permitted on the premises.

No consumption of alcohol will be permitted inside the premises. CCTV recordings will be kept for at least 28 days and made available to responsible authorities.



There will be a minimum of 2 members of staff on duty between 22:00 and 07:00.

CCTV to cover both inside and outside the premises.

A Refusals Book will be maintained at the premises and all refusals to serve alcohol will be recorded in this book. It will be made available to any of the appropriate authorities on request.

Public Safety

We will fully support any directives received from the authorities. Floor staff will conduct physical sweep inside the premises to remove hazardous objects/waste as deemed necessary by the management.

The Designated Premises Supervisor is aware of his responsibilities to the staff and customers in respect of public safety and will take all reasonable steps to ensure the maintenance of all provided safety arrangements and equipment in accordance with the requirements of current installations.

The prevention of public nuisance

All deliveries will be conducted prior to 19:00 to control noise nuisance.

In conjunctions with the steps proposed for the prevention of crime and disorder objectives, the Licensees and staff will at all times remain responsible for the prevention of public nuisance in and around the premises.

The Designated Premises Supervisor will arrange to monitor levels of noise from both inside and outside the premises and remedial action will be taken as appropriate. Doors and windows will be kept closed as deemed necessary by the Designated Premises Supervisor.



The Protection of children from harm

The Designated Premises Supervisor and staff will at all times remain aware of their responsibilities under the objective, including that alcohol shall not be sold to anyone under the age of 18.

Staff on duty have been trained and made aware of these requirements and the need to demand an acceptable form of age id.

The premises will operate Challenge 25 policy.

No adult entertainment is permitted at these premises.

A refusals register will be maintained.

4.9 A location map of the premises is attached at Appendix 3.

4.10 Consultation (customers and other stakeholders)

A notice has been published in a local paper and a public notice has been displayed at the premises outlining the application and inviting comments/representations to be sent to the Licensing Authority, detailing a closing date for these to be received. Details of the application were also published on the Council's website.

5. Alternative Options

5.1 The options available to the Licensing Sub-Committee having considered all the relevant information are as follows:

- to grant the licence subject to conditions consistent with the operating schedule accompanying the application, and any mandatory conditions which must be included in the licence
- to exclude from the scope of the licence any of the licensable activities to which the application relates;
- to refuse to specify a person in the licence as the premises supervisor;



- to reject the application

5.2 Conditions may be altered or omitted, or any new condition added.

5.3 Additional conditions or restrictions to licensable activities and/or times should only be imposed if considered appropriate for the promotion of the licensing objectives. If other law already places certain statutory responsibilities on a premise, it would not be appropriate to impose similar duties.

5.4 Members of the Sub Committee should be advised that the applicant, or any other person who made relevant representations in relation to the application, may appeal against the decision made to the Magistrates' Court within 21 days of the date on which they were notified.

6. Implications

Resources:	<p>There are no direct strategic resource implications associated with this application.</p> <p>In respect of premises licence applications, we do not foresee any issues in respect of sustainability of proposals.</p> <p>The application relates to a privately owned property.</p>
Legal and Governance:	<p>Members of the Licensing Sub Committee when making their decision on the application must take into account the four licensing objectives, the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy. The applicant and those who have made relevant representations have the right to appeal the decision made by the Licensing Sub Committee to the Magistrates Court, so the Committee are asked to give reasons for their decision wherever possible.</p> <p>Members of the Sub-Committee should not allow themselves to predetermine the application or to be prejudiced in favour or opposed to the applicant and/or the licence holder and shall only determine the</p>



	application having had an opportunity to consider all relevant facts.
Risk:	<p>The Police are a statutory consultee for all Licensing Act 2003 applications. Prevention of Crime and Disorder is one of the four licensing objectives and applicants have to demonstrate how they will achieve this objective by volunteering measures in the operating schedule submitted with the Licence application.</p> <p>The Police have made a representation to this application</p> <p>Whilst full details of the application and any representations have been shared with the committee members, only information that is in the public domain has been made available for the reports that have been made public online, in line with data protection protocols.</p>
Equality:	<p>The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.</p> <p>The operators of this premises are responsible for complying with all relevant legislation.</p>
Health and Wellbeing:	This is not applicable to applications for premises licences submitted under the Licensing Act 2003.
Social Value	This is not applicable to applications for premises licences submitted under the Licensing Act 2003.

7. Appendices

- Appendix 1 – Licence Variation Application
- Appendix 2 – Representations
- Appendix 3 – Location Plan
- Appendix 4 – Current Premises Licence

8. Background Papers

- Sandwell Metropolitan Borough Council Licensing Policy
- Guidance issued under Section 182 of the Licensing Act 2003
- The Licensing Act 2003 (Hearings) Regulations 2005



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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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From: [Licensing Team for Alcohol & Gambling](#)
To:

Date: 23 November 2021 11:44:00
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)
[image004.png](#)

Good morning

We have received a representation from the Police for Nowa Polka full variation of premises licence, please see below.

West Midlands Police object to the application for a 24 hour licence for the Premises. The Premises is situated in an impact area which is a small geographical area comprising a few neighbourhoods where there is a disproportionate amount of crime, demand, deprivation and harm. As such the sale of alcohol 24 hours day in this location by such Premises, is a serious concern and would undermine the prevention of crime and disorder objective.

