

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C

WEDNESDAY, 06 SEPTEMBER 2023 AT 10:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

Please note a short break will be taken approximately 90 minutes from the start of the meeting and a 30 minute break will be taken at 1300 hours.

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

3 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

3 - 20

4 **MINUTES**

To confirm and sign the Minutes of the meeting held on 19 July 2023 at 1000 hours.

To note the public part of the Minutes of the meeting held on 2 August 2023 at 1000 hours and to confirm and sign the Minutes as a whole.

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5 **LICENSING ACT 2003 PREMISES LICENCE – GRANT PREMISES AT 15A HOLYHEAD ROAD, HANDSWORTH, BIRMINGHAM, B21 0LA**

Report of the Director of Regulation and Enforcement.

N.B. Application scheduled to be heard at 10:00am.

6 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

7 **EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraph 3

PRIVATE AGENDA

1 **MINUTES**

To note the private part of the Minutes of the meeting held on 2 August 2023 at 1000 hours and to confirm and sign the Minutes as a whole.

2 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

BIRMINGHAM CITY COUNCIL

<p>LICENSING SUB-COMMITTEE C 19 JULY 2023</p>
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MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE C HELD ON WEDNESDAY 19 JULY 2023 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Sam Forsyth in the Chair;

Councillors Diane Donaldson and Simon Morrall.

ALSO PRESENT

Bhapinder Nandhra – Licensing Section
Joanne Swampillai – Legal Services
Katy Poole – Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

1/190723 **NOTICE OF RECORDING/WEBCAST**

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2/190723 **DECLARATION OF INTERESTS**

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

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APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/190723 Apologies were submitted on behalf of Councillors Miah and Wagg and Councillors Donaldson and Morrall were the nominated substitute Members.

**THE ARK BIRMINGHAM, 74 JOHN BRIGHT STREET, BIRMINGHAM, B1 1BN -
LICENSING ACT 2003 AS AMENDED BY THE VIOLENT CRIME REDUCTION
ACT 2006 - APPLICATION FOR EXPEDITED REVIEW OF PREMISES
LICENCE: CONSIDERATION OF INTERIM STEPS**

* * *

Please note this meeting was delayed and started at 1130 hours.

On Behalf of the Applicant

Mark Swallow – West Midlands Police (WMP)

On Behalf of the Premises Licence Holder

Jugdeep Singh – Premises Licence Holder (PLH)
Deepak Singh - PLH

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The Chair introduced the Members and officers present and then the Chair advised that she was indisposed and therefore the meeting would be adjourned.

4/190723 **RESOLVED:-**

That the meeting convened to consider the application made and certificate issued by West Midlands Police under section 53A of the Licensing Act 2003, for an expedited review of the premises licence held by Ark Indian Dining & Bar Limited in respect of The Ark Birmingham, 74 John Bright Street, Birmingham B1 1BN, shall be adjourned to **10am on Thursday 20th July 2023**, as the Chair of the Sub-Committee was indisposed.

This will be an online meeting conducted via Microsoft Teams.

The meeting ended at 1132 hours.

CHAIR.....

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C 2 AUGUST 2023
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MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE C HELD ON WEDNESDAY 2 AUGUST 2023 AT 1330 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Sam Forsyth in the Chair;

Councillors Phil Davis and Penny Wagg.

ALSO PRESENT

David Kennedy – Licensing Section
Joanne Swampillai – Legal Services
Alex Cerutti – Trainee Solicitor
Katy Poole – Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

1/020823 **NOTICE OF RECORDING/WEBCAST**

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2/020823 **DECLARATION OF INTERESTS**

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

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interests flowchart which provides a simple guide to declaring interests at meetings.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/020823 Apologies were submitted on behalf of Councillor Bermingham and Councillor Davis was the nominated substitute Member.

MINUTES

4/020823 That the Minutes of the meeting held on 28 June 2023 at 1000 hours and 5 July 2023 at 1000 hours were noted, and the Minutes as a whole were confirmed and signed by the Chair.

LICENSING ACT 2003 PREMISES LICENCE – REVIEW – LEVANA, THE ARCADIAN, 70 HURST STREET, BIRMINGHAM, B5 4TD.

On Behalf of the Applicant

Chris Jones – West Midlands Police (WMP)

Those Making Representations

Piers Warne – TLT Solicitors (representing L&C Commercial Ltd)

On Behalf of the Premises Licence Holder

Leo Charalambides – Barrister

Carl Moore – Agent

Karchi Parvaneh – Joint Business Owner (PLH)

Jenna Wilde – Designated Premises Supervisor (DPS)

* * *

The Chair introduced the Members and officers present and the Chair asked if there were any preliminary points for the Sub-Committee to consider.

