BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Director of Regulation & Enforcement
Date of Meeting:	Tuesday 16 th May 2023
Subject:	Licensing Act 2003
	Premises Licence – Grant
Premises:	Select & Save, 393 Summer Lane, Newtown, Birmingham, B19 3PL
Ward affected:	Newtown
Contact Officer:	David Kennedy, Principal Licensing Officer,
	<u>licensing@birmingham.gov.uk</u>

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 off the premises) to operate from 07:00am until 12:00midnight (Monday to Sunday).

Premises to remain open to the public from 07:00am until 12:00midnight (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 Select & Save, 393 Summer Lane, Newtown, Birmingham, B19 3PL.

Representations have been received from West Midlands Police and Birmingham City Council Licensing Enforcement, as responsible authorities.

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:

Ajay Chumber applied on 29th March 2023 for the grant of a Premises Licence for Select & Save, 393 Summer Lane, Newtown, Birmingham, B19 3PL.

Representations have been received from West Midlands Police and Birmingham City Council Licensing Enforcement as responsible authorities, which are attached at Appendices 1 and 2 respectively.

The application is attached at Appendix 3.

Site Location Plans at Appendix 4.

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 and 2 Application Form, Appendix 3 Site Location Plans, Appendix 4

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.

Appendix 1

From: Mark Swallow Sent: 26 April 2023 11:42

To: Licensing

Cc: 'Optimised Training Centre'

Subject: Grant Application - Select & Save, 393 Summer Lane, Birmingham, B19 3PL

Good Morning Licensing,

I am in receipt of an application for a premises license and appointment of a Designated Premises Supervisor for a premises Select & Save, 393, Summer Lane. Hockley, Birmingham. B19 3PL. This premises was previously Premier and on 31st January 2023 the premises were subject to a review procedure whereby the premises license was revoked and the Designated Premises Supervisor was removed, this was as a result of enquiries revealing staff at the premises had purchased stolen items.

On 29th March 2023 I received an application for a premises license for Select & Save. 393, Summer Lane. I have made contact with the applicant and requested documentation to show that they had purchased the business from the previous owners to ensure that the previous owners had nothing to do with the business now. To date I have only received a lease and an agreement to an operating condition that the previous persons would have nothing to do with the business now. A lease is only the right to property and as such does not show that the new applicant has no link to the previous personnel. Despite numerous reminders nothing further has been forthcoming.

West Midlands Police would therefore wish to object to the granting of this premises license, to promote the licensing objectives, in particular to prevent crime and disorder. Should appropriate documentation be forthcoming West Midlands Police would withdraw this objection and agree to the issue of the license with the conditions added that have been agreed with the applicant. I have copied the applicants representative into this email.

Mark Swallow. West Midlands Police. Birmingham Central Licensing Team.

Appendix 1 continued – Supporting documents

WITNESS STATEMENT

	Crime No.
	URN
Statement of Mark Swallow	
Age if under 18 Over 18 (if over 18 insert "over 18")	Occupation Police Licensing Officer 60264.
This statement (consisting of two page(s) each signed by make it knowing that, if it is tendered in evidence, I shall be which I know to be false, or do not believe to be true.	
Signature: M.SWALLOW. (witness)	Date 2.05.23

Tick if witness evidence is visually recorded (supply witness details on rear)

I am Police Licensing Officer 60264 Mark Swallow of the West Midlands Police currently stationed at Lloyd House Police Station. I am part of a team of officers that deal with all matters in relation to the Licensing Act 2003 in the Birmingham City Council administrative area.

Part of this role involves the scrutiny of all new applications for premises licenses and the placing of operating conditions on these applications and the raising of objections to them if the application does not promote the Licensing Objectives.

One such application was received on 29th March 2023 applying for a premises license for the premises Select & Save, 393 Summer Lane, Birmingham, B19 3PL.On 30th March 2023 I emailed the agent for the applicant exhibit number—reference number MS1 along with a reminder email on 17th April 2023 asking for documentation in order to carry out due dilligence checks to ensure that the licensing objectives were being promoted. I have requested this documentation to ensure that previous persons involved with the premises which were closed as a result of review proceedings were not involved in the premises now.

