

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

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|-------------------------|---|
| Report to: | Licensing Sub Committee A |
| Report of: | Interim Assistant Director of Regulation & Enforcement |
| Date of Meeting: | Monday 7th September 2020 |
| Subject: | Licensing Act 2003 Premises Licence – Variation |
| Premises: | Hardy's at 50, 50 Dads Lane, Moseley, Birmingham, B13 8PQ |
| Ward affected: | Moseley |
| Contact Officer: | David Kennedy, Principal Licensing Officer, licensing@birmingham.gov.uk |

1. Purpose of report:

To consider relevant representations that have been made in respect of an application to vary the Premises Licence which seeks to extend the hours for the Sale of Alcohol (for consumption both on and off the premises), to operate from 9:00am until 11:00pm (Sunday to Thursday), and 9:00am until 12:00midnight (Friday and Saturday).

The provision of Regulated Entertainment consisting recorded music, to operate indoors only, from 9:00am until 11:00pm (Sunday to Thursday), and 9:00am until 12:00midnight (Friday and Saturday).

To permit the provision of Late Night Refreshment, to operate indoors only, from 11:00pm until 12:00midnight (Friday and Saturday).

Premises to remain open to the public from 9:00am until 11:00pm (Sunday to Thursday), and 9:00am until 12:00midnight (Friday and Saturday).

The application also seeks to remove the first 2 mandatory conditions on the current premises licence and to change the internal layout of the premises. An updated plan is attached to this report at Appendix 7.

2. Recommendation:

To consider the representations that have been made and to determine the application.

3. Brief Summary of Report:

Variation application received on 17th July 2020 in respect of Hardy's at 50, 50 Dads Lane, Moseley, Birmingham, B13 8PQ.

Representations have been received from other persons.

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.

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|--|
| <p>5. Relevant background/chronology of key events:</p> <p>Ruprai Food and Wines Limited applied on 17th July 2020 to vary the Premises Licence for Hardy's at 50, 50 Dads Lane, Moseley, Birmingham, B13 8PQ.</p> <p>Representations have been received from other persons. See Appendices 1 – 6.</p> <p>The application is attached at Appendix 7.</p> <p>Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 8.</p> <p>The current premises licence is attached at Appendix 9.</p> <p>Site Location Plans at Appendix 10.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ul style="list-style-type: none"> a. The prevention of crime and disorder; b. Public safety; c. The prevention of public nuisance; and d. The protection of children from harm. |
| <p>6. List of background documents:</p> <p>Copy of the representations as detailed in Appendices 1 – 6</p> <p>Application Form, Appendix 7</p> <p>Conditions agreed with West Midlands Police, Appendix 8</p> <p>Current Premises Licence, Appendix 9</p> <p>Site Location Plans, Appendix 10</p> |
| <p>7. Options available</p> <p>To grant the variation application</p> <p>To refuse the whole or part of the application</p> <p>To modify the conditions of the Licence</p> |

From: Councillor Mary Locke
Sent: 14 August 2020 13:44
To: Licensing
Subject: Comments re Licensing Application 115846

I wish to make the following comments on the above licensing application for 50 Dads Lane.
The premises is on the border of my ward (Stirchley) and Kings Heath and Moseley.
I ask that the committee consider that the proposed premises are in the midst of residential area.
There is a Cooperative Convenience store next door which sells alcohol. Plus a public house The
Highbury just down the road
Under the 4 objectives I feel that there could be Public Nuisance especially late at night.
Perhaps some consideration could be given to opening and closing hours especially Friday Saturday

Councillor Mary Locke
Stirchley Ward

Birmingham City Council
General Licensing Regulation and Enforcement
PO Box 17831
Birmingham
B2 2HJ

Dads Lane
Moseley
Birmingham
B13

26th July 2020

**Re Ruprai Foods and Wines Ltd
50 Dads Lane
Moseley
Birmingham
B13 8PQ**

Variation to the licensing activities

Dear Sir / Madam

My wife and I have been informed that the above has made an application for a **proposed variation to the licensing activities**.

We object to these changes and we wish to make representation on this matter by giving you notice, in writing, stating the nature and grounds for making such representations.

You may wish to link this objection to our objections to a change of use application namely **Planning Application 2019/090209 PA, 50 Dads Lane, Moseley, B13 8PQ**. That objection was made as far back as December 2019 and we have been in communication with Mr James Nerd, Case officer for that application.

We are still awaiting confirmation from Mr Nerd on the outcome of that application but we have our suspicions that planning application has already been granted. If that is so why were we, not informed?

We gather there are 7 proposed **variations to the licensing activities** and we wish to register our objections to all of them, particularly 2,3,4,5,6 and 7.

Variation number 2.

As practising Christians we **strongly object** to removing any seasonal restrictions for **Christmas Day and Good Friday. Precisely what are those restrictions?**

Variation Number 3.

