

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Director of Regulation & Enforcement
Date of Meeting:	Wednesday 24th May 2023
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Punjabi Dhaba, 124 Billesley Lane, Kings Heath, Birmingham, B13 9RD
Ward affected:	Moseley
Contact Officer:	David Kennedy, Principal Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

To consider representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption on the premises) to operate from 11:00am until 11:00pm (Monday to Sunday).

Premises to remain open to the public from 11:00am until 11:00pm (Monday to Sunday).

2. Recommendation:

To consider the representations that have been made and to determine the application, having regard to:

- The submissions made by all parties
- The Statement of Licensing Policy
- The Public Sector Equality Duty
- The s182 Guidance

3. Brief Summary of Report:

An application for a Premises Licence was received on 29th March 2023 in respect of Punjabi Dhaba, 124 Billesley Lane, Kings Heath, Birmingham, B13 9RD.

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.

5. Relevant background/chronology of key events:

Rattan Loha applied on 29th March 2023 for the grant of a Premises Licence for Punjabi Dhaba, 124 Billesley Lane, Kings Heath, Birmingham, B13 9RD.

Representations have been received from other persons, which are attached at Appendices 1 – 16.

The application is attached at Appendix 17.

Conditions have been agreed with Birmingham City Council Licensing Enforcement and the applicant, which are attached at Appendix 18.

Site Location Plans at Appendix 19.

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:-

- a. The prevention of crime and disorder;
- b. Public safety;
- c. The prevention of public nuisance; and
- d. The protection of children from harm.

6. List of background documents:

Copies of the representations as detailed in Appendices 1 – 16

Application Form, Appendix 17

Conditions agreed with Birmingham City Council Licensing Enforcement, Appendix 18

Site Location Plans, Appendix 19

7. Options available

To Grant the licence in accordance with the application.

To Reject the application.

To Grant the licence subject to conditions modified to such an extent as considered appropriate.

Exclude from the licence any of the licensable activities to which the application relates.

Refuse to specify a person in the licence as the premises supervisor.

From: Councillor Izzy Knowles
Sent: 01 May 2023 21:57
To: Licensing
Subject: Licence application 163973 - 124, Billesley Lane, Moseley B13 9RD

I wish to make the following representations to the above licensing application under the licensing objectives:

The prevention of a public nuisance and to protect children from harm:

The application is to allow the selling and consumption of alcohol in a bar/restaurant at 124 Billesley Lane, Moseley Monday to Sunday 11:00 - 23:00

The previous alcohol license for this premises dates from the 1990/2000s when this was a Victoria Wine off-licence and the shop closed at 10.30pm.

I ask that the following conditions are added to the license:

- Sale of alcohol on the premises to be limited to the following hours: Monday to Sunday: 11:00 to 22:30. This will allow for a 30-minute drinking up time.
- That the consumption of alcohol on the outdoor forecourt is restricted to the following hours: Monday to Sunday: 11:00 to 22:00.

The premises are in a residential area, with residential houses immediately next door, opposite and behind and residential flats immediately above.

The noise of customers either on the forecourt or leaving the premises late at night, Monday to Sunday will generate a lot of noise.

The customers will have to park in the surrounding residential roads due to the limited on-street parking and the noise will include switching off car alarms; banging the doors shut; turning on the car radio with the windows down; chatting to friends next to the car, starting car engines.

Further, the noise of the restaurant closing late at night, Monday to Sunday, will include the noise of the roller shutters closing, waste disposal into the bins which are in the street and staff leaving the premises.

The restaurant is surrounded by properties that have young families including the flats above. Disturbance from the restaurant, particularly the outside terrace, has potential to cause harm to children trying to sleep, especially in summer months.

Best wishes

Izzy

Councillor Izzy Knowles
Moseley Ward
Birmingham City Council

Southlands Road,
Moseley,
Birmingham B13

15th April 2023

To: Licensing

Objection to the following licensing application:

163973 - 124 Billesley Lane Moseley Birmingham B13 9RD

I wish to object to the above licensing application for the following reasons:

The application is to allow the selling and consumption of alcohol in a bar/restaurant at 124 Billesley Lane for the following times:

- Monday to Sunday 11:00 - 23:00

The previous alcohol license for this premises dates from the 1990/2000s when this was a Victoria Wine off-licence and the shop closed at 10.30pm.

I would ask that the following conditions are added to the license as follows:

- **Sale** of alcohol on the premises to be limited to the following hours: Monday to Sunday: 11:00 to 22:30. This will allow for a 30-minute drinking up time.
- That the **consumption** of alcohol on the outdoor forecourt is restricted to the following hours: Monday to Sunday: 11:00 to 22:00.

This is a residential area, with residential accommodation immediately next door to the forecourt and above the bar/restaurant.

My reasoning for the restrictions on the hours of selling alcohol and the hours of consumption of alcohol on the forecourt is for the following reasons:

The prevention of a public nuisance.

126 Billesley Lane is in a residential area, with residential houses closely surrounding it and residential flats immediately above it.

The noise of customers – many intoxicated – either on the forecourt or leaving the premises late at night, Monday to Sunday will generate a lot of noise. This noise will be of:

- customers chatting outside the premises.
- noise of customers getting into their cars in the surrounding roads. The customers will have to park in the surrounding residential roads due to the limited on-street parking and the noise will include: switching off their car alarms; banging the doors shut; turning on the car radio with the windows down; chatting to friends next to the car. Having all this happening in the surrounding roads where customers have parked their cars, between midnight and 1am, Monday to Saturdays will be a huge nuisance.

Further, the noise of the restaurant closing up late at night, Monday to Sunday will also generate a lot of noise itself. This will include:

- the noise of the roller shutters closing.
- the clanking of bottles into the bottle bin.

- the sound of staff leaving the premises.

All this noise happening within less than 5 metres of bedroom windows immediately above the restaurant.

I live four doors from this premises.

To avoid the disturbance of sleeping children

As outlined above, the closing of this restaurant late at night, Monday to Sunday will generate a lot of noise. The restaurant is surrounded by properties that currently have young families or have a steady turnover of young families – the flats above the proposed restaurant attracts a turnover of families with young children.

This noise will wake up those children, especially during the Summer months, and keep them awake for a considerable time.

I am willing to attending any hearing at Licensing Committee.