Although a condition has been agreed to as part of other agreed conditions exhibit number—reference number MS2 stating persons previously involved in the running of the business will not be involved in the running of it now I have requested documentation from the applicant to show that the business has changed hands and that the previous persons running the business had no part in the running of the new business. A lease exhibit number—reference number MS3 has been provided, but no other documentation and this only shows permission to use the premises not ownership of the business. I have requested the documentation to show transfer of the business. To date this has not been provided despite numerous reminders by telephone. West Midlands Police are therefore not happy that the persons previously involved in the running of this business will not be involved in the running of the business again if the license were to be granted.

The applicant has been unable to produce any documentation which shows the transfer of the business to him and whilst the documentation provided would be good supporting evidence without any documention to show the transfer of the business there is nothing for the provided documentation to support.

The previous conduct of persons involved with these premises would necessitate the need for more due dilligence in relation to applications, however, in this case the applicant is offerring less evidence than would normally be expected which raises concerns as to the potential links between the applicant and the previous shop proprietors who have been found to be in breach of the licensing objectives in previous review proceedings. West Midlands Police would therefore request that this license application is rejected without the transfer of business documentation and then the imposition of justifiable operating conditions which have been agreed which is not possible due to the inability of the applicant to adequately show ownership of the business and independence from previous persons involved in the business. I now produce exhibit numbers

The previous review applicant is offerring less evidence which is not possible due to the inability of the applicant to adequately show ownership of the business and independence from previous persons involved in the business. I now produce exhibit reference numbers MS1 to MS3 as evidence. M.SWALLOW.

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

From: Optimised Training Centre

Sent: 06 April 2023 13:35

To: Mark Swallow

Subject: [External]: Re: Select & Save, 393 Summer Lane, Birmingham, B19 3PL

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

Hi Mark,

I have spoken to the applicant and they are happy to accept all the conditions proposed.

Kind regards

Mij

On 30/03/2023 09:32 AM, Mark Swallow wrote:

Mij,

Reference the above could you please send to me the below documentation to show the transfer of the premises to your client.

The lease for the premises, The transfer of the business document, The payment for the transfer of the business

The document stating who is responsible for paying the business rates for the premises.

The document stating who is responsible for the utilities at the premises.

Attached are proposed conditions for the business to promote the licensing objectives if you could discuss them with your client please. If you could also forward me his personal license number as well please.

Mark Swallow. West Midlands Police. Birmingham Central Licensing Team

From: Optimised Training Centre

Sent: 14 April 2023 15:32

To: Mark Swallow

Subject: [External]: Re: Select & Save, 393 Summer Lane, Birmingham, B19 3PL

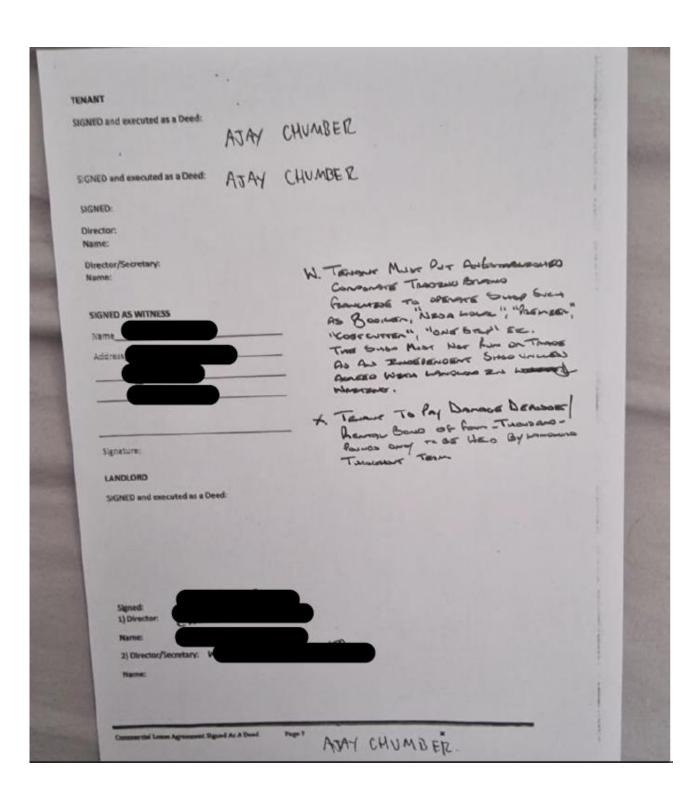
CAUTION: This email originated from outside of West Midlands Police. Do not click links or open attachments unless you are sure the content is safe.

