

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Interim Assistant Director of Regulation & Enforcement
Date of Meeting:	Monday 18th January 2021
Subject:	Licensing Act 2003 Premises Licence – Variation
Premises:	Couch, 1466 Pershore Road, Stirchley, Birmingham, B30 2NT
Ward affected:	Stirchley
Contact Officer:	Shaid Yasser, Senior Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

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

To add the provision of Regulated Entertainment consisting of recorded music, to operate both indoors and outdoors, from 12:00midday until 11:00pm (Monday to Sunday).

Premises to remain open to the public from 12:00midday until 11:00pm (Monday to Sunday).

2. Recommendation:

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

3. Brief Summary of Report:

Variation application received on 26th November 2020 in respect of Couch, 1466 Pershore Road, Stirchley, Birmingham, B30 2NT.

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.

<p>5. Relevant background/chronology of key events:</p> <p>Sujan Singh Swani applied on 26th November 2020 to vary the Premises Licence for Couch, 1466 Pershore Road, Stirchley, Birmingham, B30 2NT.</p> <p>Representations have been received from Other Persons. See Appendices 1 – 3.</p> <p>The application is attached at Appendix 4.</p> <p>The current Premises Licence is attached at Appendix 5.</p> <p>Site Location Plans at Appendix 6.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ul style="list-style-type: none"> a. The prevention of crime and disorder; b. Public safety; c. The prevention of public nuisance; and d. The protection of children from harm.
<p>6. List of background documents:</p> <p>Copies of the representations as detailed in Appendices 1-3.</p> <p>Application Form, Appendix 4.</p> <p>Current Premises Licence, Appendix 5.</p> <p>Site Location Plans, Appendix 6.</p>
<p>7. Options available</p> <p>To grant the variation application</p> <p>To refuse the whole or part of the application</p> <p>To modify the conditions of the Licence</p>

From:
Sent: 18 December 2020 13:38
To: Licensing
Subject: 1466 Pershore Road

Dear Sir/Madam

I am writing to you to petition against the above premises obtaining a licence for music and to also extend their opening times.

The premises is set in a residential area and there has already been a lot of noise pollution caused by the premises through music already being played at an unacceptable level and noise from the customers themselves.

Mine and my fiancé's bedroom is situated near enough above the beer garden and we have both suffered from sleeping problems caused by the premises and the lack of regard for any residents who have to be up at early hours in the morning, which both myself and my fiancé have to be for work.

Yours sincerely,

From:
Sent: 18 December 2020 16:24
To: Licensing
Subject: objection to application to vary a premises licence

Good afternoon,

I am writing to raise my objection to an application made on 27 November 2020 for the variation of a premises licence at 1466 pershore road, storchley, B30 2NT.

The application asks for a change to licensed and operating hours to cover 12pm to 11pm and for low volume music to be played in the beer garden.

Quite apart from the noise nuisance caused by the premises prior to the covid lockdown to the residents in this residential area, the business failed to stick to its agreed licensing hours also, frequently continuing to serve drinks to customers after hours in the beer garden, having lowered the front shutters so as to appear closed. Customers were then allowed to leave via the back gate and exit via ivy road.

Even without any license to play music the business has already done this. Along with the continued raucous noise from merry and loud customers in the beer garden, there have been numerous noise disturbances for surrounding residents, some families with young children.

Representations to the owners has failed to have any success and this application is a further slap in the face for the surrounding residents who will suffer further noise and inconsiderate behaviour from the business and its customers.

Thank you,

ivy road
Storchley
B30

From:
Sent: 18 December 2020 16:33
To: Licensing
Subject: objection to application to vary a premises licence

Good afternoon,

I am writing to raise my objection to an application made on 27 November 2020 for the variation of a premises licence at 1466 pershore road, storchley, B30 2NT.

This asks for a change to licensed and operating hours to cover 12pm to 11pm and for low volume music to be played in the beer garden.