In addition to the above concern, the Premises is located near to supported accommodation for young, vulnerable adults many of whom have been subject to drug and alcohol issues and exploitation and so the extension of hours to this venue and the potential additional risk and issues it could cause in this area, is a serious concern.

It should also be noted that a similar Premises opposite to this venue has at the same time also applied for a 24 hour licence (which WMP have also objected to) and so potentially there would be two venues with 24 hour licences if granted. It would seem that one Premises applying for a 24 hour licence has then encouraged another venue to apply for a 24 hour licence to keep up with competition and that trend in this area is a concern for West Midlands Police.

Nicola Stansbie 60234
Licensing Officer
West Bromwich Police Station,
Moor St,
West Bromwich,
B70 7AQ,
Ring 101

Regards

Licensing Team

www.traderregister.org.uk

Sandwell Council...working for you

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Address for all correspondence:

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Regulated Services
Borough Economy
Sandwell Council House
PO Box 2374
Oldbury
B69 3DE

(Please note that the Licensing Team are not based at this address)

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Appendix 3



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GENERAL

1. A minimum of one personal licence holder will be on the premises whenever licensable activities are being carried on.
2. The licence holder shall ensure that at all times when they are carrying on the sale of alcohol by retail there are sufficient, competent staff on duty at the premises for the purpose of fulfilling the conditions of the licence and for preventing crime and disorder.
3. Alcohol drinks in open containers may not be removed from the premises.

CCTV

4. A digital Closed Circuit Television System (CCTV) will be installed and maintained in good working order and be correctly time and date stamped.
 - i. The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed.
 - ii. CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition.
 - iii. Cameras will encompass all ingress and egress to the premises, the immediate area outside the frontage of the Premises and all areas where the sale/supply of alcohol occurs.
 - iv. The system will record and retain CCTV footage for a minimum of 28 days.
 - v. The system will record at all times when the Premises are open.
 - vi. The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer.
 - vii. The Digital recorder will be password protected to prevent unauthorised access, tampering, or deletion of images.
 - viii. There will be at all times, when the premises is open, a member of staff on duty with access to the CCTV system who is trained in the use of the equipment.
 - ix. Upon receipt of a request for a copy of CCTV footage from Police, or Officers or any other Responsible Authority, the member of staff will produce the footage within 24 hours, or less if urgently required for investigations of serious crime.
 - x. CCTV footage must be made available to be viewed by West Midlands Police or an Officer of a Responsible Authority upon request or during an inspection.

INCIDENT BOOK

5. An incident book must be kept at the Premises and maintained up to date (no later than 24 hours after the incident) at all times and will record the following:
 - i. Time date and details of all incidents/complaints of crime and disorder or anti-social behaviour
 - ii. All crimes reported to the venue
 - iii. Any faults in the CCTV system, searching equipment or scanning equipment
 - iv. Any visit by a responsible authority or emergency service

The incident book must be kept at the premises and made available to West Midlands Police or an Officer of a Responsible Authority on request, or during an inspection.

REFUSALS REGISTER

6. A refusals register must be kept at the Premises and maintained up to date at all times recording the date time, type of product refused, reasons for every refusal to sell alcohol to a customer and the name and signature of member of staff refusing the sale.
7. The refusals record must be made available to West Midlands Police or an Officer of a Responsible Authority on request, or during an inspection.
8. The Premises Licence Holder or the Designated Premises Supervisor must monitor the Refusals Register every month and must sign and date the Refusals Register when this has been completed, or if the Refusals Register is electronic the check and date and time of the check must be clearly recorded.

TRAINING

9. Training in relation to the Licensing Objectives and the conditions on the premises licence, Challenge 25, under age sales, sales to adults on behalf of minor (proxy sales), sales to intoxicated persons, refusals registers, incident records dispersal policy, the premises' drugs policy must be provided and undertaken by all members of staff (whether paid or unpaid) before he / she makes a sale or supply of alcohol and at least every six months thereafter.
10. Documented training records must be completed in respect of every member of staff and must include the name of the member of staff trained, date, time and content of the training. The record must be signed by the member of staff who has received the training, the Designated Premises Supervisor, the Premises Licence Holder or external training providers.
11. Documented training records must be kept at the premises and made available to West Midlands Police or an Officer of a Responsible Authority on request, or during an inspection.