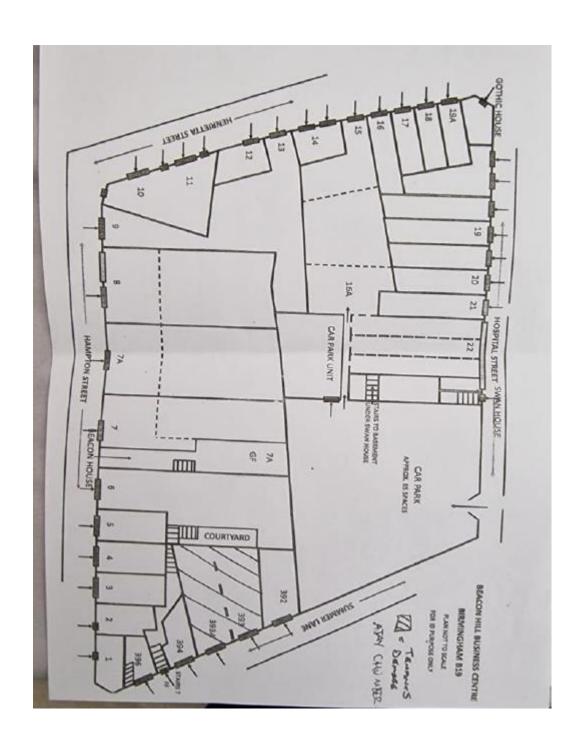
Dear Mark

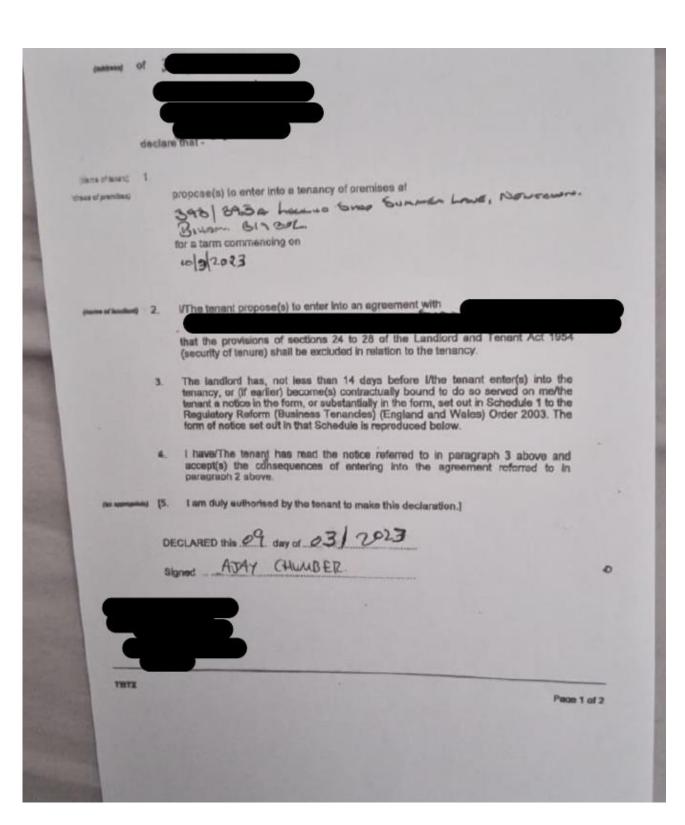
Please find attached the lease that has been provided by the applicant.

Kind regards

Mij







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From: Mark Swallow Sent: 17 April 2023 08:02 To: 'Optimised Training Centre'

Subject: RE: [External]: Re: Select & Save, 393 Summer Lane, Birmingham, B19 3PL

Mij,

Thank-you for sending the lease document. Is there any progress on any of the other documentation below to show that the applicant is not linked to the previous persons at the premises.

Mark.