Prior to the covid lockdown the business regularly caused noise nuisance to the residents in this residential area, and failed to stick to its agreed licensing hours also, frequently continuing to serve drinks to customers after hours in the beer garden, having lowered the front shutters so as to appear closed. Customers were then allowed to leave via the back gate and exit via ivy road.

Even without any license to play music the business has already done so, without license. Along with the continued raucous noise from merry and loud customers in the beer garden, there have been numerous noise disturbances for surrounding residents, some families with young children.

Representations to the owners has failed to have any success and this application causes further concern for the surrounding residents who will suffer further noise and inconsiderate behaviour from the business and its customers.

The peace and quiet during the covid shutdown has been wonderful.
Thank you,

ivy road
Storchley
B30



Birmingham
Application to vary a premises licence
Licensing Act 2003

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

* required information

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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

Not Currently In Use

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

Your reference

COUCH003

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

Sujan

* Family name

Swani

* 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.

Continued from previous page...

Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text"/>

Agent Details

* First name	<input type="text" value="Jacob"/>	
* Family name	<input type="text" value="Clarke"/>	
* E-mail	<input type="text"/>	
Main telephone number	<input type="text"/>	Include country code.
Other telephone number	<input type="text"/>	
<input checked="" type="checkbox"/> 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	<input type="text" value="12089501"/>
Business name	<input type="text" value="Couch Bars Ltd"/>
VAT number	<input type="text" value="-"/> <input type="text" value="331515044"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text" value="Director"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

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APPLICATION DETAILS

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

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

* Premises Licence Number

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	<input type="text" value="1466"/>
Street	<input type="text" value="Persnore Road"/>
District	<input type="text" value="Stirchley"/>
City or town	<input type="text" value="Birmingham"/>
County or administrative area	<input type="text" value="West Midlands"/>
Postcode	<input type="text" value="B30 2NT"/>
Country	<input type="text" value="United Kingdom"/>

Premises Contact Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="4,000"/>

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VARIATION

Continued from previous page...

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

☒ Yes ☐ No

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

☐ Yes ☒ No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Couch is a Cocktail Bar in the Suburb of Starchley with a maximum capacity of 18 indoors and 20 in the garden (this was the capacity pre-lockdown). I am looking to extend the licensing hours. The current hours are Monday-Friday 5pm-11pm, Saturday 12pm-11pm, Sunday 12pm-6pm. I am looking to extend this to a blanket 12pm-11pm Monday to Sunday.

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PROVISION OF PLAYS

See guidance on regulated entertainment

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

☐ Yes ☒ No

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PROVISION OF FILMS

See guidance on regulated entertainment

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

☐ Yes ☒ No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Continued from previous page...

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

☐ Yes

☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

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

☐ Yes

☒ No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

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

☐ Yes

☒ No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

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

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

☐ Indoors

☐ Outdoors

☒ Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Recorded music to be played through speakers indoors. Music also to be played through speakers in the beer garden, this particular speaker's volume will be kept quite low and completely turned off at 11pm.

State any seasonal variations for playing recorded music.

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

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

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

Only on New Year's Eve would we wish for music to be played for later than the applied timings. This would also only include indoors, as we wouldn't want to affect neighbours.

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

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

☐ Yes

☒ No

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Continued from previous page...

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

See guidance on regulated entertainment

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

☐ Yes

☒ No

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PROVISION OF LATE NIGHT REFRESHMENT

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

☐ Yes

☒ No

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SUPPLY OF ALCOHOL

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

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

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 above, list below.

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

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ADULT ENTERTAINMENT

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

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

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

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 above, list below.

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

Only New Years Eve where we'd apply for a temporary license

Continued from previous page...

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

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☒ I have enclosed the premises licence

☐ I have enclosed the relevant part of the premises licence

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

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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.