MECHANISMS AROUND THE SALE OF ALCOHOL BY RETAIL TO PROMOTE THE LICENSING OBJECTIVES

12. Every sale of alcohol for consumption off the premises shall be at not less than the minimum price calculated in accordance with the following or as varied in accordance with this condition:-
- Cans or bottles of beer and cider: 99 pence.
13. Where alcohol is supplied under the premises licence of a type not expressly referred to above, the minimum price applicable to the supply shall be the minimum price for the type of alcohol referred to above that is most similar to that supplied.
14. The minimum price shall be varied every two years following discussion with the Premises Licence Holder as follows (unless the Licensing Authority consider it appropriate not to do so):-
- i) The "retail prices index" shall be as defined in section 989 of the Income Tax Act 2007 (being currently, the general index of retail prices (for all items) published by the Statistics Board or, if that index is not published for a relevant month, any substituted index or index figures published by the Board).
 - ii) The first variation shall take place on the 1st January 2024 and each subsequent variation shall take place in every two years thereafter.
 - iii) The varied minimum price shall be the sum produced by multiplying the minimum price then applicable by a figure expressed as a decimal and determined by the formula: $1 + (RD - RI)/RI$
 - iv) Where RD is the retail prices index for the 1st January 2024 or each subsequent second anniversary of 1st January 2024 and RI is the retail prices index for the 1st January 2024 (or each subsequent second anniversary of 1st January 2022).
 - v) The figure determined in accordance with this formula is rounded to the nearest third decimal place.
 - vi) If in relation to any two year period RD is equal to or less than RI, the figure determined in accordance with the formula shall be 1 and there shall be no change in the minimum price for that year.
 - vii) The varied minimum price shall after application of the formula be rounded up or down to the nearest £0.05.
 - viii) Before the 1st January 2024 and each second anniversary of 1st January 2022, the premises licence holder shall give notice to the Licensing Authority of the varied minimum prices calculated in accordance with this condition unless otherwise agreed.
15. The premises shall not stock or sell beers or ciders with an ABV in excess of 6.5% with the exception of craft beers.
16. There shall be no self-service of alcoholic products.
17. The premises shall have no more than 20% of its overall display area in the retail area dedicated to alcoholic products.

THE PREVENTION OF CRIME AND DISORDER

18. The premises licence holder will ensure that individuals who are drunk, disorderly or both will not be permitted access to the premises. Anyone found to be intoxicated shall be removed from the premises

THE PREVENTION OF PUBLIC NUISANCE

19. The premises shall have a documented dispersal policy, which shall be implemented for the effective dispersal of people immediately outside the premises at all times the premises are open.
20. The Premises Licence Holder shall ensure notices are displayed at all entrances and exits of the premises advising customers to have respect for the nearby residents and keep noise levels to a minimum as they depart.

PUBLIC SAFETY

21. The premises licence holder shall conduct a risk assessment for the general operation of the premises. This will include fire, health and safety and emergency evacuation. It will cover all areas of the premises, including the bar/restaurant, basement and any outside areas.
22. The premises' fire risk assessment will be made available to any responsible authority immediately upon request.
23. The Licence Holder shall ensure that all emergency lighting is checked on a weekly basis. Entrances, exits and passageways shall be kept clear.

THE PROTECTION OF CHILDREN FROM HARM

24. The premises licence holder shall adopt the Challenge 25 scheme and appropriate signage will be placed at the entrance to the premises and adjacent to any bar service. The premises will operate a policy whereby any person attempting to buy alcohol or any person attempting to gain entry for premises who appears to be under 25 will be asked for photographic ID to prove their age. The ID that will be accepted is a passport or driving licence with a photograph.
25. The premises licence holder shall display Challenge 25 posters in prominent positions within the premises, including at the point of sale and the entrance to the premises.

Report to Licensing Sub Committee 1

17 December 2021

Subject:	Application for a variation of a Premises Licence for Tani Sklep, 6 – 8 Waterloo Road, Smethwick B66 4JW
Director:	Director – Borough Economy Alice Davey
Contact Officer:	Kiran Jalaf Licensing Officer licensing_team@sandwell.gov.uk

1. Recommendations


- 1.1 To consider an application for a Variation of a Premises Licence submitted by Mr Sardar Abdul Rahman in respect of Tani Sklep, 6 – 8 Waterloo Road, Smethwick B66 4JW.
- 1.2 Each application must be considered on its merits taking into account the evidence presented at the hearing, and the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's Licensing Policy. The options that can be considered once evidence has been heard are detailed at section 6.

2. Reasons for Recommendations

- 2.1 The Licensing Sub Committee is asked to make a decision on the application based on any evidence presented at the hearing taking into account the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy and to give reasons for their decision.
- 2.2 To consider a variation of the current premises licence in respect of Tani Sklep, 6 – 8 Waterloo Road, Smethwick B66 4JW following receipt of a representation from the West Midlands Police. See attached Appendix 2.



3. How does this deliver objectives of the Corporate Plan?

	<p>A strong and inclusive economy</p> <p>Investing in people and jobs. Licensed premises provide employment in the Borough and help to support the Borough's economy.</p> <p>It is the Authority's aim to offer a wide choice of high quality and well managed entertainment and cultural venues within a safe, orderly and attractive environment; valued by those who live here, work here and come to visit. We want to ensure that businesses operate responsibly and safely so that our residents live in decent neighbourhoods and have a good quality of life.</p>
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4. Context and Key Issues

- 4.1 Under the Licensing Act 2003, a responsible authority or any other person may make representations in respect of the application which must be relevant to one or more of the four licensing objectives, namely:
- The Prevention of Crime and Disorder
 - Public Safety
 - The Prevention of Public Nuisance
 - The Protection of Children from Harm
- 4.2 Representation has been received from the West Midlands Police on 19th November 2021. A copy of the representation is attached at Appendix 2.