The transfer of the business document,

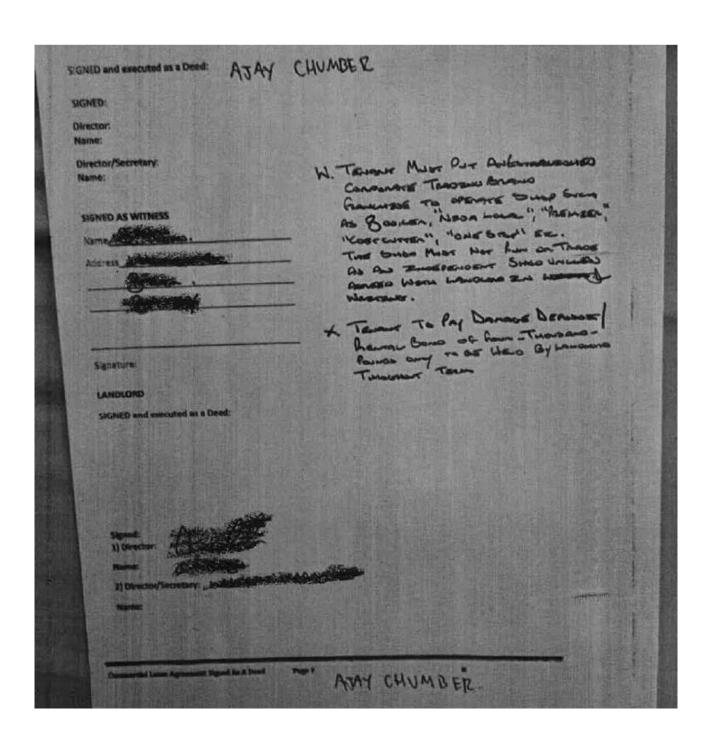
The payment for the transfer of the business

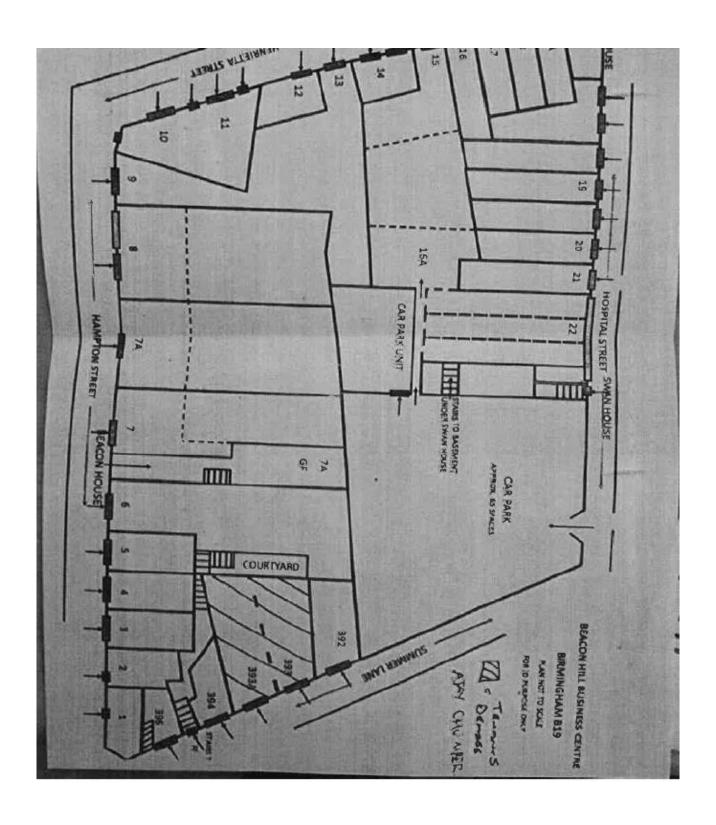
The document stating who is responsible for paying the business rates for the premises.

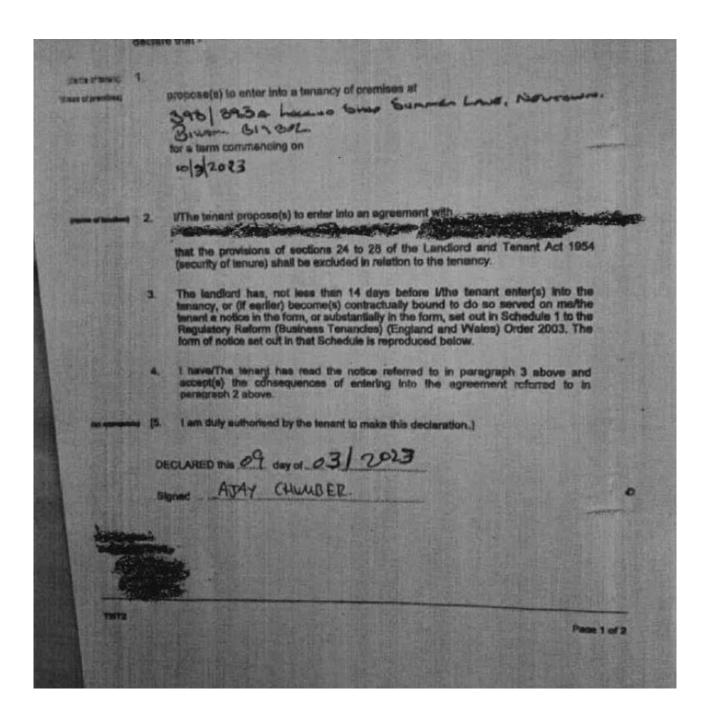
The document stating who is responsible for the utilities at the premises.