We strongly object to to the **Sunday – Thursday** late open hour of **23:00 hrs.** on the grounds of intrusive noise. Apart from some road traffic, evenings here after 9:0 pm, particularly Sunday evenings, are serene and quiet and we **DO NOT** want that serenity disturbed.

Variation Number 4.

We object even stronger to the **Friday and Saturday** extension from **23:00 – 24:00** on the grounds of even more intrusive noise. Other than some road traffic, the noise levels here in the evenings are very low indeed. We **DO NOT** want that noise level increased.

We already suffer some intrusive noise from **The Highbury Inn** 100 yards away and we **DO NOT** want any increase in noise levels on our doorstep.

Variation Number 5.

What are the two mandatory conditions on the premises licence?

Variation Number 6.

We object strongly to the sale of alcohol for consumption on the premises. And as regards (alcohol sales for consumption **OFF** the premises already in force) might I point out that, as far as we are aware, the consumption of alcohol in the streets is **NOT** permitted.

Variation Number 7.

Just what are the changes to the internal layout which 'update' the plan - what plan - attached to the premises licence?

We, along with many of our neighbours **OBJECT STRONGLY** to **ALL** these proposals **PARTICULARLY** with regards to **FRIDAY AND SATURDAY LATE OPENING HOURS**.

There is a large pub, **The Highbury Inn**, which serves hot foods and drinks, just 100 yards down Dads Lane and we **OBJECT STRONGLY** to yet another alcohol and eatery, with the inevitable increase in noise from car doors slamming and noisy revellers **JUST DOORS** away from us.

More importantly there are flats above and around 50 Dads Lane where very young children live. My immediate next door neighbour has a child 6 months old; there is another young child in the flat above Dads Lane and another child in the flat above Dads Lane. We are all deeply concerned that evening sleep times will be disturbed by noisy revellers.

Your kind confirmation of receipt of this objection would be appreciated.

Yours sincerely,

From:

Sent: 27 July 2020 12:02

To: Licensing

Subject: Application to vary a premises Licence at 50 Dads Lane, B13 8PQ

As Chair of Moor Green Residents Association (West) I am responding to a notice that has been affixed to a telegraph pole outside the premises at 50 Dad's Lane. Please advise me of the outcome via email.

Moor Green Residents Association (West) notes that the planning application for this premises 2019/09209/PA for 'Change of use from retail (Use Class A1) to mixed use retail and drinking establishment (Use Class A1/ A4)' is still not decided. The comments below therefore relate to both the planning aspects and the licensing aspects.

1. There is no need for an off licence given that the Co-op already sells alcohol...as does the Highbury. This premises used to be an off licence and closed due to lack of sales; this was before the Coop began selling alcohol suggesting poor sales could still be an issue.
2. There are no details about the design of the proposed frontage or signage. We would expect this to form part of the planning application.
3. Parking in the area will be greatly affected. It is already difficult to park by the shops and this will be exacerbated by customers staying for drinks. Safety of those using any outside tables would need to be considered as cars currently park on the forecourt. Having outside tables will reduce the number of off road parking slots available but could also greatly enhance the look of the area.
4. We would request that suitable facilities for locking bikes were included so as to encourage the use of travel to this premises other than by car.
5. Deliveries to the premises could be difficult due to the current parking arrangements. It is important that deliveries do not impede the traffic flow.
6. Concerns were expressed regarding late night noise especially if customers are seated outside or music is to be permitted. There are residential flats above the shops which would be in very close proximity to the proposed development.
7. Litter is already a significant problem in this area and the frontage of all the shops is very untidy. The paved and tarmac surfaces are dangerous in parts (one resident was badly injured from a fall). We would hope that repaving the area and planters might be included. Potentially the change of use could lead to a smartening up of the parade but great vigilance would be required to ensure hours were adhered to and antisocial behaviour prevented.
8. We would request a bin store so that residents from the flats could have proper bins rather than having to leave black bags on the forecourt. This would improve the area of the proposed outdoor seating.
9. Residents would like the parade to be improved but are concerned that a wine bar does not fit in with the character of this particular site. There is a greater need for another local shop e.g. a chemist or a cafe.

Thank you

From:
Sent: 11 August 2020 12:42
To: Licensing
Subject: Application 115846, 50 Dads Lane, B13 8PQ

To the Birmingham City Licensing Authority

**APPLICATION No 115846, UNDER LICENSING ACT 2003, TO
VARY OFF LICENCE TO
ON LICENSE AND SELL FOOD AT 50 DADS LANE, MOSELEY,
B13 8PQ, WITH OUTSIDE
TABLES.**

I OBJECT TO THE APPLICATION ON THE GROUNDS THAT THE DRINKING AND SUPPLY OF FOOD INSIDE AND OUTSIDE THE PROPERTY WILL ;-

1. ADD TO AN INCREASE IN THE LEVELS OF CRIME, DISORDER AND DRUNKENESS. THERE ARE ALREADY REGULAR SALES OF DRUGS IN THE AREA.