CURRENT POSITION

- 4.3 An application is made by the premises licence holder Mr Sardar Abdul Rahman for the variation of the current premises licence as attached at Appendix 1.
- 4.4 The variation is to extend the permitted area of the licensable activity, to increase the sale of alcohol hours by 24 hours, to increase the opening hours to the public by 24 hours, remove and replace operating schedule conditions.



- 4.5 The licence for Tani Sklep was granted on 6th September 2011 and permits the sale by retail of alcohol for consumption off the premises Monday to Sunday from 09:00 to 21:00 as attached at Appendix 3.
- 4.6 The opening hours to the public are Monday to Sunday from 09:00 to 21:00.
- 4.7 The operating schedule condition under The Prevention of Public Nuisance objective; ***‘although it is not the applicants wish to trade after 21.00’*** has been requested to be removed.
- 4.8 Another operating schedule condition under The Protection of Children from Harm objective; ***‘Also premises will operate a proof of age scheme via acceptable forms of identification and incorporating the ‘Challenge 21’ system’*** has been requested to be removed and will be replaced by ***‘The applicant has now offered Challenge 25 as a substitute’***.
- 4.9 The following operating schedule conditions will be added to the premise licence:

a) General

CCTV

1. The premises shall install and maintain a digital CCTV system.
2. The CCTV system shall have sufficient hard drive storage capacity to store a minimum of 31 days.
3. The CCTV system shall be capable of obtaining clear face recognition images and a clear head and shoulders image of every person entering or leaving the premises at the entrance and exit point.
4. A CCTV log will be completed on a weekly basis to record all elements of the CCTV system. It will be maintained in good working order and record with the date and time stamped.
5. Only nominated staff shall be trained in CCTV the operation of the CCTV system to ensure rapid data retrieval and downloads of footage



can be provided to the police and the local authority officer upon reasonable request in accordance with the Data Protection Act.

6. CCTV shall be continually recording during licensable hours.
7. In the event of a failure of the CCTV system for any reason, a record of the failure will be recorded in the premises incident log book and immediate steps will be made to rectify the problem.
8. A written alcohol register will be maintained at the premises to record those persons authorised to sell alcohol under the premises licence.

b) The prevention of crime and disorder

1. An incident log book shall be kept at the premises and all log records will be retained for a period of 12 months from the date the incident occurred. The Incident log book will be made immediately available on request to an 'authorised person' (as defined by section 13 of the Licensing Act 2003) and must record the following; (a) All crimes reported to the premises (where relevant to the licensing objectives). (c) Any incidents of disorder.
2. When the designated premises supervisor is not on duty, a contact telephone number will be available at all times.
3. All spirits will be stored and sold behind the counter.
4. Roller shutters have been installed at the front of the premises and a strong security door at the rear.

d) The prevention of public nuisance

1. Prominent, clear and legible signage shall be displayed at the exit of the premises, requesting the public to be mindful and respectful of the needs of local residents and to leave the premises and the area quickly and quietly.
2. All waste products will be stored in suitable containers.
3. No exterior lights will cause annoyance to any nearby residential property.



4. The Management and staff will provide a waste bin directly outside the shop front and encourage customers especially children to put all waste in the bin.
5. The Management and staff will monitor the exterior of the shop via the CCTV system on a regular basis and aim to keep the exterior of the premises free from litter at all times.
6. The Management and staff will use their best endeavours to disperse groups of 3 or more persons that appear to be loitering outside the shop.
7. The premises will have a written policy in relation to drunkenness. The premise shall not admit any persons who appear to be visibly intoxicated and staff should be trained regarding responsible alcohol sales, identifying drunkenness and preventing alcohol sales to them.
8. Deliveries to the premises shall be conducted in a manner that will not cause a nuisance to the occupiers of any residential properties surrounding the delivery address and all deliveries shall be made at a time that will not lead to any public nuisance.

e) The protection of children from harm

1. A written Refusals Log book will be operated, including a brief description of the people who have been unable to provide the required identification to prove their age. Such records shall be kept for a period of 12 months and produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003).

Challenge 25

1. The premises shall operate a Challenge 25 policy and scheme. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the police or an 'authorised person' (as defined by section 13 of the licensing act 2003).
2. All staff engaged in the sale of alcohol to be trained in Challenge 25 and Age Restricted products. These training records shall be kept on



the premises and produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) on demand.

3. Prominent, clear and legible Challenge 25 signage shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme operated.
4. The premises shall display 'proxy signage' on the shelves where the alcohol is displayed warning customer not buy for under 18's.
5. The premises shall display a minimum of 2 customer 'Refusal Policies' in prominent positions where customers can easily read it.

4.10 A location map of the premises is attached at Appendix 4.

5. Consultation (customers and other stakeholders)

A notice has been published in a local paper and a public notice has been displayed at the premises outlining the application and inviting comments/representations to be sent to the Licensing Authority, detailing a closing date for these to be received. Details of the application were also published on the Council's website.

6. Alternative Options

- 6.1 The options available to the Licensing Sub-Committee having considered all the relevant information are as follows:
- to grant the licence subject to conditions consistent with the operating schedule accompanying the application, and any mandatory conditions which must be included in the licence
 - to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - to refuse to specify a person in the licence as the premises supervisor;
 - to reject the application
- 6.2 Conditions may be altered or omitted, or any new condition added.