Yours sincerely,

From:
Sent: 17 April 2023 11:09
To: Licensing
Subject: License application number 163973

Objection to the following licensing application :
163973 - 124 Billesley Lane, Moseley, Birmingham. B13 9RD

This application is to sell alcohol from 11:00 - 23:00 I would ask that the following conditions are added to the license :

Sale of alcohol on the premises to be limited to the following hours: Monday to Sunday
11:00 - 22:30 and allow 30minutes drinking up time.
That the drinking of alcohol on the outdoor forecourt is restricted to 11:00 - 22:00

The reason for this is because this is a residential area, I have lived here for the past 40 years and I am really worried about the amount of cars that will be coming and going at all hours. There is already limited parking here for residents and the noise this will generate, car doors banging, people chatting right under my bedroom window.

I have nothing against the business itself, who doesn't love a good curry? However, I am seriously concerned about the impact this will have on myself and other residents that live very close to this business.

Yours sincerely

From:

Sent: 19 April 2023 15:30

To: Licensing

Subject: Ref: 163973 Licensing Application to sell alcohol 11.00am - 23.00 Monday to Sunday at 124 Billesley Lane.

The bar/restaurant as far as we are aware has already opened but is without the necessary license to sell alcohol. Our house is 6 doors away from the Punjabi Dhaba where it is close enough to be affected by the coming and going that one would expect from a retail off licence trading from 11.00am to 23.00 Monday to Sunday. This is a residential area and every type of retail outlet going back 26 years plus has failed. The knock on effect from allowing a licence covering the hours and days applied for can be listed as follows:

- Noise from customers going back and forward from cars to people chatting, possibly intoxicated.
- Parking of cars - (virtually little space for this) so customers will park on the side of pavement in front of residential houses.
- In the Summer months it will park on the side of pavement outside - creating all sorts of disturbances.

Don't get me wrong, I am not a doom and gloom merchant, If the restaurant was run within the boundaries mentioned above re sensible opening hours, not allowing excess noise which can be controlled, including a tight control of intoxicated people, re under age drinking, not allowing cars to park on the pavement and neighbors driveways. If they ironed out all the niggles, I am sure we could live happily side by side!

Regards

From:

Sent: 22 April 2023 20:36

To: Licensing

Subject: Licence Application 163973 - Punjabi Dhaba, 124 Billesley Lane,

We wish to object to the proposed licensing hours at the above property under the issue of:-

The prevention of a public nuisance.

124 Billesley Lane is in a residential area, situated in a row of terraced houses, and is next door to a residential house, with residential flats above it. It is also opposite residential properties on the opposite side of the road.

The application is to allow the sale and consumption of alcohol on the premises (a bar/restaurant) until 11:00pm.

Diners inside the restaurant will generate a lot of noise when leaving, which will only be increased with the consumption of alcohol. This disturbance will be in the form of chatting while leaving, turning off their car alarms, opening/closing their car doors, turning on/revving up their engines, all after the hour when the restaurant ceases trading at 11:00pm; this could go on for some while after the closing time.

The owner also intends diners to eat outside and has procured four large picnic tables that can accommodate up to six people on each table. People chatting loudly at late hours will cause disturbance to immediate neighbours, potentially going on until 12:00pm-1:00am in the morning, and making it harder for residents to sleep. This will be exacerbated if a licence to sell alcohol is granted and diners outside are allowed to drink alcohol.

Therefore if a licence is granted, any alcohol consumption must be restricted when customers are dining outside in consideration to residents. For if customers do become rowdy due to drinking how effective will the control be when asking them to be more considerate to their surroundings and neighbouring residents? There is also the noise when the restaurant closes at 11:00pm. This will include staff leaving the premises and the disposal of empty bottles in the bins outside.

Taking all the above into account we request that the proposal be rejected.

I am willing to attend any hearing at Licensing Committee.

Yours sincerely

Billesley Lane
Moseley
Birmingham B13

From:

Sent: 23 April 2023 17:08

To: Licensing

Subject: Application number 163973

To: Licensing

Objection to the following licensing application:

Southlands Road, Moseley, Birmingham B13

15th April 2023

163973 - 124 Billesley Lane Moseley Birmingham B13 9RD

I wish to object to the above licensing application for the following reasons:

The application is to allow the selling and consumption of alcohol in a bar/restaurant at 124 Billesley Lane for the following times:

- Monday to Sunday 11:00 - 23:00

The previous alcohol license for this premises dates from the 1990/2000s when this was a Victoria Wine off-licence and the shop closed at 10.30pm.

I would ask that the following conditions are added to the license as follows:

- Sale of alcohol on the premises to be limited to the following hours: Monday to Sunday: 11:00 to 22:30.

This will allow for a 30-minute drinking up time.

- That the consumption of alcohol on the outdoor forecourt is restricted to the following hours: Monday to Sunday: 11:00 to 22:00.

This is a residential area, with residential accommodation immediately next door to the forecourt and above the bar/restaurant.

My reasoning for the restrictions on the hours of selling alcohol and the hours of consumption of alcohol on the forecourt is for the following reasons:

The prevention of a public nuisance.

126 Billesley Lane is in a residential area, with residential houses closely surrounding it and residential flats immediately above it.

The noise of customers – many intoxicated – either on the forecourt or leaving the premises late at night, Monday to Sunday will generate a lot of noise. This noise will be of:

- customers chatting outside the premises.
- noise of customers getting into their cars in the surrounding roads. The customers will have to park in the surrounding residential roads due to the limited on-street parking and the noise will include: switching off their car alarms; banging the doors shut; turning on the car radio with the windows down; chatting to friends next to the car. Having all this happening in the surrounding roads where customers have parked their cars, between midnight and 1am, Monday to Saturdays will be a huge nuisance.

Further, the noise of the restaurant closing up late at night, Monday to Sunday will also generate a lot of noise itself. This will include:

- the noise of the roller shutters closing.
- the clanking of bottles into the bottle bin.
- the sound of staff leaving the premises.

All this noise happening within less than 5 metres of bedroom windows immediately above the restaurant.

As outlined above, the closing of this restaurant late at night, Monday to Sunday will generate a lot of noise. The restaurant is surrounded by properties that currently have young families or have a steady turnover of young families – the flats above the proposed restaurant attracts a turnover of families with young children.