3 of our 4 staff have personal licenses and are trained in responsible serving of alcohol, the fourth member of staff is completing his personal license over the next 4 weeks.
We use NCASS (national catering association) as our compliance consultants, we are all trained in daily compliance and have completed extra qualifications on the NCASS website to improve on our training for managing a hospitality business, including fire safety, first aid, food hygiene levels and equipment safety.
CCTV is installed to protect our business, customers and staff.
We will and only offer table service to everyone but the customers sat at the bar, who are served directly by the bar tender.
3 members of staff on at all times during opening hours, 4 members of staff on busier evenings.
Currently capacity is maximum 8 people inside and 16 people outside, once covid-19 rules are lifted, we will limit our capacity to 18 inside and 20 outside, to make sure every one has sufficient space.
Bag hooks under bars and tables to keep belongings safe.
15 minute intervals between arrivals and exits of customers, 2 tables maximum, no big groups entering and exiting at the same time.
1.5 hour sittings currently available for customers to prevent excessive drinking, 2 hours maximum and guests have a dedicated server so we can stay in control and prevent excessive drinking.
Shutter at the front and iron door on the rear to prevent any break ins during closed hours.

b) The prevention of crime and disorder

We always have 3 members of staff on minimum, 4 on Friday and Saturday, so there's always a member of staff overlooking the entry, garden and bar operation. We currently offer 1.5 hours per sitting to promote responsible drinking, especially during a pandemic. We will refuse service to anyone who appears to be inebriated and prevent excessive drinking.
We have cctv covering the back door and front door, main bar area if anything occurs.
Bag hooks provided under bar seats and inside tables to prevent any theft. Staff member always present in bar, inside tables and gardens to protect our customers and staff.
One member of staff is on a 'Stirchley traders' Whatsapp group so neighbouring business' can keep each other informed of any problems on the street nearby.

c) Public safety

We don't play music loud and keep it under speaking level so it doesn't affect any neighbour's, our guests are asked to

Continued from previous page...

respect neighbour's privacy and keep noise down to a reasonable level, the garden closes at 10pm currently and 11pm at the latest in the future to give the neighbour's no bother later in the evening. Customers sittings are staggered so no one is leaving at the same time, causing mass noises when leaving the bar, the 10pm curfew doesn't help this situation but we still get our tables to pay and leave in 15 minute intervals to avert this.

Having 3 members of staff minimum at all times to cater to customer's needs, make sure everyone is behaving respectfully of neighbours, we only offer table service so customers aren't walking around (even before and after covid-19 rules)

Lights are dimmed in the evening so there's no light pollution to neighbouring residents, music is set at a reasonable level so no noise pollution outside our venue.

We use a waste company with wheelie bins to the rear of the garden so no customers are in contact with our waste disposal, it is collected once a week, prior to bar opening hours and returned to the rear of the building prior to bar opening hours.

We use one keg a week and don't move any kegs or gas cylinder during service around customers, these are safely stored out of customer reach.

d) The prevention of public nuisance

We don't play music loud and keep it under speaking level so it doesn't affect any neighbour's, our guests are asked to respect neighbour's privacy and keep noise down to a reasonable level, the garden closes at 10pm currently and 11pm at the latest in the future to give the neighbour's no bother later in the evening. Customers sittings are staggered so no one is leaving at the same time, causing mass noises when leaving the bar, the 10pm curfew doesn't help this situation but we still get our tables to pay and leave in 15 minute intervals to avert this.

Having 3 members of staff minimum at all times to cater to customer's needs, make sure everyone is behaving respectfully of neighbours, we only offer table service so customers aren't walking around (even before and after covid-19 rules)

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We use a waste company with wheelie bins to the rear of the garden so no customers are in contact with our waste disposal, it is collected once a week, prior to bar opening hours and returned to the rear of the building prior to bar opening hours.

We use one keg a week and don't move any kegs or gas cylinder during service around customers, these are safely stored out of customer reach.

e) The protection of children from harm

We are strictly over 18's only and don't allow any one under that age to enter the building under any circumstance. As we are a drink business with only bar snacks on offer.

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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.