2. INCREASE LEVELS OF PUBLIC NUISANCE AND LITTER WITH THE OUTSIDE PROVISION OF FOOD AND DRINK AND NO BARRIERS TO THE IMMEDIATE PUBLIC AREAS.

ALSO WITH LIMITED PARKING OUTSIDE THE PREMISES CUSTOMERS WILL OBSTRUCT THE DRIVEWAYS OF LOCAL RESIDENTS CAUSING FURTHER NUISANCE AND AGGRAVATION.

3. INCREASE LIKELIHOOD OF HARM TO CHILDREN BEING EXPOSED TO ALCOHOL CONSUMPTION WHILST ACCESSING THE ADJACENT GROCERY STORE WHICH HAS AN OFF-LICENCE PROHIBITING CONSUMPTION OUTSIDE THE PREMISES MAKING LAW ENFORCEMENT DIFFICULT

THIS IS A RESIDENTIAL AREA WITH ADEQUATE DRINKING FACILITIES AVAILABLE WITHIN 0.6 MILES IN KINGS HEATH, MOSELEY AND ON PERSHORE ROAD.

THE Highbury Public House is 150 yards away with a large garden area to satisfy al fresco customers.

SINCERELY, , DADS LANE, B13

From:

Sent: 13 August 2020 21:33

To: Licensing

Subject: Representations Licensing Application Reference 115846 (50 Dads Lane)

Dear Sir/Madam

We are making representations in response to licensing application reference **115846** (50 Dads Lane). We object to the application on the following grounds:

1. We consider the application doesn't meet the objective of 'The prevention of crime and disorder'. This is because of the proposed hours of opening and the proposed hours to sell alcohol on and off the premises. The proposal is for the premises to be open and to sell alcohol between 9am – 11pm Sunday – Thursday, and 9am – 12am Friday – Saturday. This premises is located on a very small row of shops in the heart of a residential area primarily occupied by families and elderly people, it is directly opposite a row of homes. The Co-op shop next door closes at 10pm, the area after this time is quiet, apart from the occasional car driving down the road and very little footfall.

We are concerned about the proposed late opening hours (until 11pm Sunday – Thursday and until 12am Friday & Saturday) as we believe it will cause suffering and annoyance to the community due to noise nuisance. What is currently a peaceful residential area after 10pm will experience new regular disturbances from clientele leaving the premises. It is inevitable that customers will leave talking loudly, cars and taxis parked outside of homes will leave their engine running whilst waiting for passengers, cars may pull up playing loud music, doors will be slammed and customers who are inebriated will leave shouting and laughing, or potentially having altercations. We are concerned that it is highly likely customers will leave the premises displaying rowdy behaviour, with little consideration of the community residing in their homes nearby. We consider that the proposed notices requesting clientele to be quiet as they leave will be ineffective and unenforceable.

The impacts of the noise from customers and cars/ taxis will have a significant impact on local residents' quality of life, and effect the wellbeing of the community. Experiences these types of issues every night of the week will have extremely negative effects in the long term, affecting individual wellbeing and mental health.

2. We consider the application doesn't meet the objective for 'The Prevention of public nuisance'. As mentioned above we are concerned about the proposal for the premises to be open after 10pm, we note they have applied for a licence for recorded music between the hours of 10pm – 11pm Sunday – Thursday, and 10pm – 12am Friday & Saturday. Even if the owners/ managers of the premises ask clientele to be considerate of the local residents when entering and leaving the premises, due to the low levels of noise in this residential area after 10pm local residents will likely experience noise disturbances from the music playing in the shop / bar.

We are also concerned about the mess and rubbish that will be caused by these proposals, we already experience high levels of litter on the road and our drive caused by customers of the Coop, we haven't seen any evidence of how this premises intend to ensure their customers do not litter in the same way. We would be particularly concerned about customers leaving empty bottles lying around.

3. Finally we consider that this application does not meet the objective of 'child protection'. The reason for this is that, as previously mentioned, this premises is directly adjacent to the local Co-op. This Co-op shop is effectively the areas local corner shop, children from the local community will regularly pop to the shop on their own, potentially unsupervised. At the moment the only other shops next to the Co-op are a hairdressers and pet grooming shop, these do not pose a threat to the wellbeing and safety of young people / children.

However, we believe that having a premises that is selling alcohol for consumption on the premises with clientele drinking and smoking in a seated area outside the front of it will cause risks to child protection. For examples young teenagers may attempt to buy and consume alcohol and then become vulnerable because their judgement is impaired. This could put them in danger from getting involved in fights, from drink driving or from sexual harm. If customers are smoking and drinking outside of the shop / bar children from the local area are more likely to be exposed to the effects of a smoking environment and so are at risk of serious harm to their health. No one will always be supervising children visiting the Co-op who may be outside when adults temporarily exit the premises to smoke; this is particularly relevant at the moment whilst we are required to queue until it is safe to enter shops and so children are more likely to be waiting outside.