Chris Jones, on behalf of WMP, requested that the Committee allow him to screen 9 clips of CCTV. However, he further requested that this evidence be screened in private due to the on-going investigation and sensitivity around the footage.

Leo Charalambides, on behalf of the PLH company did not object to the application submitted by WMP, but asked for clarity that the 9 clips were the same clips he had been sent, as he had received them as one continuous loop.

Chris Jones, WMP confirmed that they were the same clips sent to Leo Charalambides on Friday 28 July 2023.

Following a short adjournment, the Chair advised that the Committee approved the request for the CCTV to be screened privately.

David Kennedy, Licensing Section, outlined the report.

Chris Jones, on behalf of WMP was invited to make his case, he made the following points: -

- a) The incident that led to the review happened on 5 June 2023 when a 15yo girl was allowed entry into the premises, her friends also gained entry. No ID check was carried out on the 15yo girl.
- b) In May 2022 WMP held a meeting with Mr Karchi (PLH) following a disorder in the Arcadian which involved customers from Levana. An action plan was agreed with the premises, the main change was introducing an ID scanner and changing the front of house on the entry points.
- c) In September 2022 WMP officers were investigation another disorder in Arcadian, they requested the ID scanner information from Levana. However they were informed that it was not operational on that night.
- d) WMP had another meeting with Mr Karchi who explained that the ID scanner was not operational due to wifi issues but that would be rectified. WMP explained that they were disappointed.
- e) In December 2022 a group of underage girls attended the safe space in Arcadian which is manned by St John's ambulance Service. They told the ambulance service that they had been at Levana and were very drunk. St John's had to phone their parents. This was a direct breach of the licence issued to the PLH.
- f) Following this they viewed the CCTV footage and the girls had been at Levana and weren't subject to ID checks. Mr Karchi stated that the ID scanner wasn't used if it was raining or if they had wifi issues. Which was a direct conflict of the action plan agreed with WMP and the PLH.
- g) The incident was very serious, the young girls had to use the Arcadian safe space.
- h) Due to all of these incidents WMP requested that the premises submit a minor variation to condition the ID scanner. That was submitted in early January 2023.
- i) There was an overhaul of the conditions on the licence.
- j) Even after the variation and intervention by WMP there was a review hearing with almost identical situation and failings.

- k) 6 June 2023 a 15yo girl entered the premises with a group of friends, the ID scanner wasn't used. This is not just a one off.
- l) Mr Karchi stated he wasn't there on that evening and the staff didn't use the ID scanner, but he would get a new DPS and sort it out.
- m) The senior police officer reviewed this and asked WMP Chris Jones to submit a review due to there being a 14 month period with similar issues on-going.
- n) Over the 14 month period WMP had tried to work with the premises and had deployed a pragmatic approach, but there is nothing else they could offer the premises so they needed to bring it to the Committee's attention.
- o) WMP described the interaction with the premises as like 'a merry go round'.

The Chair then advised that the private session would start, and all parties moved over to the separate private Teams session.

At this stage the Members, officers and other parties joined a separate MS Teams meeting which was held privately.

EXCLUSION OF THE PUBLIC

5/020823

RESOLVED:-

That in accordance with Regulation 14 of the Licensing Act 2003 (Hearing) Regulations 2005, the public be excluded from the hearing due to the sensitive nature of the evidence to be presented.

The public were readmitted into the meeting.

Chris Jones, WMP continued to make the following points: -

- a) That Mr Karchi had agreed to use an ID scanner back in May 2022, however, numerous times after that the ID scanner was not being used. Furthermore, WMP visited the premises multiple times following incidents involving people gaining entry to the premises who were underage.
- b) The ID scanner was not being used effectively and the changes to front of house staff were also ineffective, as such WMP had no confidence in the management of the premises in being able to uphold the licensing objectives and therefore requested that the licence be revoked.

Piers Warne was invited to make his presentation but advised that he was acting on behalf of the landlords of the premises and was simply observing. The Committee had his written representation.