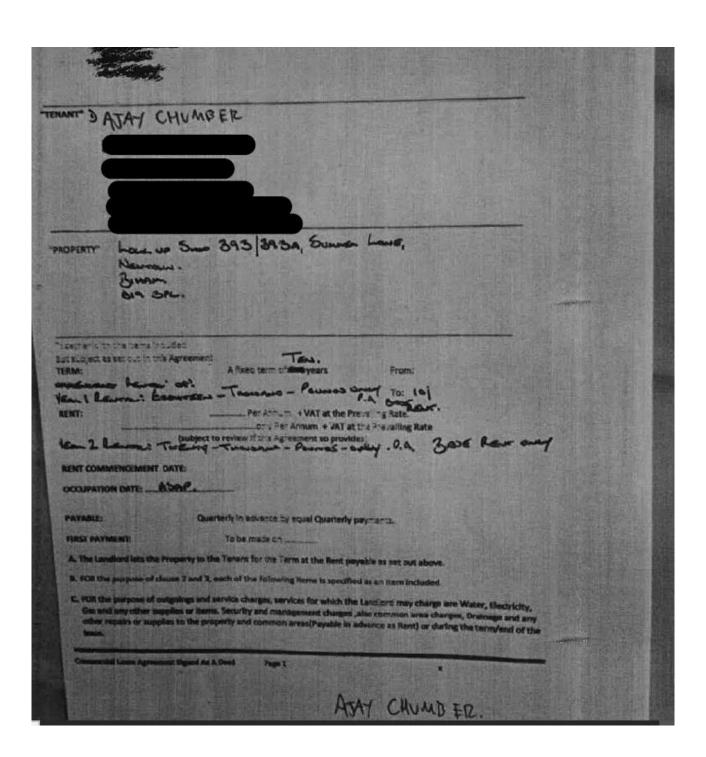
Agreed Conditions

- When the premises are trading the numbers of staff members will be informed by the premises carrying out risk assessments,
- Single plastic cups will not be sold to accompany the sale of any alcoholic product.
- There will be no sales of beer, lager, alcopops, or cider with an alcohol content above 6.5%
 ABV in single metal, glass or plastic containers. This restriction shall not apply in respect of
 specialist branded premium priced products, for example craft ales, local or micro-brewery
 specialist products, boxed gifts or national celebratory/commemorative beer, lager, or cider.
- The licensee shall erect prominent, clear and legible signage inside and outside the
 premises:- a) requesting patrons to be considerate of local residents when leaving the
 premises b) advising patrons of no loitering outside the premises,
- Deliveries will be made between 0800 hours and 2000 hours to minimise nuisance,
- The CCTV will be checked to ensure that it is working once each week. The time of the check, the identity of the person carrying this out and the result of it will be recorded in the incident log.
- No persons working at or running/ managing the premises under license number 3745 will
 be allowed to work at the premises under this license or play a part in the running or
 management of the premises.
- No alcohol or tobacco or other products will ever be purchased from sellers calling at the premise. Exceptions to the condition would be purchases made from authorised representatives who have made prior appointments to visit the store. All alcohol and tobacco products sold at the premises shall have the relevant UK duty paid. Foreign tobacco, which does not comply with relevant UK legislation, shall not be stored and/or sold at the premise. Invoices, or copies of invoices, for all alcohol, tobacco and any other products purchased for the sale at the premises, will be retained and kept at the premises, and made available to officers from the relavent authorities on request. If any tobacco products purchased for or on behalf of the business does not have UK Duty Paid fiscal mark or are otherwise suspicious, the licensee and/or designated premises supervisor shall notify the supplier to Birmingham City Council Trading Standards and HMRC as soon as possible.









From: Doug Wright
Sent: 26 April 2023 14:49
To: Bhapinder Nandhra

Subject: Select & Save 393 Summer Lane

Bhap

I put representations in support of West Midlands Police (BW Licensing)

Under the Licensing Act 2003 as I feel it would undermine the crime prevention objective in the Act, as until such time that the agent produces to West Midlands Police

the documents it has requested I had no confidence whatsoever that the previous licence holder will not be involved in the running of the new business.

