

**Licensing Panel**

**2 June 2016 – 10.15am**

<b>Subject:</b>	Review of Premises Licence
<b>Requested by:</b>	Sandwell Trading Standards
<b>Premises:</b>	Inter Food and Wine 386-388 Bearwood Road Smethwick B66 4EX
<b>Grounds for Review:</b>	The prevention of crime and disorder
<b>Ward:</b>	Abbey

**1. Purpose of the Report**

- 1.1 To advise members of an application made under section 51 of the Licensing Act 2003 for review of the Premises Licence in respect of Inter Food and Wine, 386-388 Bearwood Road, Smethwick B66 4EX
- 1.2 The Licensing Panel is required to consider this application and take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives.

**2. The Premises and Licence History**

- 2.1 The Premises Licence was granted 13 April 2007. Demirtas Ltd. became the Premises Licence Holders on the 3 September 2015 and Hasan Tedemir became the Designated Premises Supervisor.
- 2.2 On 9 February 2016, a review application was made by Trading Standards as the premises were being used for the sale of duty evaded or illicit cigarettes on which no duty had been paid. Trading standards had suggested that consideration be given to the revocation of the licence. After hearing from all parties the Licensing Committee attached conditions to the licence, as follows:-

Premises to operate an under 21 proof of age scheme when selling alcohol whereby if a person looks under 21 they must be asked to provide a valid identification card as proof that they are over 18 years old.

Notices to be displayed on or near the door to the premises where alcohol is being offered for sale and near the checkout stating "If you look under 21 please do not be offended if we ask for your proof of age when you buy alcohol."

An A3 size sign to be displayed on or near the door to the premises and near the checkout stating they subscribe to the Sandwell Proof of Age Scheme.

An A4 size sign to be displayed on or near the door to the premises and near the checkout stating that it is an offence to buy alcohol for persons under the age of 18.

Premises to continue to use a refusals book which is to be completed as fully as possible.

CCTV to be in place at the premises so that the alcohol display area and the sales counter area can be viewed. All images are to be recorded and kept for a minimum of 14 days and be made immediately available to Trading Standards/West Midlands Police/Sandwell Street Wardens, upon request.

DPS/PLH to undertake formal training as to his duties and responsibilities under the Licensing Act 2003 with an accredited provider if he has not already done so with the authorisation of the Licensing Section.

Any other staff at the premises are to have documented training covering the law relating to underage sales and as regards illicit alcohol and tobacco by the DPS/PLH.

A Personal Licence Holder shall be present on the premises during all times licensable activities are authorised to take place.

Netin Yucetas shall have no involvement with the business at all. (see appendix 2 for copy of the premises Licence)

[ILO: UNCLASSIFIED]

ILO - Unclassified

2.3 The licence permits Sale by retail of alcohol for consumption off the premises 0700 – 2300 everyday.

### **3. The Application**

3.1 This application for review was made by Sandwell Trading Standards on 12 April 2016 on the grounds of the prevention of crime and disorder. The premises were being used for the sale of duty evaded or illicit cigarettes on which no duty had been paid.

3.2 Copy of the review application is attached at Appendix 1.

### **4. Relevant Representations**

4.1 Under the Licensing Act 2003, the premises licence holder, a responsible authority or any other person may make representations in respect of the review which must be relevant to one or more of the licensing objectives. Representations made by a person other than a responsible authority must not be frivolous, vexatious or repetitious.

4.2 No representations have been received.

### **5. Location of premises**

5.1 The location of the premises in relation to other premises in the area can be seen on the attached plan at Appendix 3.

## **6 Matters Relevant to the Application**

Members of the Licensing Panel must make decisions with a view to promoting the licensing objectives which are:-

- i) the prevention of crime and disorder;
- ii) public safety;
- iii) the prevention of public nuisance;
- iv) the protection of children from harm.

## **7. Options Available to the Panel**

- 7.1 The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives.
- 7.2 Where the licensing authority considers that action is appropriate and proportionate for the promotion of the licensing objectives, it may take any of the following steps:
- i) to modify the conditions of the licence;
  - ii) to exclude a licensable activity from the scope of the licence;
  - iii) to remove the designated premises supervisor;
  - iv) to suspend the licence for a period not exceeding three months;
  - v) to revoke the licence;

For this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

## **8. Associated Papers**

- 8.1 Appendix 1 – Review application  
Appendix 2 – Current premises licence  
Appendix 3 – Plan of area

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