In regards to the above matters we would welcome someone to visit the area after 10pm to see how quiet it is, and to visit during the daytime to see the current levels of litter we deal with and the local community, including children, visiting their local Coop.

Kind Regards,

Dads Lane
Birmingham
B13

APPLICATION No 115846, UNDER LICENSING ACT 2003, TO VARY OFF LICENCE TO ON LICENSE AND SELL FOOD AT 50 DADS LANE, MOSELEY, B13 8PQ, WITH OUTSIDE TABLES.

I OBJECT TO THE APPLICATION ON THE GROUNDS THAT THE DRINKING AND SUPPLY OF FOOD INSIDE AND OUTSIDE THE PROPERTY WILL :-

- 1.** ADD TO AN INCREASE IN THE LEVELS OF CRIME, DISORDER AND DRUNKENESS. THERE ARE ALREADY REGULAR SALES OF DRUGS IN THE AREA.
- 2.** INCREASE LEVELS OF PUBLIC NUISANCE AND LITTER WITH THE OUTSIDE PROVISION OF FOOD AND DRINK AND NO BARRIERS TO THE IMMEDIATE PUBLIC AREAS.
- 3.** INCREASE LIKELIHOOD OF HARM TO CHILDREN BEING EXPOSED TO ALCOHOL CONSUMPTION WHILST ACCESSING THE ADJACENT GROCERY STORE.

THIS IS A RESIDENTIAL AREA WITH ADEQUATE DRINKING FACILITIES AVAILABLE WITHIN 0.6 MILES IN KINGS HEATH, MOSELEY AND ON PERSHORE ROAD.

THE Highbury Public House is 150 yards away with a large garden area to satisfy all fresco customers.

OBJECTION TO PROPOSED ON LICENCE AT 50 DADS LANE, B13 8PQ. SEE OVER

A COPY OF THIS PETITION WILL BE MADE AVAILABLE TO THE APPLICANT

[illegible]

Petition to

| Printed Name | Signature | Address | Comment | Date |
|--------------|------------|--------------------|---------------------------------------|--------|
| [REDACTED] | [REDACTED] | 4 DADS LANE B381Q | OBJECT TO NOW SHN IN DADS LANE | 2/8/20 |
| [REDACTED] | [REDACTED] | DADS LANE B38PA | NOISE, PARKING, LATE NIGHT DRINKING | 2/8/20 |
| [REDACTED] | [REDACTED] | DADS LANE B38PA | NOISE, PARKING, LATE NIGHT DRINKING | 2/8/20 |
| [REDACTED] | [REDACTED] | 62 DADS LANE B38PA | We don't want this | 2/8/20 |
| [REDACTED] | [REDACTED] | DADS LANE B38PA | We don't want ^{bars} here | 2/8/20 |
| [REDACTED] | [REDACTED] | DADS LANE | We don't want it | 2/8/20 |
| [REDACTED] | [REDACTED] | Dads Lane | NO | 2/8/20 |
| [REDACTED] | [REDACTED] | DADS LANE | WOULD INCREASE CRIME NOISE + NUISANCE | 5/8/20 |
| [REDACTED] | [REDACTED] | DADS LANE | NOT NEEDED | 5/8/20 |
| [REDACTED] | [REDACTED] | Dads Lane | | |
| [REDACTED] | [REDACTED] | Dads Lane | as stated in overview sheet | 5/8/20 |

Petition to _____

| | |
|---------------------------------|--|
| Petition summary and background | |
| Action petitioned for | objection to proposed licence (50 Dads Lane) B13 8PQ |

| Printed Name | Signature | Address | Comment | Date |
|--------------|------------|---------|---------------------------|----------|
| [REDACTED] | [REDACTED] | B12 9TB | | 2/8/20 |
| [REDACTED] | [REDACTED] | B13 8PQ | Waste of time / noise | 2/8/20 |
| [REDACTED] | [REDACTED] | B13 8PQ | Noise / parking / trouble | 2.8.20 |
| [REDACTED] | [REDACTED] | B13 8PQ | NOT RE/used. | 2.8.20 |
| [REDACTED] | [REDACTED] | B13 8PQ | AS ABOVE | 2.8.20 |
| [REDACTED] | [REDACTED] | B13 8PQ | Parking / trouble / noise | 2.8.20 |
| [REDACTED] | [REDACTED] | B29-704 | AS ABOVE | 02.08.20 |
| [REDACTED] | [REDACTED] | B29-70B | AS ABOVE | 02.08.20 |
| [REDACTED] | [REDACTED] | B30 2TE | NO WAY PLEASE | 2/8/20 |
| [REDACTED] | [REDACTED] | B30 2UR | AS ABOVE | 2/8/20 |
| [REDACTED] | [REDACTED] | B30 2XF | AS ABOVE | 2/8/20 |
| [REDACTED] | [REDACTED] | B13 8QN | AS ABOVE | 2/8.20 |