The Chair then invited Leo Charalambides, on behalf of the PLH company to make his case, he made the following submissions: -

- a) That for the most part they shared the same concerns as WMP.
- b) They did not agree that there was a failure of engagement or cooperation by the PLH.
- c) Under the review process the Section 182 guidance paragraph 11.20 gives guidance on how to proceed. The Committee needed to identify the concerns and then determine the appropriate and proportionate remedy.
- d) Diagnosis of concerns was something that took a lot of time.
- e) That they believed the review process and intervention by WMP was working. WMP highlighted concerns and Mr Karchi cooperated and engaged with WMP.
- f) That whilst there were concerns last summer about a disorder at Arcadian, Levana customers were not the only premises involved. There was no information submitted by WMP about what intervention was carried out at other premises.
- g) Mr Karchi had worked with WMP, agreed to use an ID scanner, provided CCTV and made changes to front of house. They also submitted a variation upon the recommendation by WMP.
- h) There had been issues with front of house staff being over familiar with regular patrons and therefore not always adopting the usual security measures.
- i) In September 2022 WMP raised more concerns about a disorder in the Arcadian, again Mr Karchi practiced clear and swift engagement with WMP.
- j) They had given WMP CCTV footage from the premises on numerous occasions in order to aid their investigations.
- k) They also submitted a variation which involved them having to amend their team and some of their management practices.
- l) Hiram Taj met with Mr Karchi at another venue he operates and said he was very happy and had no issues with Mr Karchi and the way he operated his businesses.
- m) During the period of intervention and discussions with WMP over the summer of 2022 they identified that street promoters were meeting people on the street and encouraging them to come into Levana, they weren't being ID scanned on entry as the street promoters were letting them gain access. Street promoters had undergone training so they would be aware of the rules moving forward.

- n) They had redeployed the SIA staff, reorganised the areas at the front, cleared the entrance and removed the DPS and employed a new one.
- o) The premises had never been reviewed since it had been in operation.
- p) They had improved the challenge 25 training and drunkenness training.
- q) There were 15-16 members of staff not including door staff. All of which had undergone further training.
- r) They had 5-6 SIA registered door staff.
- s) Since the incident the new procedures and operation had been tested and worked well.
- t) They had a clear queuing system and patrons would be informed that they needed photo ID for entry.
- u) Full body searches with handheld scanning devices would be in operation and bag searches would be carried out.
- v) People queuing who had no ID would be asked to leave the queue in order not to hold the queue up.
- w) The DPS had been tasked with supervising the SIA staff and the queueing system to ensure that the search procedures are followed.
- x) The former DPS was now acting as the dedicated ID scanner supervisor. There would be 3 sets of eyes on the ID scanner process.
- y) WMP could view the CCTV footage from the past month, in order to see the new practices in action at the premises.
- z) That they were surprised with the request for revocation from WMP as the operator had engaged, invested in new equipment, new staff and training. Asking for revocation was wholly disproportionate and inappropriate.
- aa) He urged the Committee to adopt to recommended review process and allow the parties to work together. They recognised the failures and need for improvement and were all committed to ensuring the issues were resolved.

The Chair invited questions from Members and Leo Charalambides on behalf of the PLH gave the following responses: -

- a) That the ID scanner worked by customers placing their ID photo side down into the scanner, it takes a digital photo and also checks the details virtually checking that the details don't match any banned persons. Furthermore, it keeps the record. Sometimes it may be necessary to check a secondary source of ID such as a bank card.

- b) That WMP suggested that they didn't adopt procedure. However, the ID scanner wasn't used in September due to wifi issues. Moving forward they were working to resolve any wifi issues and had employed additional staff to monitor the staff using the ID scanner.
- c) That there were multiple factors that meant procedures weren't being consistently followed. Street promoters were letting people into the premises and SIA door staff weren't checking patrons if they knew them.
- d) The procedures were old habits, but that was no longer acceptable.

The Chair invited both parties to make a closing submission and Chris Jones, WMP made the following closing statements: -

- WMP had never said that the premises didn't engage or cooperate but were instead concerned about the premises poor management, breach of conditions, poor operation and the premises not following an agreed action plan.
- That 14 months ago the premises agreed to use an ID scanner, yet since then on all the occasions where WMP had visited/requested any information from the ID scanner it had not been operational, or not been used.
- WMP worked with the premises and employed a pragmatic approach and yet 14 months later the premises had similar issues which had resulted in a review.
- The premises themselves had identified issues and failed procedures when they submitted the variation. In June 2023, almost identical circumstances were identified again.
- In June 2023 the ID scanner was an operating condition on the licence and yet it was still not being consistently used resulting in a 15yo child being intoxicated at the premises along with a friend who was under 18yo.
- It showed complete disregard for the licence conditions.
- The premises did have a dedicated entry point but was not used and that is bore out by the CCTV footage screened to the Committee.
- Therefore WMP requested revocation of the premises licence.