This noise will wake up those children, especially during the Summer months.

I also fear for the safety of people returning home from later in the evening to access Southlands Road and having to walk past customers who can be seated outside drinking until 11pm.

Added to this there is likely to be drug sellers as the area will become a magnet for late night customers.

Southlands Road
Moseley
Birmingham
B13

23rd April 2023

To: Licensing

Objection to the following licensing application:

163973 - 124 ~~Billesley~~ Lane Moseley Birmingham B13 9RD

I wish to object to the above licensing application for the following reasons:

The application is to allow the selling and consumption of alcohol in a bar/restaurant at 124 ~~Billesley~~ Lane for the following times:

- Monday to Sunday 11:00 - 23:00

The previous alcohol license for this premises dates from the 1990/2000s when this was a Victoria Wine off license and the shop closed at 10.30pm.

I would ask that the following conditions are added to the license as follows:

- **Sale** of alcohol on the premises to be limited to the following hours: Monday to Sunday: 11:00 to 22:30. This will allow for a 30-minute drinking up time.
- That the **consumption** of alcohol on the outdoor forecourt is restricted to the following hours: Monday to Sunday: 11:00 to 22:00.

This is a residential area, with residential accommodation immediately next door to the forecourt and above the bar/restaurant.

My reasoning for the restrictions on the hours of selling alcohol and the hours of consumption of alcohol on the forecourt is for the following reasons:

The prevention of a public nuisance.

126 ~~Billesley~~ Lane is in a residential area, with residential houses closely surrounding it and residential flats immediately above it.

The noise of customers – many intoxicated – either on the forecourt or leaving the premises late at night, Monday to Sunday will generate a substantial amount of noise. This noise will be of:

- customers talking, often loudly, outside the premises.
- noise of customers getting into their cars in the surrounding roads. The customers will have to park in the surrounding residential roads due to the limited on-street parking and the noise will include: switching off their car alarms; banging the doors shut; turning on the car radio with the windows down; chatting to friends next to the car. Having all this happening in the surrounding roads where customers have parked their cars, between 00.00 and 01.00, Monday to Saturdays will be a huge nuisance.

Further, the noise of the restaurant closing up late at night Monday to Sunday will also generate a lot of noise itself. This will include:

- the noise of the roller shutters closing
- the clanking of bottles into the bottle bin

- the sound of staff leaving the premises.

All this noise happening within less than 5 metres of bedroom windows immediately above the restaurant.

I live four doors from these premises on the opposite side of the road to the restaurant.

To avoid the disturbance of sleeping children

As outlined above, the closing of this restaurant late at night Monday to Sunday will generate a lot of noise. The restaurant is surrounded by properties that currently have young families or have a steady turnover of young families – the flats above the proposed restaurant attract a turnover of families with young children.

This noise will wake up those children, especially during Summer months, and keep them awake for a considerable time.

Yours sincerely,

And on behalf of my wife, son and daughter

From:

Sent: 24 April 2023 15:10

To: Licensing

Subject: Application 163973

I wish to register my concern regarding the application for a late license at 124 Billesley Lane. This is a residential area and I am concerned about noise and rowdy behaviour, particularly as it seems the intention is to seat customers outside as well as inside.

Westlands Road
Moseley

From:
Sent: 23 April 2023 11:45
To: Licensing
Subject: Application Number 163973

I live at Billesley Lane and wish to make an objection to the extension of the drinking licence at 124. I particularly object to people drinking on the forecourt. Tables have appeared on the forecourt and I particularly do not want drinking there. When it was an off-licence no drinking occurred around the premises. This is a residential neighbourhood and I go to bed at 10.0pm.

From:

Sent: 25 April 2023 15:12

To: Licensing

Subject: re licensing application 163973 at 124 Billesley Lane Moseley

Dear Licensing Committee,

Re licensing application 163973 for 124 Billesley Lane, Moseley, B13 9RD

I wish to oppose the licensing application for the above named business to sell alcohol from 11am 'til 11pm every day of the week.

I have lived on Southlands Road for 53 years and can assure you that this situation is unprecedented.

Drinking alcohol so close to resident's homes will cause significant nuisance, including late night noise, car parking problems in an already tight parking situation, late night noise closing the business and this happening EVERY NIGHT OF THE WEEK.

It is not reasonable or just and yet another example of how planning has allowed our lives to be disrupted in this way by the decade long saga over the planning application for this change of use

I have 6 grandchildren, all of whom visit and will I fear be affected by the sight of all day alcohol consumption and late night noise.

I therefore oppose the granting of this licence.

Yours sincerely,

From:
Sent: 25 April 2023 17:11
To: Licensing
Subject: Application 163973 - 124 Billesley Lane

I write to express my objection to the above application.

I live 3 doors away from these premises and are therefore directly impacted by what happens here. While on this subject I would also request that support received from those who are not locals, which has been relevant on previous applications should be ignored as irrelevant.

The old Victoria wine shop which used to occupy this spot had closing hours of 22.00 hrs. I see no justification to open later as a result of being granted an alcohol license if permitted the opening hours should remain as 22.00 hrs.

I believe the consumption of alcohol outside on the forecourt should be banned completely. Children are living directly next door and directly opposite to these premises. Like all establishments despite the best efforts of the owners we will experience anti social behaviour, unwanted noise and already experienced inconsiderate parking to the point of raising road safety as a concern.

As you know this area is and always has been a quiet residential location I would request those involved in making this decision have first consideration to the neighbourhood.

Regards

From:
Sent: 25 April 2023 18:59
To: Licensing
Subject: License application number 163973 - 124 Billesley Lane

I wish to object to the above licensing application to allow the selling and consumption of alcohol at 124 Billesley Lane.

This was previously a Victoria wine off-license and the shop closed at 10.30 pm.

I request that conditions are added to the license as follows:-

Sale of alcohol on the premises be limited to:- Monday to Sunday 11.00 to 22.30. (30 minutes drink up time.) Outdoor forecourt the consumption of alcohol be restricted to:- Monday to Sunday 11.00 to 22.00.

This is a residential area, with residential accommodation immediately next door to the forecourt and above the bar/restaurant.