| Printed Name | Signature | Address | Comment | Date |
|--------------|------------|---------------|------------------------------|----------|
| [REDACTED] | [REDACTED] | WASHBROOK RD | | 2.8.20 |
| [REDACTED] | [REDACTED] | WASHBROOK R. | | 2.8.20 |
| [REDACTED] | [REDACTED] | Queens Avenue | | 2.8.20 |
| [REDACTED] | [REDACTED] | | | 2.8.20 |
| [REDACTED] | [REDACTED] | Dorment Rd | | 2/8/20 |
| [REDACTED] | [REDACTED] | Dorment Rd | | 2/8/20 |
| [REDACTED] | [REDACTED] | DADS Lane | | 02/08/20 |
| [REDACTED] | [REDACTED] | DADS Lane | | 02/08/20 |
| [REDACTED] | [REDACTED] | Paradise Road | will ruin our local | 02/08/20 |
| [REDACTED] | [REDACTED] | Kings Road | | 2/8/20 |
| [REDACTED] | [REDACTED] | Kings Road | | 2/8/20 |
| [REDACTED] | [REDACTED] | B13 8PQ | | 3/8/20 |
| [REDACTED] | [REDACTED] | B30 25B | | |
| [REDACTED] | [REDACTED] | B30 24E | | |
| [REDACTED] | [REDACTED] | B30 2UT | Will destroy local community | 4/8/20 |
| [REDACTED] | [REDACTED] | B30 2T | | 4/8/20 |

Petition to _____

| | |
|---------------------------------|---|
| Petition summary and background | |
| Action petitioned for | Objection to Proposed license (So Dads Lane B13 & pg) |

| Printed Name | Signature | Address | Comment | Date |
|--------------|------------|---------|---------|----------|
| [REDACTED] | [REDACTED] | B146ru | | 4/8/20 |
| [REDACTED] | [REDACTED] | B1280ta | | 4/8/20 |
| [REDACTED] | [REDACTED] | B303Bu | | 4/8/20 |
| [REDACTED] | [REDACTED] | B303Bu. | | 4/8/20 |
| [REDACTED] | [REDACTED] | B313BQ | | 4/8/2020 |
| [REDACTED] | [REDACTED] | B313BQ | | 4/8/2020 |
| [REDACTED] | [REDACTED] | B147#R | | 4/8/2020 |
| [REDACTED] | [REDACTED] | B30ZTL | | 5/5/20 |
| [REDACTED] | [REDACTED] | B139UA | | 5/8/20 |
| [REDACTED] | [REDACTED] | B303BQ | | 9/1 |
| [REDACTED] | [REDACTED] | B132TP | | 05/8/20 |
| [REDACTED] | [REDACTED] | B30ZTL | | 5/5/20 |

[illegible]



Birmingham
Application to vary a premises licence
Licensing Act 2003

For help contact
licensingonline@birmingham.gov.uk
 Telephone: 0121 303 9896

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

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

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

You must enter a valid e-mail address

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader
☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

☒ An agent that is a business or organisation, including a sole trader

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

☐ A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business LICENSING ASSISTANT

Home country United Kingdom

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name LOCKETT HOUSE

Street 13 CHURCH STREET

District

City or town KIDDERMINSTER

County or administrative area

Postcode DY10 2AH

Country United Kingdom

Section 2 of 18

APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number 257/3

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name LOCAL

Street 50 DADS LANE

District MOSELEY

City or town BIRMINGHAM

County or administrative area WEST MIDLANDS

Postcode B13 8PQ

Country United Kingdom

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

5,200

Section 3 of 18

VARIATION

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

☒ Yes

☐ No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

☐ Yes

☒ No

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 to the
late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

THE PREMISES WAS PREVIOUSLY OPERATING UNDER AN OFF LICENCE ONLY AND THE UNIT HAS BEEN EMPTY FOR THE LAST 7 YEARS AND THERE HAS BEEN NO INTEREST FROM OTHERS IN LETTING THE UNIT. THE PROPERTY IS OWNED BY THE RUPRAI FAMILY WHO HAVE BEEN TRADING IN THE AREA FOR OVER 40 YEARS.

THE CLIENT HAS BEEN CARRYING OUT EXTENSIVE RESEARCH OF WHAT CUSTOMERS ARE NOW LOOKING FOR THAT IS NEW IN THE RETAIL SECTOR. THE CLIENT HAS DECIDED TO CONVERT THE PREMISES INTO A MIXED RETAIL/BAR WITH AN APPROX AREA OF 1450 SQ. FT.

THE PREMISES WILL OFFER SNACKING FINGER FOODS AND VARIOUS TYPES OF ALCOHOLIC DRINKS FOR SALE THAT CAN BE SAMPLED AND THE CUSTOMERS WILL ALSO BE ABLE TO TAKE UNOPENED ALCOHOL PURCHASES OFF THE PREMISES. THE PREMISES WILL ALSO HAVE A SMALL OUTDOOR SEATING AREA.