The Chair then invited Leo Charalambides to make a closing submission and as such he made the following closing statements: -

- That each and every time that the police had engaged with the venue they had cooperated and provided CCTV when requested that had sometimes worked against their interests. It had taken some time to achieve better practice but that was not to say that engagement was always wanting. In a process that was designed to be regulatory and administrative they needed to

respond to change and work to improve, that was the point of reviews. They had engaged and cooperated.

- It was disappointing that WMP had just 'shut the door'.
- That everyone had a common goal and must move towards promoting the licensing objectives together.
- Premises had never been reviewed and had a long history of operating in the area.
- That the Committee should accept the remedy that the PLH had put forward and invited WMP to visit the premises and see the new measures in practice.

The Members, Committee Lawyer and Committee Manager conducted the deliberations in a separate private session and the short decision of the Sub-Committee was announced in public, then a full written decision was sent to all parties as follows;

6/020823

RESOLVED:-

That, having reviewed the premises licence held under the Licensing Act 2003 by True Leisure Limited, in respect of Levana, The Arcadian, 70 Hurst Street, Birmingham B5 4TD, upon the application of West Midlands Police, this Sub-Committee hereby determines that the licence be revoked in order to promote the licensing objectives in the Act of the prevention of crime and disorder, public safety and the protection of children from harm.

The Sub-Committee's reasons for revoking the licence were due to the concerns expressed by West Midlands Police, as outlined fully in the Committee Report. The licence holder company attended the meeting, represented by counsel, together with the company director, the designated premises supervisor and the premises' licensing consultant. Also in the meeting was a solicitor representing the premises' landlord.

Part of the meeting, namely the playing of the CCTV evidence, was conducted in private session, after the Sub-Committee considered an application made by West Midlands Police under regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005.

The Police explained that to view the CCTV evidence in public would undermine an ongoing criminal investigation. They had forwarded the CCTV clips to counsel for the licence holder in advance of the meeting. Counsel did not raise any objection to the course proposed by the Police. The Sub-Committee therefore resolved to view the CCTV evidence in private session, as the public interest in so doing outweighed the public interest in that part of the hearing taking place in public.

The Police summarised the investigation thus far, exactly as per their documents in the Committee Report, and played the CCTV clips. Their lengthy dealings with the Levana premises had brought to light poor management practices, and consequent failings in the promotion of the licensing objectives. Police intervention had been required after it was discovered that underage young persons had been subjected to harmful drinking practices within Levana in December 2022. Advice had been given by the Police.

A variation application had been submitted by the premises in February 2023, on Police advice. The intention behind the minor variation had been to mitigate against the likelihood of young persons being put at further risk. However, the Police had been unamused to discover that there had then been a further episode, in June 2023, in which underage persons had been admitted to the premises and had become intoxicated in the venue.

The use of an ID scanner had been an operating condition of the premises licence at the time of the incident in June 2023 – yet the ID scanner was not in fact in use on the night in question. Upon examining the CCTV, the Police had observed that the disregard for the ID scanner condition appeared to be so commonplace as to be entirely the norm at the premises, and was therefore not just a one-off failure, or the action of a rogue member of staff.

The company director had told Police that he had not been at the venue on the night, saying that it was the fault of his staff that the ID scanner had not been used. He had told Police that he intended to change the door team and to employ a new designated premises supervisor.

The Police licensing team had had ongoing interactions with the premises over a 14 month period, with “very similar concerns and issues being identified” relating to poor management. Unsatisfactory operating practices had been something of a running theme. During their dealings with the premises, the Police had taken what they had felt was a pragmatic approach of engaging, explaining and encouraging, in an attempt to ensure that the premises’ management offered a safe environment which was capable of promoting the licensing objectives.

The assistance given by Police had not had the desired effect, and given that the premises had had a repeat incident in June 2023 involving admission of underage persons, the Police had moved to the enforcement option, by bring a Review before the Sub-Committee. The Police considered that they had been “on a merry go round” with the premises, in which any interaction with the premises had led to an improvement in the management style and operation - for a time. However, further incidents had then followed, and further interactions with Police; as a result of these, the Police view was that “the

management of the premises has been found wanting”.