Also, in view of the Premises having its Licence Revoked previously by West Midlands Police.

I know Mark Swallow from BW Licensing has agreed conditions with the agent Mijanur Rehman from Optimised Training Centre and agreed that the previous owner, who I understand to be the landlord has nothing to do with the operation of the new premises licence. from talking to Mark, Mij has agreed the conditions but failed to produce the supporting documents.

If as suggested the agent does produce the requested documents and they meet the requirements of the Police I will withdraw my representation.

Doug Wright Licensing Enforcement Officer Licensing Section, P.O. Box 17831, Birmingham, B2 2HJ



Birmingham Application for a premises licence Licensing Act 2003 For help contact

Telephone: 0121 303 9896

licensingonline@birmingham.gov.uk

		* required information
Section 1 of 21		
You can save the form at any t	ime 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		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 be • Yes • N	half of the applicant? 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	Ajay]
* Family name	Chumber]
* E-mail]
Main telephone number		Include country code.
Other telephone number]
☐ Indicate here if the appl	icant would prefer not to be contacted by telep	phone
Is the applicant:		
 Applying as a business of 	or organisation, including as a sole trader	A sole trader is a business owned by one
 Applying as an individual 	al	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		Ÿ
Address		
* Building number or name		
* Street		
District		
* City or town		
County or administrative area		
* Postcode		
* Country		
Agent Details		
* First name	Mijanur	
* Family name	Rahman	
* E-mail		
Main telephone number		Include country code.
Other telephone number		
☐ Indicate here if you wou	ald prefer not to be contacted by telephone	
Are you:		
 An agent that is a busin 	ess or organisation, including a sole trader	A sole trader is a business owned by one person without any special legal structure.
 A private individual acti 	ng as an agent	person without any special legal structure.
Agent Business		
Is your business registered in the UK with Companies House?		Note: completing the Applicant Business section is optional in this form.
Registration number	7021919	Name - A later the streets of the Control of the Co
Business name	Optimised Training Centre	If your business is registered, use its registered name.
VAT number -		Put "none" if you are not registered for VAT.
Legal status	Private Limited Company	
Your position in the business	Manager	
Home country	United Kingdom	The country where the headquarters of your business is located.

Continued from previous page	žt.	
Agent Registered Address		Address registered with Companies House.
Building number or name	Optimised Training Centre	
Street	1 Guildford Street	
District		
City or town	Birmingham	
County or administrative area		
Postcode	B19 2HN	
Country	United Kingdom	
Section 2 of 21		
PREMISES DETAILS		
	tal address, OS map reference or descr ap reference C Description	iption of the premises?
Building number or name	Select & Save	
Street	393 Summer Lane	
District		
City or town	Birmingham	
County or administrative area		
Postcode	B19 3PL	
Country	United Kingdom	
Further Details		
Telephone number		
Non-domestic rateable value of premises (£)	7,800	

Sect	ion 3 of 21					
APP	LICATION DETAILS					
In wh	nat capacity are you app	olying for the premises licence?	9			
×	An individual or individuals					
	A limited company / limited liability partnership					
	A partnership (other than limited liability)					
	An unincorporated as	sociation				
	Other (for example a s	tatutory corporation)				
	A recognised club					
	A charity					
	The proprietor of an e	ducational establishment				
	A health service body					
	A person who is regist	ered under part 2 of the Care Standards Act				
List	2000 (c14) in respect of	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 po	lice of a police force in England and Wales				
Con	firm The Following					
×		oposing to carry on a business which involves as for licensable activities				
	I am making the appli	cation pursuant to a statutory function				
	I am making the appli virtue of Her Majesty's	cation pursuant to a function discharged by prerogative				
Sect	ion 4 of 21					
INDI	VIDUAL APPLICANT D	ETAILS				
	licant Name e name the same as (or	similar to) the details given in section one?	If "Yes" is selected you can re-use the details			
•	Yes	C No	from section one, or amend them as required. Select "No" to enter a completely new set of details.			
First	First name Ajay					
Fam	Family name Chumber					
Is th	e applicant 18 years of a	age or older?	50			
•	Yes C No					