My reason for the restrictions on hours of selling and hours of consumption of alcohol is the impact on local resident in a residential area as follows:-

Public Nuisance

124 Billesley Lane is located in a residential area surrounded by houses and two flats above. Our home is only a stone's throw from the above address.

Noise

Customers will be parking their cars in the surrounding roads. Local residents will be disturbed with car doors slamming, engines revving, people chatting and finishing off their cigarettes before getting into their cars, etc. The local residents would be disturbed when trying to go to sleep with customers parking outside their homes.

Also, the noise of the premises shutter closing, outside bins being filled, staff going home after customers have left will impact on the neighboring properties, seven days a week.

Disturbance

During summer months the local residents would be forced to sleep with their windows closed due to the noise.

Disturbance of sleeping children

The restaurant is surrounded by properties that currently have young families or have a steady turnover of young families - the flats above the restaurant attracts a turnover of families with young children. They will be forced to sleep with the windows closed during the summer months.

From:

Sent: 25 April 2023 19:35

To: Licensing

Subject: 163973 Licensing application opposition

To whom it may concern

163973 - 124 Billesley Lane Moseley Birmingham B13 9RD

I wish to object to the above licensing application for the reason of a prevention of a public nuisance. The restaurant is in a residential area and it's establishment was opposed for a decade by local residents, who predicted the disruption and nuisance that we now experience.

Whilst the establishment of the restaurant has been realised to the detriment of residents, the granting of an alcohol licence can only exacerbate the noise and disruption we now experience.

I have no knowledge of the rights of the developer concerning any previous licence held at these premises, however I must appeal on a common sense basis that no one ever consumed alcohol outside these premises previously. I am amazed that it is intended for benches set out on the forecourt OUTSIDE the premises are to be used by drinkers. Given the slatted nature of the tables already set out it is clear that it will be less practical to serve food to these drinkers.

I would like to comment that were the proposed drinkers not patrons of the restaurant then the case of public nuisance would be absolutely clear. I seem to remember the terms 'street drinkers' or 'bench drinkers' being used by the council to describe this type of nuisance and yet we are being asked to endure people drinking outside these premises 7 days a week until very late in the evening.

The noise of the restaurant closing up is also an issue. This will involve

- the noise of the roller shutters closing.
- the clanking of bottles into the bottle bin.
- the sound of staff leaving the premises.

The huge commercial refuse bins now half block the adjacent Southlands Rd. These bins are left outside the premises permanently and I am absolutely confident that a bottle bin at this location would present a hazard of access and of broken glass, that is completely inappropriate given the large numbers of local children making their way too and from school each day having to pass this hazard.

In summary I am wholly opposed to any licence being granted, but I am particularly concerned by drinking outside the premises, and by the extended timeframe and days of the week, proposed in this application.

Best regards

No. Southlands Rd

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Best regards

From:

Sent: 25 April 2023 20:27

To: Licensing

Subject: 163973 - 124 Billesley Lane Moseley Birmingham B13 9RD

I wish to object to the above licensing application for the following reasons:

I live directly opposite the site and already have to contend with noise and light pollution. The bright lights of the restaurant reflect directly into my home and front bedroom. I hear doors slamming and people loudly leaving the site late into the night. This situation will only get worse.

This is a residential area with many young children who will be adversely impacted.

I am happy to discuss my concerns in more depth.

Regards

Billesley Lane

Moseley

Birmingham B13

From:

Sent: 26 April 2023 14:57

To: Licensing <licensing@birmingham.gov.uk>

Subject: Licensing application 163973

Hi,

I am writing to object to licensing application 163973 in relation to 124 Billesley Lane. The application is to allow the sale and consumption of alcohol from 11am-11pm seven days a week.

I live at Billesley Lane and my property shares a party wall with the premises. Currently there is no license to sell alcohol for the property and there has not been in the 10 years I have lived here.

The introduction of alcohol sales to 11pm and seven days a week will cause a significant public nuisance and cause harm to local children including my own. There have been persistent issues with noise in relation to 124 Billesley Lane since it opened as a restaurant. If the restaurant is given a license to sell alcohol until 11pm seven days a week the noise of customers, many intoxicated, late at night will be a significant nuisance to all, and specifically cause harm to my autistic 10 year old son, who sleeps in the front bedroom of our house. We have an acoustic fence but this does not stop the noise of people leaving 124 reaching his bedroom.

The consumption of alcohol on the paved area outside 124 is also a significant concern. The area was supposed to be parking to reduce the pressures on the local traffic but is now filled with tables. It is not a beer garden or part of an area with cafes and passing trade, it is a tarmac space on a residential street with no boundaries, either in terms of containment or noise suppression other the acoustic fence on my boundary, which was designed to reduce noise of people entering and exiting an off licence, not people sitting and drinking for hours. If people are allowed to drink alcohol there until 11pm there will be excessive noise throughout the evening, particularly in the summer, causing public nuisance and disruption to my family.

I would ask that the licensing committee consider that this is not an appropriate location for late night drinking, as repeatedly evidenced by the objections to this and numerous other licensing and planning applications in relation to 124 and 126 Billesley lane. I draw attention to the planning inspectorate's report that includes an objective assessment of the impact that late night opening would have in this area (specifically sections 11-18) and the addition of the consumption of alcohol would only worsen the issues described.

I would also ask that the licensing committee restrict consumption of alcohol outside the premises as this is a significantly louder prospect than consumption indoors.

Kind regards,

Appeal Decisions

Site visit made on 5 November 2015

by Y Wright BSc (Hons) DipTP MSc DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 09/02/2016