THE SITE WILL BENEFIT FROM A CCTV SYSTEM AND WILL ALSO OPERATE A CHALLENGE 25 POLICY.

THE CURRENT DPS NOMINATED ON THE PREMISES LICENCE MRS BALBIR SINGH RUPRAI WILL REMAIN IN PLACE.

THE OUTSIDE SEATING AREA SHOWN ON THE PLAN WILL CLOSE AT 22:00 HOURS FRIDAY AND SATURDAY AND AT 21:30 HOURS SUNDAY - THURSDAY.

THE MAJOR VARIATION APPLICATION IS TO UNDERTAKE THE FOLLOWING:

- 1) AMEND THE PREMISES NAME FROM LOCAL TO HARDY'S AT 50
- 2) REMOVE THE SEASONAL RESTRICTIONS CURRENTLY SHOWING ON THE PREMISES LICENCE FOR CHRISTMAS DAY AND GOOD FRIDAY
- 3) AMEND THE OPENING HOURS AND ALCOHOL SALES HOURS TO:
SUNDAY - THURSDAY 09:00 - 23:00 AND FRIDAY AND SATURDAY 09:00 - 24:00
- 4) ADD THE PROVISION OF LATE NIGHT REFRESHMENT FRIDAY & SATURDAY FROM 23:00 - 24:00
- 4) REMOVE THE FIRST TWO MANDATORY CONDITIONS SHOWING ON THE PREMISES LICENCE UNDER 4. CONDITIONS 4.1 MANDATORY CONDITIONS (SEASONAL RESTRICTIONS AND ALCOHOL BEING CONSUMED ON THE PREMISES)

Continued from previous page...

5) ADD THE SALE OF OF ALCOHOL FOR CONSUMPTION ON THE PREMISES (ALCOHOL SALES FOR CONSUMPTION OFF THE PREMISES ARE ALREADY PERMITTED)

6) CHANGE OF INTERNAL LAYOUT AT THE PREMISES AND CONSEQUENTLY UPDATE THE PLAN ATTACHED TO THE PREMISES LICENCE

Section 4 of 18

PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 8 of 18

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Continued from previous page...

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start 09:00

End 23:00

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start 09:00

End 23:00

Start

End

WEDNESDAY

Start 09:00

End 23:00

Start

End

THURSDAY

Start 09:00

End 23:00

Start

End

FRIDAY

Start 09:00

End 24:00

Start

End

SATURDAY

Start 09:00

End 24:00

Start

End

SUNDAY

Start 09:00

End 23:00

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

THE PREMISES WILL OFFER LIGHT RECORDED BACKGROUND MUSIC FOR CUSTOMERS TO LISTEN TO WHILE USING THE PREMISES FOR DRINKING AND EATING.

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Continued from previous page...

| |
|--|
| |
|--|

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

| |
|------|
| NONE |
|------|

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 11 of 18

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

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

THE SALE OF HOT DRINKS (TEA, COFFEE ETC) AND FINGER FOODS

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE

Continued from previous page...

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Provide 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.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption?

☐ On the premises ☐ Off the premises ☒ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 09:00

End 23:00

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start 09:00

End 23:00

Start

End

Continued from previous page...

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE

Continued from previous page...

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

THE TIMES THE LICENCE THAT CURRENTLY RESTRICT THE HOURS OF CARRYING OUT OF LICENSABLE ACTIVITIES MONDAY - SATURDAY 08:00 - 23:00 M2 SUNDAY 10:00 - 22:30 M2 CHRISTMAS DAY 12:00 - 15:00 AND 19:00 - 22:30 M2 GOOD FRIDAY 08:00 - 22:30 M2
ALL CONDITIONS CURRENTLY SHOWING UNDER THE OPERATING SCHEDULE - TO BE UPDATED AS PER CONDITIONS OFFERED IN SECTION 16
THE FIRST TWO MANDATORY CONDITIONS SHOWING ON THE PREMISES LICENCE (4. CONDITIONS, 4.1 MANDATORY CONDITIONS (SEASONAL RESTRICTIONS CHRISTMAS DAY AND GOOD FRIDAY AND ALCOHOL NOT BE BE CONSUMED ON THE PREMISES).

☐ I have enclosed the premises licence

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

WE ARE UNABLE TO PROVIDE A FULL COPY OF THE EXISTING PREMISES LICENCE AS THE CLIENT ONLY HAS SOME PAGES ON FILE FOR THE PREMISES LICENCE DUE TO THE SITE BEING VACANT FOR THE LAST 7 YEARS. WE DID MAKE A REQUEST TO THE LICENSING TEAM ON 30.03.2020 TO REQUEST A DUPLICATE COPY OF THE CURRENT PREMISES LICENCE BUT WAS ADVISED BY KAREN NIGHT AT YOUR OFFICES ON 15.04.2020 THAT DUE TO CURRENT COVID19 SITUATION THE COUNCIL IS UNABLE TO ISSUE REPLACEMENT LICENCES. THE PAGES OF THE PREMISES LICENCE THE CLIENT DID HAVE ON FILE HAVE BEEN ATTACHED WITH THE APPLICATION.