- 6.3 Additional conditions or restrictions to licensable activities and/or times should only be imposed if considered appropriate for the promotion of the licensing objectives. If other law already places certain statutory responsibilities on a premise, it would not be appropriate to impose similar duties.
- 6.4 Members of the Sub Committee should be advised that the applicant, or any other person who made relevant representations in relation to the application, may appeal against the decision made to the Magistrates' Court within 21 days of the date on which they were notified.

7. Implications

Resources:	<p>There are no direct strategic resource implications associated with this application.</p> <p>In respect of premises licence applications, we do not foresee any issues in respect of sustainability of proposals.</p> <p>The application relates to a privately owned property.</p>
Legal and Governance:	<p>Members of the Licensing Sub Committee when making their decision on the application must take into account the four licensing objectives, the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy. The applicant and those who have made relevant representations have the right to appeal the decision made by the Licensing Sub Committee to the Magistrates Court, so the Committee are asked to give reasons for their decision wherever possible.</p> <p>Members of the Sub-Committee should not allow themselves to predetermine the application or to be prejudiced in favour or opposed to the applicant and/or the licence holder and shall only determine the application having had an opportunity to consider all relevant facts.</p>



Risk:	<p>The Police are a statutory consultee for all Licensing Act 2003 applications. Prevention of Crime and Disorder is one of the four licensing objectives and applicants have to demonstrate how they will achieve this objective by volunteering measures in the operating schedule submitted with the Licence application.</p> <p>The Police have made a representation to this application.</p> <p>Whilst full details of the application and any representations have been shared with the committee members, only information that is in the public domain has been made available for the reports that have been made public online, in line with data protection protocols.</p>
Equality:	<p>The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.</p> <p>The operators of this premises are responsible for complying with all relevant legislation.</p>
Health and Wellbeing:	This is not applicable to applications for premises licences submitted under the Licensing Act 2003.
Social Value	This is not applicable to applications for premises licences submitted under the Licensing Act 2003.

8. Appendices

Appendix 1 – Variation Application
Appendix 2 – Representation
Appendix 3 – Premises Licence
Appendix 4 – Location Plan

9. Background Papers

- Sandwell Metropolitan Borough Council Licensing Policy
- Guidance issued under Section 182 of the Licensing Act 2003
- The Licensing Act 2003 (Hearings) Regulations 2005



By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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From:
To: [Licensing Team for Alcohol & Gambling](#)
Subject:
Date: 19 November 2021 08:30:54
Attachments: [image003.png](#)
[image004.png](#)
[image005.jpg](#)
[image006.png](#)

West Midlands Police object to the application for a 24 hour licence for the Premises. The Premises is situated in an impact area which is a small geographical area comprising a few neighbourhoods where there is a disproportionate amount of crime, demand, deprivation and harm. As such the sale of alcohol 24 hours day in this location by such Premises, is a serious concern and would undermine the prevention of crime and disorder objective.

In addition to the above concern, the Premises is located near to supported accommodation for young, vulnerable adults many of whom have been subject to drug and alcohol issues and exploitation and so the extension of hours to this venue and the potential additional risk and issues it could cause in this area, is a serious concern.

It should also be noted that a similar Premises opposite to this venue has at the same time also applied for a 24 hour licence (which WMP have also objected to) and so potentially there would be two venues with 24 hour licences if granted. It would seem that one Premises applying for a 24 hour licence has then encouraged another venue to apply for a 24 hour licence to keep up with competition and that trend in this area is a concern for West Midlands Police.



Nicola Stansbie 60234

Licensing Officer

West Bromwich Police Station,

Moor St,

West Bromwich,

B70 7AQ,

Ring 101

Ext - 811 3044

Mobile - 07767043039

Email: n.stansbie@west-midlands.pnn.police.uk

cid:image002.png@01D60C17.09A7A090

From: Licensing Team for Alcohol & Gambling <Licensing_Team@sandwell.gov.uk>

Sent: 28 October 2021 13:22

CAUTION: This email originated from outside of West Midlands Police. Do not click links or open attachments unless you are sure the content is safe.

Tani Sklep, 6-8 Waterloo Road, Smethwick B66 4JW

An application has been made by Sardar Abdul Rahman to vary the premises licence for Tani Sklep, 6-8 Waterloo Road, Smethwick B66 4JW

The proposed variation to the licence activities applied for are:

Supply of Alcohol Monday to Sunday 24 hours a day. Hours the Premises are open to the public 24 hours a day.