Appeal A Ref: APP/P4605/W/15/3129988 124 Billesley Lane, Birmingham, B13 9RD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mrs K Kaur against the decision of Birmingham City Council.
 - The application Ref 2015/02040/PA, dated 17 March 2015, was refused by notice dated 15 May 2015.
 - The application sought planning permission for minor material amendment to planning permission 2014/03677/PA to enlarge the basement of Retail Unit 2 in front of and to the rear of the building, and add a loft bedroom to each flat and install four rooflights without complying with conditions attached to planning permission Ref 2014/07717/PA, dated 25 February 2015.
 - The conditions in dispute are Nos 6, 7, 8, 9, 10, 11 and 13 which state that:
 6. *No deliveries shall be taken at or dispatched from the site outside the hours of 0700-1900 Mondays to Saturdays.*
 7. *No development shall take place until details of the provision for the secure, and where appropriate, covered storage for cycles and motorcycles have been submitted to and approved in writing by the Local Planning Authority. Provision shall thereafter be implemented and maintained in accordance with the approved details.*
 8. *No development shall take place until such time as a scheme for the drainage of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and thereafter maintained.*
 9. *The rating levels for cumulative noise from all plant and machinery shall not exceed 5dB below the existing LA90 background levels and 10dB below the existing LAeq at any noise sensitive premises as assessed in accordance with British Standard 4142 (1997) or any subsequent guidance or legislation amending, revoking and/or re-enacting BS4142 with or without modification.*
 10. *No development shall take place until details of facilities for the storage of refuse within the curtilage of building(s) approved under this permission have been submitted to and approved in writing by the Local Planning Authority. The refuse facilities shall be provided in accordance with the approved details before the buildings are first occupied and thereafter maintained.*
 11. *No development shall take place until details of bollards or similar feature to be erected at the back of pavement have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development hereby permitted is brought into use and thereafter retained.*
 13. *Retail deliveries to Retail Unit 2 shall only be made to the front of the premises, none shall be made to the rear 'yard/garden' area.*
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- The reasons given for the conditions are:
 6. *In order to define the permission and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.*
 7. *In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Paragraphs 3.8, 3.10, 6.17 and 6.39 of the Birmingham UDP 2005 and the National Planning Policy Framework.*
 8. *In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Paragraphs 3.71-3.76 of the Birmingham UDP 2005, Sustainable Management of Urban Rivers and Floodplains SPD and the National Planning Policy Framework.*
 9. *In order to secure the satisfactory development of the application site and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the NPPF.*
 10. *In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.*
 11. *To ensure that vehicles only access the site through the designated entrance in the interests of highway and pedestrian safety in accordance with Paragraphs 3.8, 3.10, 6.17 and 6.39 of the Birmingham UDP 2005 and the National Planning Policy Framework.*
 13. *In order to protect the amenity offered to the two flats' residents in their private, outdoor rear amenity space, in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005, Places for Living Supplementary Planning Guidance and the National Planning Policy Framework.*
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Appeal B Ref: APP/P4605/W/15/3129982
124 Billesley Lane, Birmingham, B13 9RD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mrs K Kaur against the decision of Birmingham City Council.
 - The application Ref 2015/02039/PA, dated 17 March 2015, was refused by notice dated 11 June 2015.
 - The application sought planning permission for minor material amendment to planning permission 2014/03677/PA to enlarge the basement of Retail Unit 2 in front of and to the rear of the building, and add a loft bedroom to each flat and install four rooflights without complying with conditions attached to planning permission Ref 2014/07717/PA, dated 25 February 2015.
 - The conditions in dispute are Nos 5 and 12 which state that:
 5. *The new retail unit (Retail Unit 2) shall only be open for customers between the hours of 0800-2000 Mondays to Saturdays and 0800-1900 Sundays and Bank Holidays.*
 12. *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), the basement shall only be used for storage of goods in conjunction with the approved ground floor retail use (Use Class A1) and shall be used for no other purpose.*
 - The reasons given for the conditions are:
 5. *In order to define the permission and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.*
 12. *In order to prevent the use of the basement for other purposes which may be harmful to residential amenity, in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.*
-

Decisions

1. Appeal A is allowed and Appeal B is allowed and planning permission is granted to enlarge the basement of Retail Unit 2 in front of and to the rear of the building, and add a loft bedroom to each flat and install four rooflights at 124 Billesley Lane, Birmingham, B13 9RD in accordance with applications Ref 2015/02040/PA dated 17 March 2015 and Ref 2015/02039/PA, dated 17 March 2015, without compliance with condition numbers 9 and 12 previously imposed on planning permission Ref 2014/07717/PA, dated 25 February 2015 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing numbers SP01A, 03F, 04E and 05D and the site location plan.
 - 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) The roller shutters hereby permitted shall be of punched slat construction with a minimum 55% transparency and be colour coated in accordance with a scheme to be submitted to and agreed in writing by the local planning authority and thereafter maintained.
 - 5) No development shall take place until a scheme of noise insulation between the ground floor commercial and first floor residential premises has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details prior to the occupation of the building and thereafter maintained.
 - 6) The new retail unit (Retail Unit 2) shall only be open for customers between the hours of 0800-2000 Mondays to Saturdays and 0800-1900 Sundays and Bank Holidays.
 - 7) No deliveries shall be taken at or dispatched from the site outside the hours of 0700-1900 Mondays to Saturdays.
 - 8) No development shall take place until details of the provision for secure cycle and motorcycle parking have been submitted to and approved in writing by the local planning authority. Provision shall thereafter be implemented and maintained in accordance with the approved details.
 - 9) No development shall take place until details of facilities for the storage of refuse within the curtilage of the permitted development have been submitted to and approved in writing by the local planning authority. The refuse facilities shall be provided in accordance with the approved details before the buildings are first occupied and thereafter maintained.
 - 10) No development shall take place until details of bollards or similar feature to be erected at the back of pavement have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development hereby permitted is brought into use and thereafter retained.

- 11) Retail deliveries to Retail Unit 2 shall only be made to the front of the premises, none shall be made to the rear 'yard/garden' area.

Procedural Matters

2. As set out above, there are two appeals which differ only in the conditions that the appellant wishes to remove. Although I have considered each proposal on its individual merits, to avoid duplication I have dealt with the two appeals together in this document.
3. The appellant has raised concerns about the handling of the planning applications by the Council. However this would need to be pursued with the Council in the first instance. I confirm in this respect that I have had regard only to the planning merits of the proposals.

Applications for costs

4. Applications for costs were made by Mrs K Kaur against Birmingham City Council for both the appeals. These applications are the subject of separate Decisions.