Section 16 of 18

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images will be retained for a period of no less than 31 days. Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the request being made.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

A Challenge 25 policy will be operated at the premise. Acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card.

b) The prevention of crime and disorder

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images will be retained for a period of no less than 31 days. Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the request being made.

Continued from previous page...

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

c) Public safety

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images will be retained for a period of no less than 31 days. Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the request being made.

d) The prevention of public nuisance

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

e) The protection of children from harm

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

A Challenge 25 policy will be operated at the premise. Acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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.
- 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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at <https://www.tax.service.gov.uk/business-rates-find/search>

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 - £1,000.00

Capacity 10000 -14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

I/WE UNDERSTAND THAT 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.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name
* Capacity
* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/birmingham/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, 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.

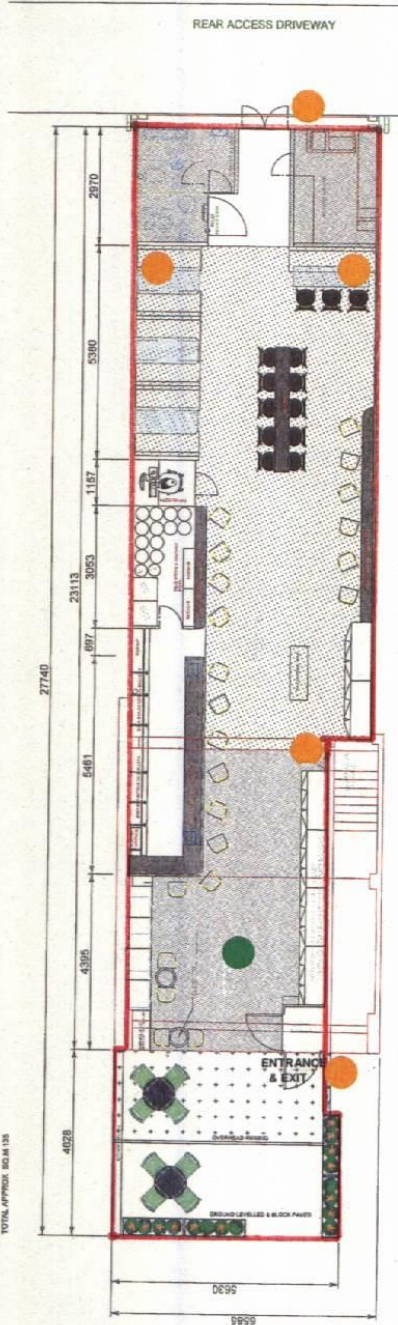
OFFICE USE ONLY

Applicant reference number
Fee paid
Payment provider reference
ELMS Payment Reference
Payment status
Payment authorisation code
Payment authorisation date
Date and time submitted
Approval deadline
Error message
Is Digitally signed ☐

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

Hardy's at 50
50 Dads Lane
Moseley
Birmingham
West Midlands
B13 8PQ

NETAL SPACE 82.21 SQ M
RESTAURANT/CAFÉ 82.21 SQ M
TOILET 82.21 SQ M
TOTAL APPROX 82.21 SQ M



| Key: | |
|------|---|
| ● | CCTV camera. (Proposed Locations) |
| ● | Fire extinguisher. |
| — | Area to be licensed for sale of alcohol for consumption on & off the premises & Late-Night Refreshment (LNR). |

Date: JULY 2020
Scale: 1:100

From: bw licensing
Sent: 06 August 2020 09:35
To: Licensing
Cc: mark@
Subject: agreed conditions [External]: HARDY'S AT 50 (PREVIOUSLY KNOWN AS LOCAL) FULL VARIATION EGOV REF IS 979408

Good morning Licensing,

With regard to the premises licence application for Hardy's at 50 – 50 Dads Lane, Moseley. B13 8PQ.

West Midlands Police have reviewed this application and are happy that if the below conditions are added to the licence, together with the operating conditions already offered by the applicant then the licensing objectives will be met and promoted. The conditions have been agreed with the applicant, via their solicitor, as per below email chain.