The last day for representations are 25th November 2021.

regards

Licensing Team

www.traderregister.org.uk

Sandwell Council...working for you

E: Licensing_team@sandwell.gov.uk

W: www.sandwell.gov.uk

Address for all correspondence:

General Licensing Team

Regulated Services

Borough Economy

Sandwell Council House

PO Box 2374

Oldbury

B69 3DE

(Please note that the Licensing Team are not based at this address)

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Tani Sklep
6 - 8 Waterloo Road
Smethwick
B66 4JW

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CRIME & ASB DATA for SMETHWICK

Source: Police.UK Crime Mapper

Crime in Sandwell compared with crime in similar areas

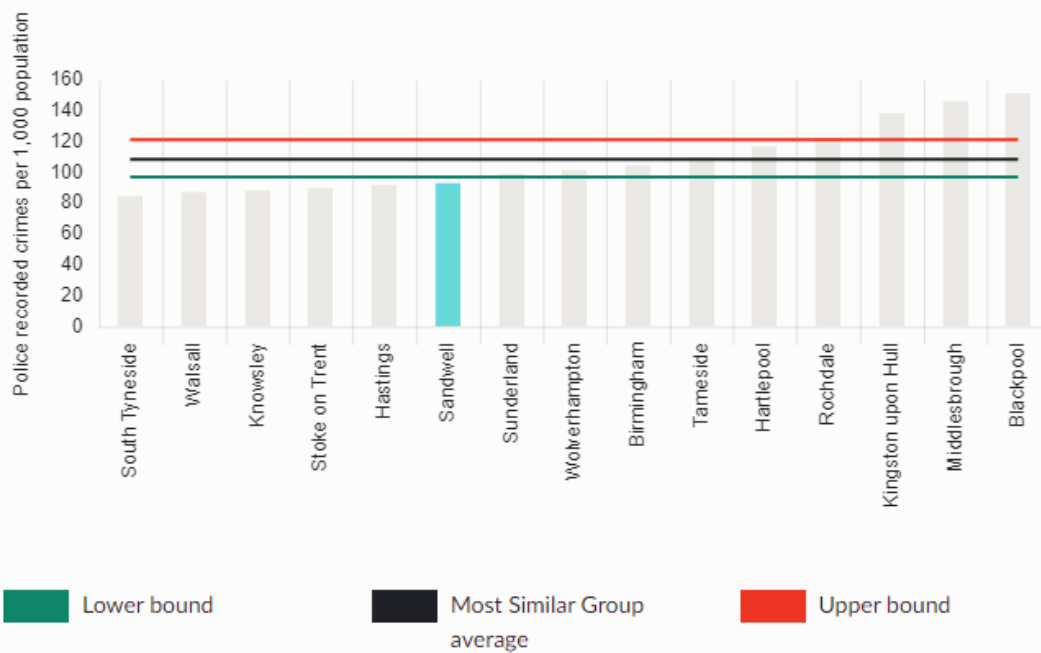
In the year ending March 2021, the crime rate in Sandwell was lower than the average crime rate across similar areas.

Edit crime type

All Crime



Update



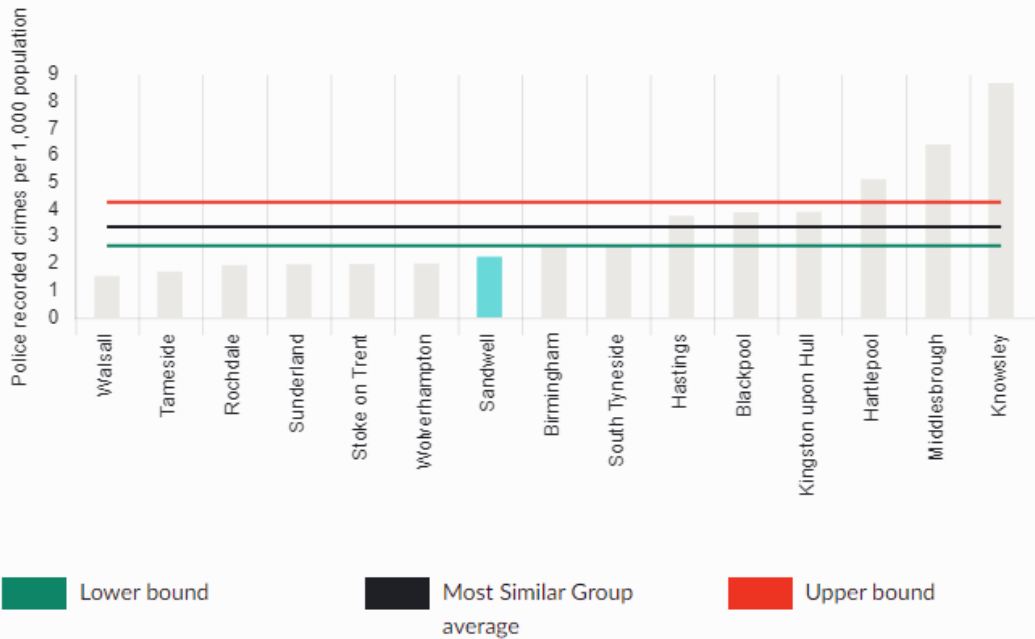
Crime in Sandwell compared with crime in similar areas

In the year ending March 2021, the drug offence rate in Sandwell was lower than the average drug offence rate across similar areas.