Continued from previous page		
Current Residential Address		
Is the address the same as (or s	similar to) the address given in section one?	If "Yes" is selected you can re-use the details from section one, or amend them as
Yes	C No	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 sam	ne as (or similar to) those given in section one?	If "Yes" is selected you can re-use the details from section one, or amend them as
Yes	O No	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	26 / 04 / 2023	
premises licence to start?	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	of the premises	

Continued from previ	ous page
licensing objectives	e of premises, its general situation and layout and any other information which could be relevant to the . Where your application includes off-supplies of alcohol and you intend to provide a place for se off- supplies you must include a description of where the place will be and its proximity to the
Off-Licence and con	venience store
If 5,000 or more peo	
expected to attend premises at any one	
state the number ex	ACT (COMPANY)
attend	
Section 6 of 21	
PROVISION OF PLA	
The section of the se	gulated entertainment
Will you be providing	g plays?
C Yes	No No
Section 7 of 21	
PROVISION OF FILM	AS .
See guidance on reg	gulated entertainment
Will you be providing	g films?
C Yes	No No
Section 8 of 21	
PROVISION OF IND	OOR SPORTING EVENTS
See guidance on reg	gulated entertainment
Will you be providing	g indoor sporting events?
O Yes	No
Section 9 of 21	
PROVISION OF BOX	(ING OR WRESTLING ENTERTAINMENTS
See guidance on reg	gulated entertainment
Will you be providing	g boxing or wrestling entertainments?
O Yes	No No
Section 10 of 21	
PROVISION OF LIVE	MUSIC
See guidance on reg	gulated entertainment
Will you be providing	g live music?
C Yes	€ No
Section 11 of 21	A.v.
PROVISION OF REC	ORDED MUSIC
Son quidance on rec	nulated entertainment

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Continued from prev	rious page			
Will you be providi	ng recorded music?			
C Yes	No No			
Section 12 of 21	Absolution			
PROVISION OF PER	RFORMANCES OF DANCE			
See guidance on re	gulated entertainment			
Will you be providi	ng performances of dance?			
O Yes	No			
Section 13 of 21				
PROVISION OF AN	YTHING OF A SIMILAR DESC	RIPTION TO LIVI	MUSIC, F	RECORDED MUSIC OR PERFORMANCES OF
See guidance on re	gulated entertainment			
Will you be providi performances of da	ng anything similar to live mus ance?	sic, recorded mu	sic or	
C Yes	No			
Section 14 of 21				
LATE NIGHT REFRI	ESHMENT			
Will you be providi	ng late night refreshment?			
C Yes	No			
Section 15 of 21				
SUPPLY OF ALCOH	łOL			
Will you be selling	or supplying alcohol?			
Yes	C No			
Standard Days An	d Timings			
MONDAY				
	Start 07:00	End	00:00	Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days
	200000		00:00	of the week when you intend the premises
	Start	End		to be used for the activity.
TUESDAY				
	Start 07:00	End	00:00	
	Start	End		
WEDNESD	MAY.			
WEDIAESU	Start 07:00	End	00:00	
		End	00.00	=
	Start	End		
THURSDA	Υ			
	Start 07:00	End	00:00	
	Start	End		

Continued from previous page					
FRIDAY					
Start	07:00	End 00:00]		
Start		End]		
SATURDAY					
Start	07:00	End 00:00			
Start		End			
SUNDAY			-		
Start	07:00	End 00:00			
Start		End	1		
Will the sale of alcohol be for o	consumption:		If the sale of alcohol is for consumption on		
On the premises	 Off the premises 	Both	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 exclusive	ely) where the activity will occ	ur on additional d	ays 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 licence as premises supervisor		n to specify on the	,		
Name					
First name	Ajay				
Family name	Chumber				
Date of birth	dd mm yyyy				

Continued from previous page	SE .			
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)	Birmingham City Cour	ncil]
PROPOSED DESIGNATED PRE	MISES SUPERVISOR CO	ONSENT		
 Electronically, by the pro As an attachment to this Reference number for consent form (if known) 	application	ises superv	301	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	rent town at the second			
premises that may give rise to Give information about anythi	concern in respect of cl ing intended to occur at ildren, regardless of wh	hildren the premise ether you in	es or ancilla tend childr	ent or matters ancillary to the use of the ry to the use of the premises which may give ren to have access to the premises, for example gambling machines etc.
Section 17 of 21				
HOURS PREMISES ARE OPEN	TO THE PUBLIC			
Standard Days And Timings				
MONDAY Start	07:00	End	00:00	Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days
Start		End		of the week when you intend the premises to be used for the activity.