Background and Main Issues

5. The existing retail premises at 124 Billesley Lane is currently vacant, but the flat above is occupied. Planning permission Ref 2014/07717/PA has been granted for a minor material amendment to a previous planning permission Ref 2014/03677/PA, to enlarge the basement of retail unit 2 in front of and to the rear of the building, add a loft bedroom to each flat and install four rooflights.
6. Planning permission Ref 2014/03677/PA allows the demolition of the existing single storey outbuilding, erection of single and two storey extensions to the side and rear to extend the existing retail unit and provide a shop front, provide a new retail unit, provide security shutters to both retail units and provide two first floor flats. This original planning permission contains a number of conditions.
7. It is the conditions attached to the minor material amendment planning permission Ref 2014/07717/PA that the appellant seeks to have removed. Of the 9 conditions disputed by the appellant, 7 repeat conditions that are on the original planning permission Ref 2014/03677/PA, whereas conditions 12 and 13 are new.
8. Appeal A seeks permission to remove conditions 6, 7, 8, 9, 10, 11 and 13. Condition 6 limits delivery times to the store. Conditions 7, 8, 10 and 11 are all prior to development conditions, respectively requiring the provision of details on cycle storage, a drainage scheme, refuse storage and the pavement boundary. Condition 9 limits the noise levels for plant and machinery. Condition 13 seeks that deliveries are only made to the front of retail unit 2.
9. Appeal B seeks permission to remove conditions 5 and 12. Condition 5 restricts opening times for the retail unit, whilst condition 12 restricts the use of the basement as ancillary storage.
10. Having considered the evidence before me I consider the main issues are:
 - Whether the removal of conditions 5, 6, 9, 10, 12 and 13 would have an effect on the living conditions of the occupiers of neighbouring properties

and would provide acceptable living conditions for the future occupiers of the flats; and

- Whether conditions 7, 8 and 11 are reasonable and necessary in the interests of highway safety.

Reasons

11. The appellant has drawn my attention to planning permissions Ref 2014/06768/PA and Ref 2015/00441/PA at 1 Mapledene Road stating that this similar development does not have any of the disputed conditions for these appeals attached. Some details of these developments have been provided to me. Whilst there appears to be some similarities between the schemes I nevertheless must consider the appeals before me on their own individual merits.

Living conditions (Conditions 5, 6, 9, 10, 12 and 13)

12. Paragraphs 3.8 and 3.10 of the Birmingham Plan Unitary Development Plan 2005 (UDP) seek to protect the quality of the built environment including residents' quality of life. In addition the National Planning Policy Framework (Framework) seeks, amongst other things, to secure a good standard of amenity for all existing and future occupants of buildings.
13. Conditions 5 and 6 relate to opening hours for retail unit 2 and delivery times respectively. The Framework supports sustainable economic development but it also seeks, amongst other things, to secure a good standard of amenity for all existing and future occupants of buildings. I see no reason why the premises should not be able to trade at their maximum potential, subject to there being no unacceptable effect on neighbours by way of noise and disturbance.
14. The site is located on a prominent corner junction, in a predominantly residential area. There is a terraced property (No 122 Billesley Lane) attached to the existing retail unit, a flat above the premises and No 6 Southlands Road is a short distance to the rear. I note the existence of an acoustic fence between the existing premises and No 122 to the front. I also understand that the existing premises has unrestricted opening hours but as it has been vacant for a number of years (the Council suggests at least 4 years). As such the existing premises does not cause any noise or disturbance.
15. It is suggested by the Council and local residents that later opening hours at retail unit 2 could result in noise and disturbance to neighbouring residents. I acknowledge that the noise assessment carried out by Acoustic Response Limited for the appellant concludes that *"there would be no significant effect on the existing acoustic environment, at any time of day, due to noise from the general use of the development"*. However there are a number of other factors I must take into account in regards to this matter.
16. The suggested opening hours would be later than the nearby One Stop convenience store at 117 Billesley Lane. Whilst I must determine the appeals on their own individual merits, I nevertheless note that this store closes at 2200 according to the Council and local residents, though the appellant states that it is later. Whilst the adjacent vacant premises has no opening hours restrictions, the appellant states that when it was in use as an off-licence it closed at 2300. I note that local residents say that it closed earlier than this. The appellant's evidence is not conclusive as to what would be reasonable

opening times within this location. I also consider that several late night businesses operating closely within such a predominantly residential area has the potential to result in an adverse cumulative impact as regards noise and disturbance.

17. Taking the above into account, the limited evidence supporting longer opening hours and the close proximity of adjacent dwellings to the development, I consider that condition 5 is reasonable and necessary to ensure that the living conditions of both neighbouring residents and future occupiers of the flats above are acceptable. I therefore do not remove this condition and consider that the development would comply with Paragraphs 3.8 and 3.10 of the UDP and the Framework with its imposition.
18. In relation to deliveries the noise assessment states that *"Noise from delivery vehicles is also unlikely to impact on the existing noise environment given the existing noise levels at times when deliveries would be made"*. However it is not clear in the report what hours the term *"when deliveries would be made"* refers to. Deliveries made late at night would be likely to cause unacceptable noise, due to the coming and goings of delivery vans, reversing alarms and the unloading of goods. This would be likely to cause undue disturbance to neighbouring residents and result in unacceptable living conditions for the future occupiers of the flats above. Based on what is before me, I have no substantive evidence to indicate otherwise.
19. As such, in this instance, I consider condition 6 restricting the hours for deliveries appears reasonable and necessary and its removal would be contrary to Paragraphs 3.8 and 3.10 of the UDP and the Framework. The appellant states that the term *"or despatched from the site"* is not precise and no deliveries from the site are proposed. However I note the Council's concerns in this matter should the occupiers of the retail unit propose to provide deliveries to customers. I therefore also consider that the condition is precise and enforceable and I therefore do not remove it.
20. As regards condition 9, I note the Council's concerns about the potential for the premises to temporarily change to a more flexible use, which could include a restaurant or café, without requiring planning permission. However I have no evidence before me to support the view that such uses would affect the living conditions of the neighbouring residents within this location. Whilst this condition was recommended by Regulatory Services they also state in their consultation response that if the use were to remain as A1 use then the condition could be removed. I am also concerned that the condition is not precise as it does not state where the plant and machinery would be located and does not define the term 'noise sensitive premises'.
21. Consequently, as the appellant clearly states that the development would be for A1 use and I consider matters such as noise could be dealt with under other statutory regulations, condition 9 is not necessary for the development to be able to proceed. I therefore find that the development would comply with Paragraphs 3.8 and 3.10 of the UDP and the Framework without its imposition.
22. Whilst I acknowledge that a plan referring to the refuse storage areas was submitted to the Council during the application process, the Council confirms that this was not taken into account when determining the application. Although a copy of this plan has been provided to me it has not been consulted on and therefore I am unable to take it into account. Notwithstanding this I

consider that condition 10 is reasonable and necessary to ensure that adequate refuse facilities are provided for both the commercial and domestic properties, so that living conditions are acceptable for existing and future neighbours as regards smells, rodents and outlook. I therefore do not remove it to ensure that the development complies with Paragraphs 3.8 and 3.10 of the UDP and the Framework.