Edit crime type

Drugs

Update



Crime in Sandwell compared with crime in similar areas

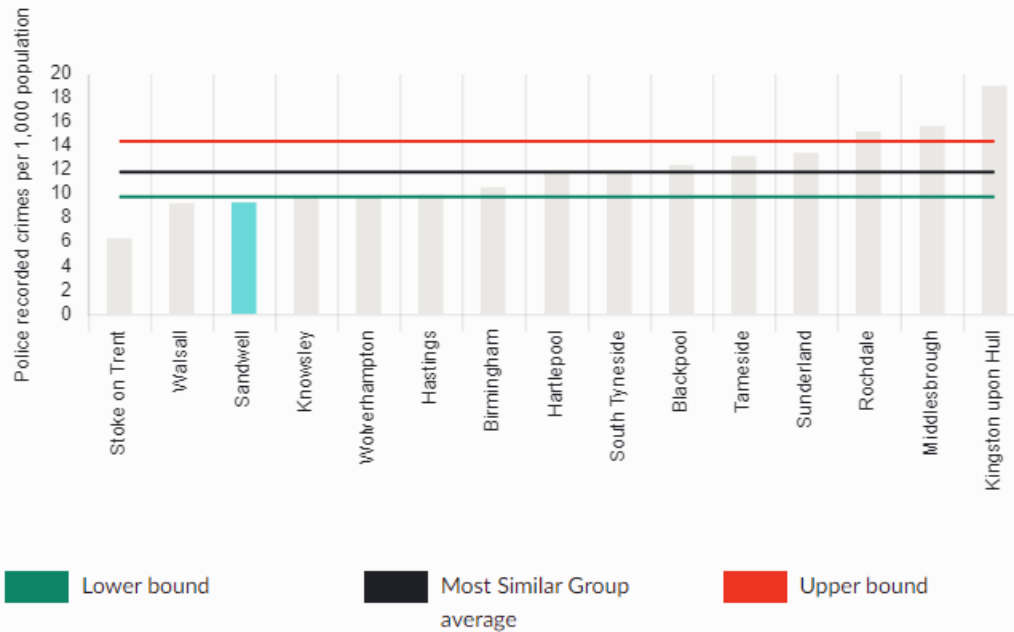
In the year ending March 2021, the public order offence rate in Sandwell was lower than the average public order offence rate across similar areas.

Edit crime type

Public order



Update



Crime in Sandwell compared with crime in similar areas

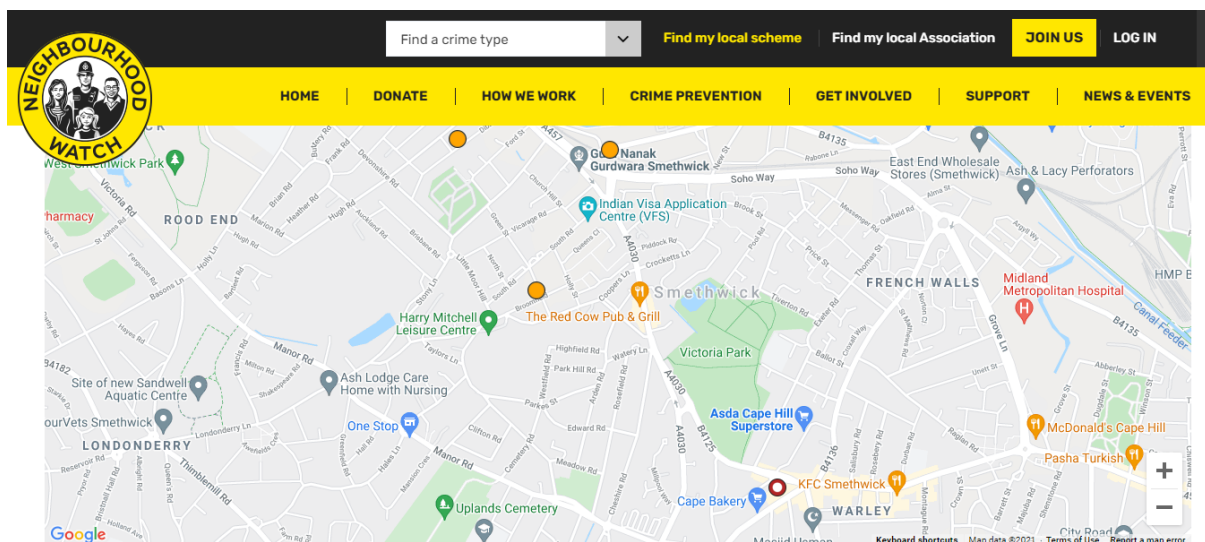
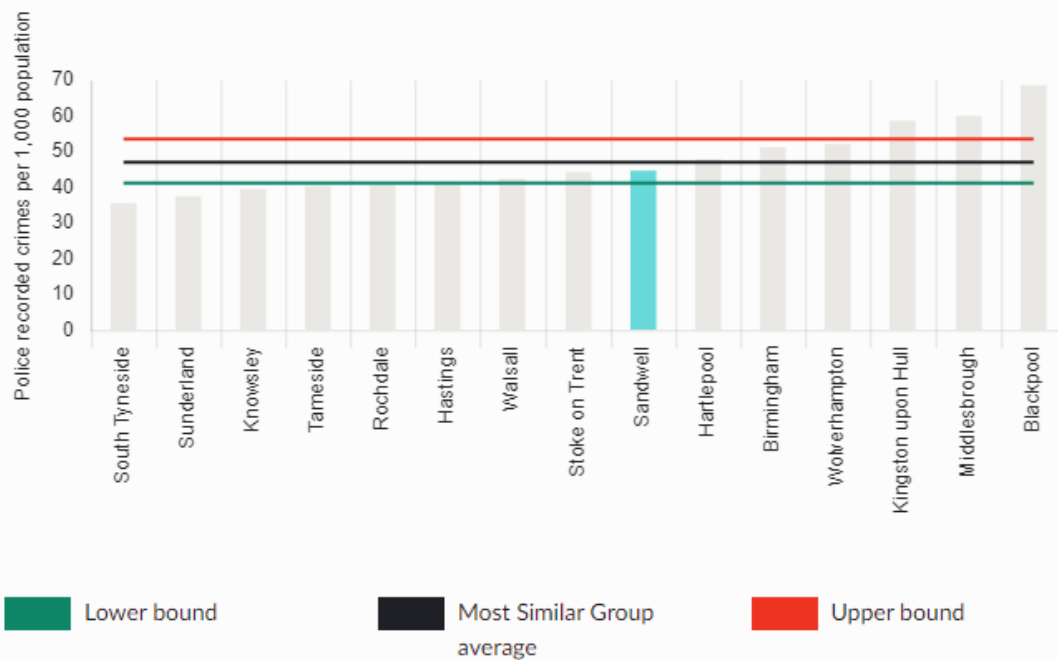
In the year ending March 2021, the violence and sexual offences crime rate in Sandwell was about the same as the average violence and sexual offences crime rate across similar areas.