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- 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 (£)

100.00

DECLARATION

Continued from previous page...

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

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

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

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

[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/change-1> to upload this file and continue with your application.

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

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

OFFICE USE ONLY

Applicant reference number
Fee paid
Payment provider reference
ELMS Payment Reference
Payment status
Payment authorisation code
Payment authorisation date
Date and time submitted
Approval deadline
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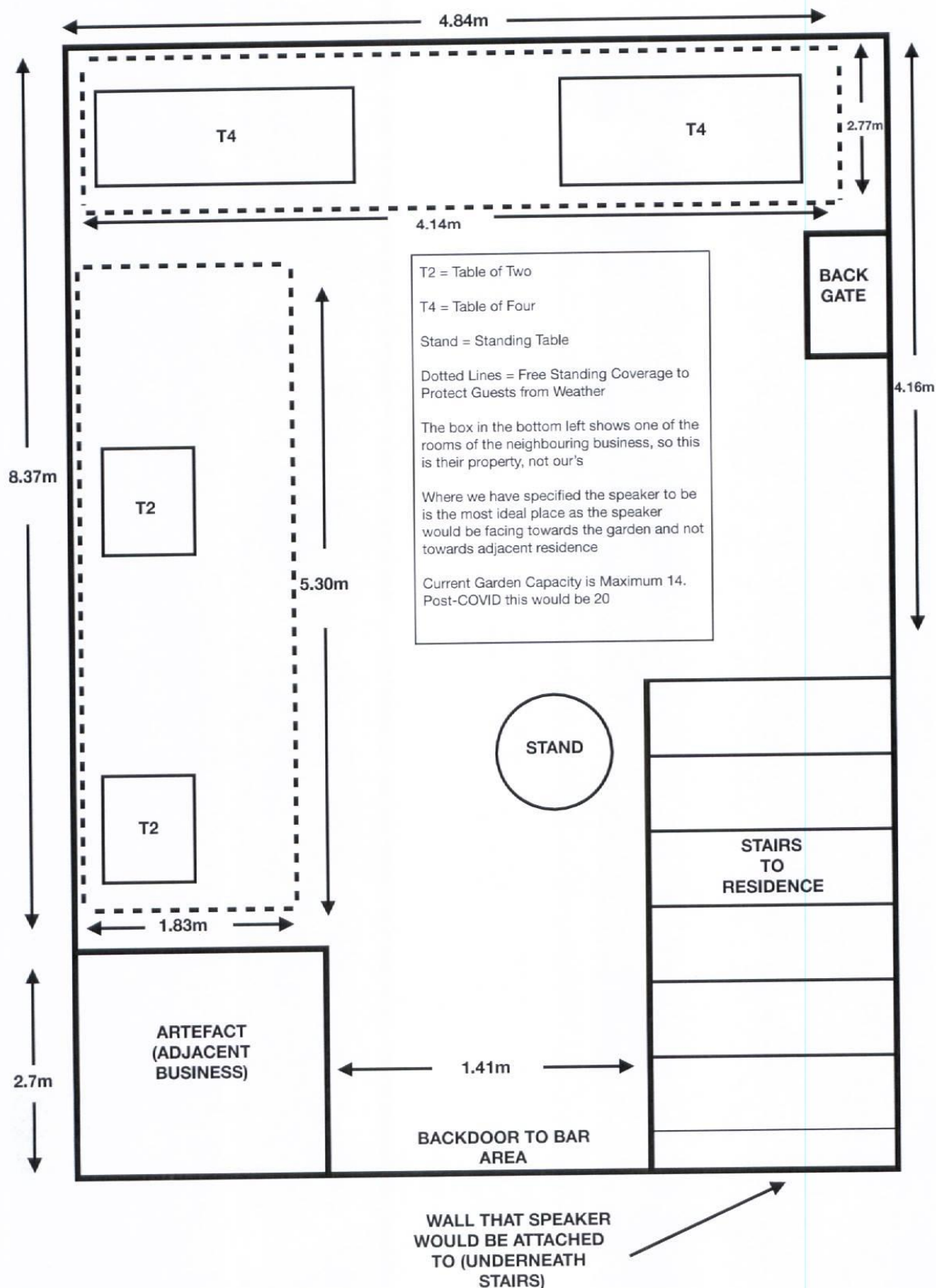
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >



NOTES

Rev	Date	Reason
A	30.08.19	Changes to bar layout

Address: 406/407 Green House, The Custard Factory, Digbeth B49 6AT 0121 537 8882 info@custardfactory.co.uk must be checked on site and not scooped from this drawing.



LICENSING ACT 2003**PREMISES LICENCE**

Premises Licence Number:

4480 / 2

Part 1 - Premises details:

Postal address of premises, or if none, ordnance survey map reference or description	
Couch 1466 Pershore Road Stirchley	
Post town: Birmingham	Post Code: B30 2NT
Telephone Number:	

Where the licence is time limited the dates
N/A

Licensable activities authorised by the licence
M3 Sale of alcohol by retail (both on & off the premises)

The times the licence authorises the carrying out of licensable activities				
Monday-Friday	17:00	-	23:00	M3
Saturday	12:00	-	23:00	M3
Sunday	12:00	-	18:00	M3

The opening hours of the premises				
Monday-Friday	17:00	-	23:00	
Saturday	12:00	-	23:00	
Sunday	12:00	-	18:00	

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

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence Mr Sujan Singh Swani	
Post town:	Post Code:
Telephone Number: Not specified	
Email	

Registered number of holder for example company number or charity number (where applicable) N/A

Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Jacob Clarke	
Post town:	Post Code:
Telephone Number: Not Specified	

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol	
Licence Number 9565	Issuing Authority BIRMINGHAM CITY COUNCIL

Dated 25/04/2019

Bhapinder Nandhra
Senior Licensing Officer
For Director of Regulation and Enforcement

Annex 1 – Mandatory Conditions

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

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

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises— (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to— (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either— (a) a holographic mark, or (b) an ultraviolet feature.

The responsible person must ensure that— (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures— (i) beer or cider: ½ pint; (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and (iii) still wine in a glass: 125 ml; (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. (2) In this condition:— (a) “permitted price” is the price found by applying the formula $P = D + (D \times V)$, where— (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence— (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

No enforceable conditions identified from operating schedule.

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

The Designated Premises Supervisor or another qualified person will train any staff on the premises on the basic laws of selling alcohol and on compliance with the conditions on the premises licence.

CCTV to be installed at the premises to the specifications and locations of West Midlands Police (Licensing Department at Bourneville Police Station.) The system must be operational at all times when licensable activity is taking place. The system will have an image download capability and all recorded images must be kept for a minimum of 31 days. Full access to recordings will be given to any Responsible Authority immediately upon request.

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 the signed copy must be maintained at the premises and be 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.

The premises licence holder will maintain a refusals book (or refusal button on EPOS – (electronic point of sale) on the premises and ensure it is completed whenever a sale is refused to a person who cannot prove they are over the age of 18. The refusal book or record of till recorded refusals must be made available to any Responsible Authority on request.

An incident book will be kept on the premises to record all incidents that occur inside or immediately outside the premises, irrespective of whether any of the emergency services have been called. This book will be made available for inspection at any time by any Responsible Authority.

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

No enforceable conditions identified from operating schedule.

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

The Premises Licence Holder shall ensure that prominent clear and legible notices shall be displayed at the door requesting the customers to respect the needs of local residents and to leave the premises quickly and quietly.

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

No enforceable conditions identified from operating schedule.

Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

N/A

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

N/A

3c) Committee conditions to promote public safety

N/A

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

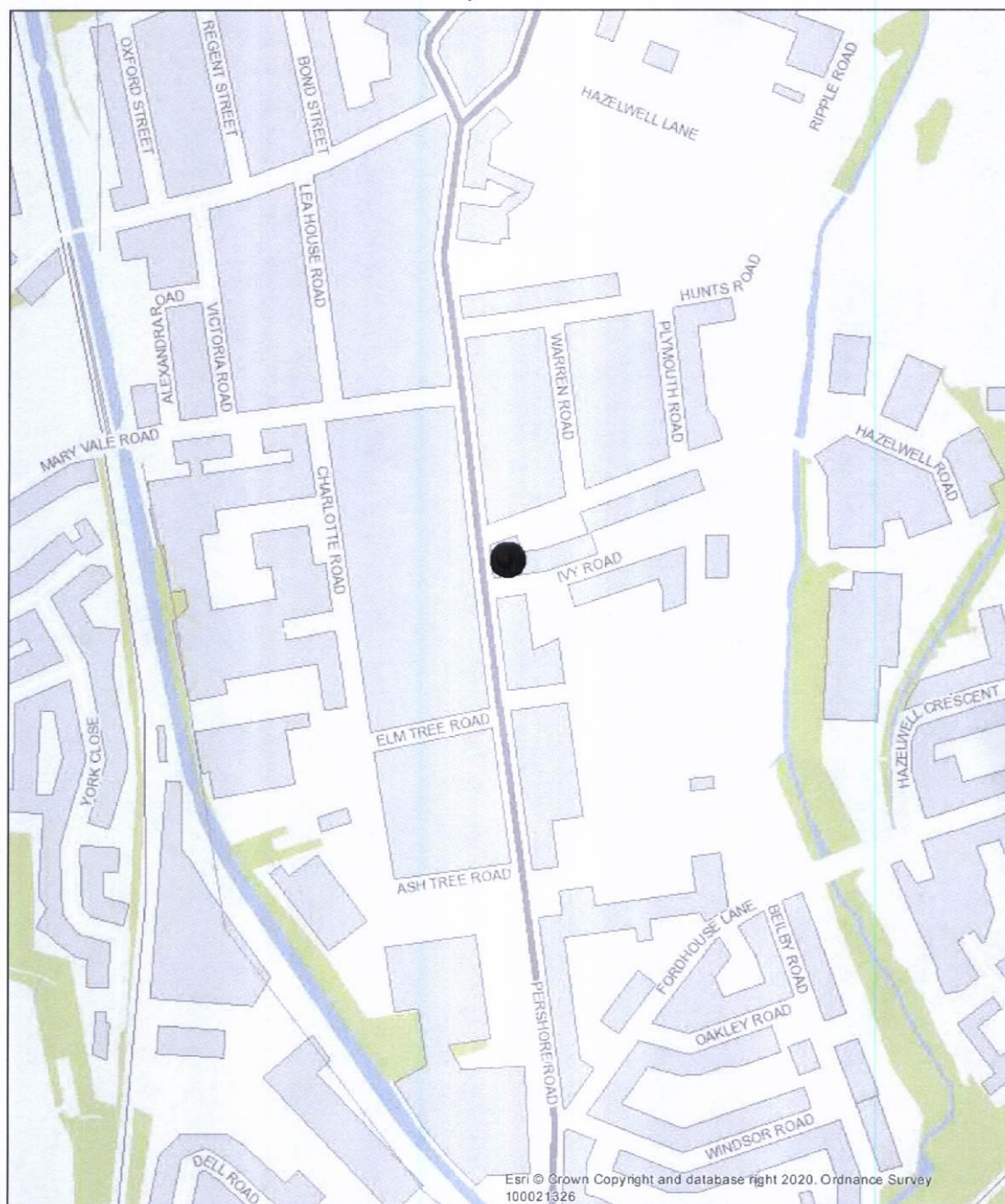
N/A

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

N/A

Annex 4 – Plans

The plan of the premises with reference number **110541-4480/2** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please call the Licensing Section on 0121 303 9896 to book an appointment.



Birmingham
City Council

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City Council

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