23. In relation to condition 12 the PPG indicates that conditions restricting the future use of permitted development rights will rarely pass the test of necessity and should only be used in exceptional circumstances. The Council has provided no evidence to suggest that there are exceptional circumstances in this case. The size of the basement would only increase by a small amount and I note that such a condition was not imposed on the original planning permission Ref 2014/03677/PA. I therefore do not consider that the living conditions of neighbouring residents would be prejudiced by the removal of this condition. As no exceptional circumstances for imposing condition 12 have been demonstrated I remove it. The development would comply with Paragraphs 3.8 and 3.10 of the UDP and the Framework in this respect.
24. Condition 13 was imposed by the Council to ensure that the living conditions of future occupiers of the flat above retail unit 2 would be acceptable as regards the use of the private garden space. Whilst I recognise that the appellant proposes that deliveries would be made to the front of this unit, I consider that the condition is both necessary and reasonable to ensure that the occupiers of the new premises adhere to this. Using the small rear garden for deliveries would cause loss of privacy and make the garden unusable at times for the future occupiers of the flat. This would result in unacceptable living conditions for the future occupants. I therefore consider that with the imposition of condition 13, the development would comply with Paragraphs 3.8 and 3.10 of the UDP, Places for Living Supplementary Planning Guidance 2001 and the Framework in this respect.

Highway safety (Conditions 7, 8 and 11)

25. The Council's Car Parking Guidelines Supplementary Planning Document (SPD) 2012 requires the provision of a minimum of one secure cycle space and motorcycle space per flat. The removal of condition 7 would clearly not be in accordance with the SPD or the Framework which supports the provision of sustainable transport opportunities. However reference is made within the condition to covered storage which though desirable, would not be a necessity in order for the development to proceed. Consequently I remove condition 7 but replace it with a new one which just refers to the provision of secure cycle and motorcycle spaces. This would be in accordance with Paragraphs 3.8 and 3.10 of the UDP and the SPD. It would also comply with Paragraphs 6.17 and 6.39 of the UDP which seek, amongst other things, good quality transport infrastructure.
26. As regards condition 8, I note that Severn Trent does not object to the development on drainage grounds and the removal of the condition would not cause material harm to highway safety due to flooding. The development would therefore comply with Paragraphs 3.71-3.76 of the UDP, the Sustainable Management of Urban Rivers and Floodplains Supplementary Planning Document 2007 and the Framework. As the condition is not necessary I remove it.

27. The Council states that condition 11 was imposed on the planning permission at the request of Members who were concerned about potential conflicts between vehicle users who would access the parking spaces to the front of the premises and pedestrians. The condition was recommended by the Council's Transportation Department to prevent vehicles manoeuvring or accessing the forecourt area in front of the development, by using the pedestrian drop crossing on Southlands Road. As there appears to be no evidence to the contrary, the imposition of this condition appears to be reasonable and necessary in the interests of highway safety. I therefore see no reason to disagree with the Council on this matter. The development would comply with Paragraphs 3.8, 3.10, 6.17 and 6.39 of the UDP and the Framework with the imposition of condition 11 and I therefore do not remove it.
28. The guidance in the national PPG makes clear that decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. As the development has not commenced and I have no information before me about the status of the other conditions imposed on the original planning permission, I shall impose all those that I consider remain relevant. In the event that some of the conditions have in fact been discharged, that is a matter which can be addressed by the parties.

Conclusion

29. For the reasons given above, and having considered all other matters raised, I conclude that the appeals should be allowed as set out in my formal decision.

X. Wright

INSPECTOR

From:

Sent: 01 May 2023 20:04

To: Licensing

Subject: Re Application for licence - Punjabi Dhaba, 124 Billesley Lane, Birmingham B13 9RD

Re: Application for licensing from 11:00 to 23:00 hours Mon to Sun

My wife and I wish to lodge an objection to the proposal to extend licensing hours for the above restaurant which has recently opened on Billesley Lane at the end of our road. We object on the grounds that this is a residential neighbourhood and drinking till such late hours will inevitably lead to an increase in noise and anti-social behaviour in the evening when people are trying to go to sleep. We are already sick and tired of having to put up with the fact that since these restaurants appeared and since the flats over the shops have become occupied, there is much congestion at the corner of Billesley Lane and Southlands Road making it a serious and significant hazard for traffic entering and leaving the road. We have already objected to these things previously, including the application for extended licensing hours by the previous tenants, but it seems that they persist in repeating the application in the hope that someone will back down. We did not even find out about the application ourselves until two days ago when we chanced to see a small notice on the outside of the premises which was not particularly prominently displayed! It does rather give the impression that they were hoping that no one would see it.

Southlands Road



Birmingham
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

* 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

Is the applicant's business registered outside the UK? ☐ Yes ☒ No

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

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.

Applicant Business Address

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

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 private individual acting as an agent

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

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 AGENT

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 TRIDENT BUSINESS CENTRE

Street 89 BICKERSTETH ROAD

District

City or town LONDON

County or administrative area

Postcode SW17 9SH

Country United Kingdom

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name 124

Street BILLESLEY LANE

District

City or town BIRMINGHAM

County or administrative area

Postcode B13 9RD

Country United Kingdom

Further Details

Telephone number

Non-domestic rateable value of premises (£) 5,900

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

☐ Yes

☒ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

* Date of birth

 / /
dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

Right to work share code

Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

 01 / 05 / 2023
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end

 / /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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.