Continued from previous page						
TUESDAY						
S	itart 07:00	End 00:00				
S	itart	End				
WEDNESDAY						
S	tart 07:00	End 00:00				
S	itart	End				
THURSDAY						
S	itart 07:00	End 00:00				
S	itart	End				
FRIDAY						
	start 07:00	End 00:00				
	itart	End				
SATURDAY						
	Start 07:00	End 00:00				
	itart	End				
SUNDAY						
	Start 07:00	End 00:00				
	itart	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.						
To example (out not exclusively), where you wish the activity to go on longer on a particular day e.g. criffstillas eve.						
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)						

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

A Challenge 25 policy will be strictly followed by all staff.

Staffs will be trained as appropriate in respect of relevant licensing law.

CCTV cameras are installed and images will be kept for 31 days

b) The prevention of crime and disorder

All staff other than personal license holders must receive training regarding the: -

- Four licensing principles contained in the Licensing Act 2003
- Responsible retailing of alcohol, and the law
- The conditions attached to the premises licence

Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed by the trainee. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by responsible authorities.

The premises licence holder must ensure that: CCTV cameras are located within the premises to cover all public areas including all entrances and exits. The system records clear images permitting the identification of individuals. The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 31days. The CCTV system operates at all times while the premises are open for licensable activities. All equipment must have a constant and accurate time and date generation. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected. There must be at least one member of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation). CCTV hard drive needs to be replaced the previous / old hard drive will be kept on site for a minimum of 31 days and made immediately available to any of the responsible authorities on request.

All spirits and expensive alcohol will be kept behind the counter and out of reach of customers.

A refusals log will be maintained at the premises. Each entry will be signed off by the DPS.

An incident log will be maintained at the premises. Each entry will be signed off by the DPS

c) Public safety

A fire alarm system will be installed to meet BS 5839 Part 1 current standards.

An emergency lighting system will be installed to meet BS 5266 current standards.

Firefighting equipment will be available in the premises to meet BS 5306 current standards.

Floor staff will conduct physical sweep inside the premises to remove hazardous objects/waste as deemed necessary by the management.

The Designated Premises Supervisor is aware of his responsibilities to the staff and customers in respect of public safety and will take all reasonable steps to ensure the maintenance of all

provided safety arrangements and equipment in accordance with the requirements of current installations. A fire risk assessment will be conducted.

d) The prevention of public nuisance

All deliveries will be conducted prior to 8pm to control noise nuisance.

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

The Designated Premises Supervisor or nominated staff will arrange to monitor levels of noise from both inside and outside the premises and remedial action will be taken as appropriate.

Notice displayed asking customers to respect neighbors and leave quietly.

e) The protection of children from harm

A Challenge 25 policy will be strictly followed by all staff. No member of staff shall be permitted to sell alcohol until trained in the operation of the Challenge 25 policy. Any person who appears to be under the age of 25 who attempts to buy alcohol shall be challenged to provide age verification in the form of a passport, photo driving licence or PASS accredited card. Where proper verification is not provided the sale shall be refused. A record of the refusal shall be kept in the refusals log, identifying the member of staff who refused the sale. The refusal log will be always kept on the premises and made available to responsible authorities upon request.

The premises shall display prominent signage indicating at any point of sale, that the Challenge 25 scheme is in operation.

A refusals record will be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection by an officer of a Responsible Authority

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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.

- 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:
 - 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
 - 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.qov.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

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

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

[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	Mijanur Rahman Agent	
* Capacity		
* Date	28 / 03 / 2023	
	dd mm yyyy	

Add another signatory

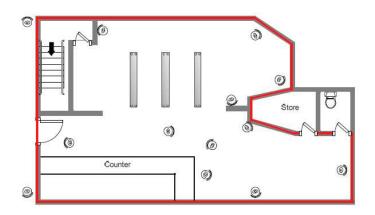
Once you're finished you need to do the following:

- 1. Save this form to your computer by clicking file/save as...
- 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



Key:	
Licensable Area	1 =
CCTV	6
Client	Ajay Chumber

Scale Plan:		1:100 @ A4	
Premises [Details:		
Select and	Save		
393 Summ	er Lane	, Birmingham, B19 3LN	
Date:	M	March 2023	
By:	М	Mijanur Rahman	

Appendix 4