- There will no food or drink allowed in the outside area from 21.30hrs Sunday & Thursday and 22.00hrs Friday & Saturday.
- CCTV will display the correct time and date stamp.
- Any off sales for consumption outside the licensable area shown on the premises plan will be sold in sealed containers only.
- The Refusals & Incident Logs will be sign off weekly by the premises licence holder or their nominated person.
- A copy of the training records regarding the staff responsibility around the licensing act will be kept on site. All staff, with the exception of personal licence holders, will have this documented training prior to their first shift on duty while the premises is carrying out licensable activity.
- No children under the age of 18 allowed on the premises without a responsible adult.
- Challenge 25 signage will be display prominently on the entrance door and bar service area.
- The premises will risk assess the need to deploy door staff on an on-going basis.
- If door staff are deployed at the premises then they will sign on and off duty. The premises will keep a profile of all door staff which will include a copy of their SIA badge and photographic ID. If photographic ID is not available then a utility bill no less than 3 months old will be acceptable. This profile will be kept for 3 months and made available to any of the responsible authorities on request.
- If the premises is hired out in its entirety by a third party or an outside promoter is used then the premises will notify West Midlands Police central licensing team, by email, a minimum of 21 days prior to the event. This notification will be supplied with a full written risk assessment for that event. The risk assessment is to be agreed with West Midlands Police central licensing team who will retain the power of veto over that event if they believe and of the licensing objectives will be compromised.

If the above conditions are imposed onto the licence then West Midlands Police have no objection to this licence application.

Regards and thanks

Chris Jones 55410

Birmingham Central Licensing Team West Midlands Police

From: Mark Brown

Sent: 06 August 2020 08:53

To: bw licensing

Subject: RE: [External]: HARDY'S AT 50 (PREVIOUSLY KNOWN AS LOCAL) FULL VARIATION
EGOV REF IS 979408

Dear Chris, following on from our phone discussion earlier this week, I am pleased to confirm that our client is happy to accept the proposed conditions below.

Thank you for your assistance in this matter.

Kind Regards,

Mark Brown

Licensing Assistant

LICENSING ACT 2003**PREMISES LICENCE**

Premises Licence Number:

257 / 3

Part 1 - Premises details:

| | |
|---|------------------------------|
| Postal address of premises, or if none, ordnance survey map reference or description | |
| Local 50 Dads Lane Moseley | |
| Post town: Birmingham | Post Code: B13 8PQ |
| Telephone Number: | |

| |
|--|
| Where the licence is time limited the dates |
| N/A |

| |
|--|
| Licensable activities authorised by the licence |
| M2 Sale of alcohol by retail (off the premises) |

| | | | |
|---|-------|---|----------|
| The times the licence authorises the carrying out of licensable activities | | | |
| Monday-Saturday | 08:00 | - | 23:00 M2 |
| Sunday | 10:00 | - | 22:30 M2 |
| Christmas Day | 12:00 | - | 15:00 M2 |
| | 19:00 | - | 22:30 M2 |
| Good Friday | 08:00 | - | 22:30 M2 |

| |
|--|
| The opening hours of the premises |
| Not Specified |

| |
|--|
| Where the licence authorises supplies of alcohol whether these are on and/or off supplies |
| Off Supplies |

Part 2

| | |
|---|-------------------|
| Name, (registered) address, telephone number and email (where relevant) of holder of premises licence Ruprai Food And Wines Limited | |
| Post town: | Post Code: |
| Telephone Number: | |
| Email N/A | |

| |
|---|
| Registered number of holder for example company number or charity number (where applicable) 038118692 |
|---|

| | |
|--|-------------------|
| Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Mr Balbir Singh Ruprai | |
| Post town: | Post Code: |
| Telephone Number: | |

| | |
|---|---|
| Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol | |
| Licence Number 1125 | Issuing Authority BIRMINGHAM CITY COUNCIL |

Dated 07/09/2010

David Kennedy
Senior Licensing Officer
For Senior Assistant Director, Regulatory Services

Annex 1 – Mandatory Conditions

Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:

a. On weekdays, other than Christmas Day, 8 am. to 11 pm. b. On Sundays, other than Christmas Day, 10 am. to 10.30 pm. c. On Christmas Day, 12 noon to 3 pm. and 7 pm. to 10.30 pm. d. On Good Friday, 8 am. to 10.30 p.m. The above restrictions do not prohibit: (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel; (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered; (c) the sale of alcohol to a trader or club for the purposes of the trade or club; (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

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

Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

No enforceable conditions identified from operating schedule.

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

No enforceable conditions identified from operating schedule.

2c) Conditions consistent with, and to promote, public safety

No enforceable conditions identified from operating schedule.

2d) Conditions consistent with, and to promote the prevention of public nuisance

No enforceable conditions identified from operating schedule.

2e) Conditions consistent with, and to promote the protection of children from harm

No enforceable conditions identified from operating schedule.

Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

N/A

3b) Committee conditions to promote the prevention of crime and disorder

N/A

3c) Committee conditions to promote public safety

N/A

3d) Committee conditions to promote the prevention of public nuisance

N/A

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

N/A

Annex 4 – Plans

The plan of the premises with reference number **69000-257/3** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection between the hours of 9am – 4pm Monday, Tuesday and Thursday, 10am – 4pm Wednesday and 9am – 3.30pm Friday (excluding Bank Holidays etc) at the Licensing Service, Crystal Court, Aston Cross Business Village, 50 Rocky Lane, Aston, Birmingham B6 5RQ.