THIS ONE OF THE UNIT OF THE TWO COMMERCIAL PREMISES SITUATED IN THIS RESIDENTIAL AREA. THIS SHOP HAD BEEN AN OFF LICENCE THEN CLOSED FOR LONG TIME. THEN IT HAS BEEN OPERATING AS A RESTAURANT BUSINESS - BURGER BAR. THIS WILL NOW ALSO A RESTAURANT, WILL BE RUN BY APPLICANT. APPLICANT HAS BEEN RUNNING SIMILAR BUSINESS IN THE RESIDENTIAL AREA. THIS IS A SMALL RESTAURANT WITH 30 SEATING. WE EXPECT LOCAL RESIDENCES USING THIS PLACE ON REGULAR BASIS. RESTAURANT WILL HAVE AUTHENTIC INDIAN FOOD AND DRINKS. IT IS A RESIDENTIAL AREA, WILL BE RUN WITHOUT ANY NUISANCE TO NEIGHBOURS. APPLICANT LIKES TO OPERATE THIS AS A SMALL SOCIAL PLACE FOR LOCAL PEOPLE. ANY OUTSIDE SEATING ONLY UNTIL 8PM.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes ☒ No

Section 11 of 21

Continued from previous page...

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☐ Yes ☒ No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes ☒ No

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

☐ Yes ☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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

Continued from previous page...

THURSDAY

Start 11:00

End 23:00

Start

End

FRIDAY

Start 11:00

End 23:00

Start

End

SATURDAY

Start 11:00

End 23:00

Start

End

SUNDAY

Start 11:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

- ☒ On the premises ☐ Off the premises ☐ Both

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

State any seasonal variations

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

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

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

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

RATTAN SINGH

Family name

LOHA

Continued from previous page...

Date of birth

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
dd		mm		yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number
(if known)

Issuing licensing authority
(if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

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

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

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

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

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

State any seasonal variations

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

--

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

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

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Continued from previous page...

Section 18 of 21

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.

1. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

2. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open.

3. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) any complaints received concerning crime and disorder
- (c) any incidents of disorder
- (d) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

4. There shall be no self service of alcohol on the premises.

5. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.

6. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time

b) The prevention of crime and disorder

AS DETAILED ABOVE

c) Public safety

AS DETAILED ABOVE

d) The prevention of public nuisance

AS DETAILED ABOVE

Continued from previous page...

e) The protection of children from harm

AS DETAILED ABOVE

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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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.

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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...

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15).

THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

☒ 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

[Add another signatory](#)

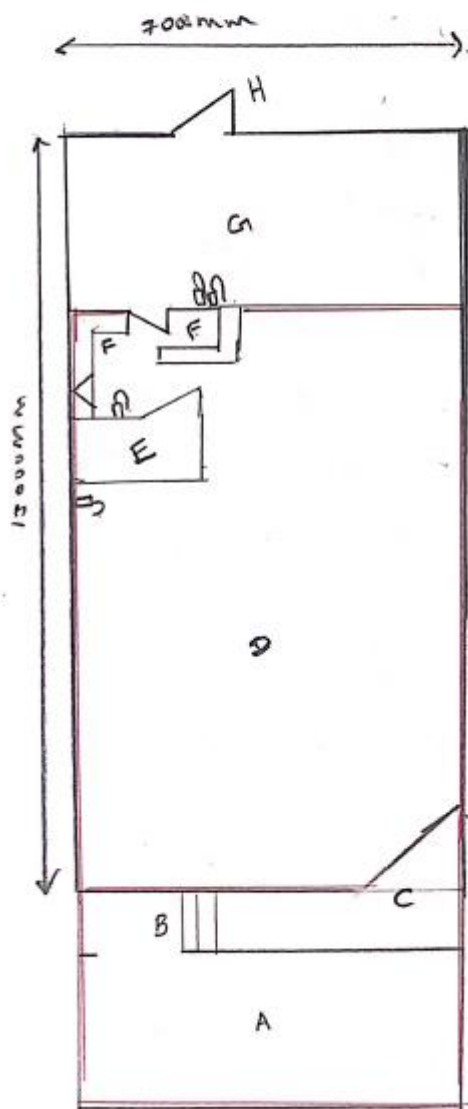
Once you're finished you need to do the following:

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

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

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED



PUNJABI DHABA
124 BILLESLEY LANE
BIRMINGHAM
B13 9RD

SCALE 1:100

A: FRONT OUTSIDE SEATING

B: STEPS DOWN - LOWER GROUND

C: MAIN ENTRANCE

D: SEATING AREA

E: TOILET

F: BAR AREA

G: KITCHEN

H: FIRE EXIT

FIRE EXTINGUISHER

LICENSABLE AREA

From: ARKA LICENSING
Sent: 28 April 2023 10:06
To: Gary Callaghan
Subject: Re: Grant of Premises Licence

Good morning, Gary,

Thank you for your call and email.

We confirm we accept those conditions requested by you.

Many thanks
Suresh

Consultant
Arka Licensing

From: Gary Callaghan
Sent: 28 April 2023 09:41
To: ARKA LICENSING
Subject: Grant of Premises Licence

RE: Punjabi Dhaba, 124 Billesley Lane, Birmingham, B13 9RD

Mr Suresh

Further to our telephone conversation, please see attached conditions below, that I would like added to the Premises Licence to promote the Licensing Act 2003 objectives
Can you please confirm that your client is happy with the proposed

General

All members of staff will receive training regarding the:-

- four licensing principles contained in the Licensing Act 2003;
- responsible retailing of alcohol, and law regarding sales of alcohol;
- protection of children from harm and this must include how to competently check customers' identification where necessary;
- permitted hours during which licensable activities can take place, and the conditions attached to the premises licence.

The training provided to staff will be recorded and each member of staff will sign and date the training records to confirm they have received and understood the training provided.
Refresher training will be done at least every 12 months

The staff training records will be kept at the premises and made available to any Responsible Authority upon request.

Prevention of Public Nuisance

A notice must be prominently displayed in the premises requesting that customers respect the needs of local residents and other businesses in the vicinity and to leave the premises quietly.

Protection of Children from Harm

The premises licence holder will implement and operate a challenge 25 age verification policy to prevent the sale or supply of alcohol to persons under 18 years of age.

A copy of the written age verification policy must be signed by all members of staff to confirm they have read and understand the policy and this signed copy must be maintained at the premises and available for inspection by any Responsible Authority on request.

A notice will be displayed at the premises and clearly visible to customers informing them that a challenge 25 policy is in operation at the premises.

Regards
Gary

Gary Callaghan
Licensing Enforcement Officer
Birmingham City Council Licensing Enforcement