The Police considered that the conditions already on the licence should have been sufficient to enable the premises to operate safely, legally and in a manner which promoted the licensing objectives. However, what had been observed was that the operating style at Levana had placed children into extremely vulnerable situations. The Sub-Committee noted that the CCTV clips showed the poor operating standards at the premises on the relevant night, and in particular the total disregard for the ID scanner condition.

The Police made further submissions relating to the conditions, namely that whenever they had requested information from the ID scanner, they had been told that the ID scanner had not been operational at the relevant time - despite several assurances from the company director that it would be operational. It had not been operational during either of the incidents involving admission of underage persons into the premises – neither on the December 2022 occasion, nor the June 2023 occasion (following the variation of the licence). The other measures, such as changing the door team, had proved to have limited or no effect on the overall operation of the premises.

Due to the previous dealings and interactions with the premises, the Police confirmed that they had little confidence in the management of the premises to uphold the licensing objectives, or even to uphold their own premises licence conditions. Accordingly, the Police requested that the Sub-Committee revoke the premises licence.

The Sub-Committee then heard from counsel for the premises. He explained that as far as the police representation was concerned, the premises shared the same concerns, but disagreed that there had been any failure of engagement and/or cooperation by the management.

Counsel reminded the Sub-Committee that paragraph 11.20 of the Guidance issued under s182 of the Act gave clear instructions as to how the Sub-Committee should proceed – namely by identifying the cause or causes of concern, and thereafter by determining whether there was an appropriate and proportionate remedy.

The premises recognised that in 2022 there had been concerns around disorder in The Arcadian as a whole. Whilst this had included patrons from Levana, other premises had also been involved, and it was not known what other engagement had been undertaken by the Police and the responsible authorities with those other premises.

The director of the premises licence holder company had immediately engaged with the Police, had cooperated with the development of an action plan, had provided CCTV that was damaging to his own case, and had purchased an ID scanner and begun the introduction of changes to front of house, exactly as encouraged by Police. The door

team which had been familiar with the premises' typical patrons, and had been for some ten years, was suddenly moved. This was relevant because one of the problems at the door had been the loss of familiarity with patrons. The new security team, quite improperly, had been permitting people to enter, including underage persons.

Counsel remarked that the premises had shown full cooperation to find a common solution to the challenges. The director, he said, had shown clear and swift engagement – most notably in provision of details to Police around the use of the ID scanner, the challenges with the ID scanner, and also offering full availability of the CCTV, even though all of those things went against the premises. Counsel observed that the director had engaged with Police openly and fairly to identify failings and to seek ways in which he and his premises could improve.

Counsel remarked that the whole point of engagement, explanation and encouragement was in order to tease out, through the remedial process, what was needed. The variation application had been agreed and submitted following advice from the Police. There had then followed a period of several months without any issues. The director was an experienced person who had begun his career as a registered SIA supervisor, and had over 20 years of experience of operating in the area.

Counsel directed the attention of the Sub-Committee to paragraph 9.12 of the Guidance regarding the expertise of the responsible authorities. The premises had held meetings with the Police, enabling the Police to identify all their concerns. A series of amendments and processes had then begun, to further improve the operating style – for example the role of the street promoters who worked to encourage people to come into the venue, and who been waving patrons through the ID scanning system, and moreover giving them complimentary entry without a requirement to pay the admission charge. The director had found this to be quite unacceptable, and had implemented a training programme for the street promoters such they were now aware of proof of age requirements, ID requirements, scanning requirements, Challenge 25 and indeed safeguarding.

The director had also reviewed the security provisions. On this point, counsel directed the Members to the documents in the Committee Report, which identified a number of changes regarding the redeployment of SIA staff and their numbers, and the reorganisation of the areas at the front so that there was a clear entrance and a clear exit, and also a clear smoking area. The designated premises supervisor had also been replaced and the proposed new person had been accepted by the Police.

Regarding the designated premises supervisor, counsel reminded the Sub-Committee that the Police had a power to object to the new designated premises supervisor where there were exceptional

circumstances; if there had existed such exceptional circumstances, the Police would have objected, yet in this case they had not done so. He further reminded the Members that the premises licence had never been reviewed, and asked whether it was the correct course that it should be revoked at the first opportunity.

A training programme had been implemented, covering relevant issues such as Challenge 25 and drunkenness, for all staff from the general manager downwards. All concerned had agreed that the real problem was at the door; accordingly, a security review had been done, and the director had developed a far clearer ID search and entry procedure. Counsel led the Members through this new procedure in detail, and confirmed that under the new procedure no ID would mean no entry; this had become a key policy for security staff, including the street promoters, and had been the subject of training conferences and internal dialogue between all at Levana.