Edit crime type

Violence and sexual offences



Update

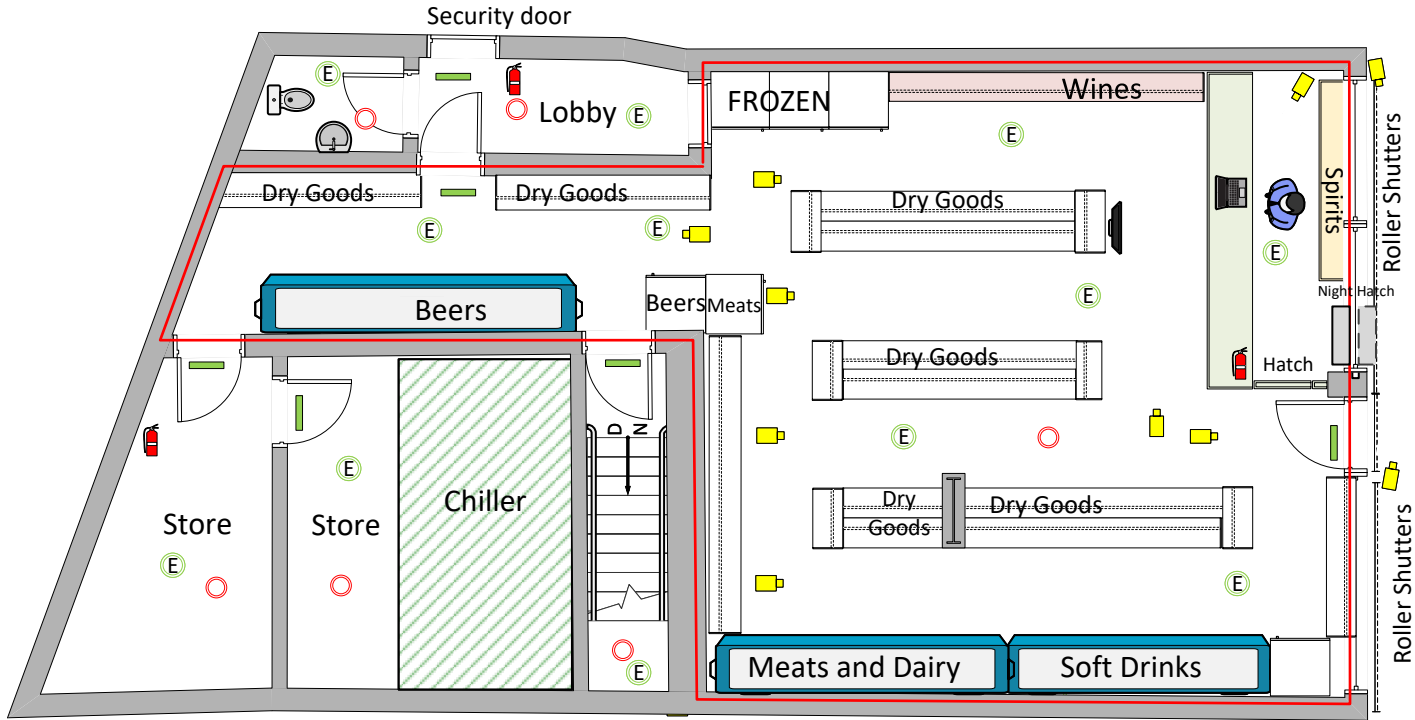


4 Crimes in 1 mile radius

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Page 85

LEGEND	Smoke Detector	Emergency Lighting	Fire Exit
Camera	Fire Ext. Water	Monitor	Licensable area



Drawing Purpose	Name of Premises			Premises Address	SCALE
PREMISES LICENCE APPLICATION	Tani Sklep			6-8 Waterloo Road, Smethwick B66 4JW	1-100
Drawing Details	The purpose of this drawing is for the submission of a Premises Licence Application. All Measurements have been drawn in millimetres. This drawing is not be used for the intention of any building, shop fitting or construction purposes.				

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