The new regime would be strengthened by the redeployment of the former designated premises supervisor, who was an experienced person, and who would be acting as the dedicated ID scanner supervisor. Counsel observed that as well as the full SIA door team during peak hours, there would now be “three sets of eyes on this ID scanner and the ID scan process”. The process had been in place throughout June and July 2023 and the licence holder was confident that the Police concerns would be allayed if they visited and saw the new practices.

Counsel remarked that the new arrangements were the proportionate and appropriate response which was recommended in the s182 Guidance. Whilst it was acknowledged that the ID system had failed in the past, the director was a cooperative operator who had worked with the Police, had provided CCTV, and had invested in new equipment, new staff, retraining and also a rearrangement of the staff; for these reasons, counsel considered revocation to be wholly disproportionate. He urged the Sub-Committee to simply endorse the new procedure and to accept that those at the premises were committed to its improvement.

Members asked about the ID scanner which had not been in use on the night of the June 2023 incident, and whether any substitute measures were adopted (in terms of physically checking at the door). Counsel replied that the new procedure of additional staff at the ID scanner would cover this. However, the Members were concerned that these measures had not been applied on the evening of the incident, and observed that to subsequently adopt such measures could be compared to shutting the stable door after the horse had bolted.

Counsel replied that groups of staff within the venue had been operating independently, and that it had perhaps been a situation of “too many chiefs” in terms of taking responsibility. The street promoters had been found to be suggesting that patrons could simply

go into the premises, as if they had been checked, when they had not been checked. However, in recent months, previous practices had been overhauled and replaced with appropriate practices.

When deliberating, the Sub-Committee agreed with the Police that any licensed premises which admitted underage persons put the licensing objectives at very grave risk; as such, the Sub-Committee took a very dim view of the operation. The Police had reminded the Sub-Committee that 14 months ago the premises had agreed to deploy an ID scanner, which would have brought the problem under control - yet on all the occasions since that time, whenever the Police had requested any information from the ID scanner, they had been told that it had not been operational or had not been in use at the relevant time.

The company director was an experienced person who should have been more than aware of the standards expected of all licence holders in Birmingham. The breaches of condition regarding the ID scanner were therefore unacceptable.

The Police had observed that they had lost confidence in the management at Levana to uphold the licensing objectives. After scrutinising the Police evidence carefully, in particular by viewing the CCTV clips, the Members shared the Police concerns and felt that what the CCTV had shown was more than sufficient to confirm that the premises was operating in a manner which undermined the licensing objectives.

The Police had applied a pragmatic approach to the issues at the premises, but had found that whilst the premises then appeared to improve the management of the operation for a time, there would then be a further incident. This was a grave concern as it suggested that the management did not take its responsibilities seriously, which was a direct risk to the upholding of the licensing objectives.

The Police observed that the premises itself had identified management failings, poor practice and the fact that children had been put at risk in the variation application they had submitted; the Sub-Committee agreed with this view, and noted that despite this acknowledgement of poor practice by the premises' management, a few months later there had again been an instance of underage persons gaining entry and becoming intoxicated.

Whilst counsel had said that the director had always given full and speedy cooperation, and had offered "real engagement", the Sub-Committee was not at all sure that this was the case, given that the failings had been repeated.

Counsel had said that the licensing process was designed to be regulatory and administrative, not adversarial, and that the premises should be allowed to respond to change and work to improve, keeping in mind the common goal. The Sub-Committee agreed that this would

ordinarily be the correct course, but the issue in the instant matter was whether those at Levana were capable of doing so; the past history strongly suggested that they would try to, for a period of time, but then revert to poor practices which seriously undermined the licensing objectives.

The Sub-Committee noted counsel's submission that Levana was a premises which had been trading for a decade, and had never had its licence reviewed. He had urged the Members not to fall into "the same closed-minded trap" as the Police; yet the past history showed that the Police had taken a pragmatic and understanding approach, and had endeavoured to assist the premises across a considerable period of time. However, their efforts had not succeeded because of management failings and the improper operating style of the premises.

The Sub-Committee looked at all options when making its decision, and referred to paragraph 11.20 of the Guidance, as counsel had suggested. In determining the appropriate and proportionate course, the Sub-Committee placed particular emphasis on the need to ensure that it had confidence that the premises could be trusted to uphold not only the licensing objectives generally, but also its own licence conditions, given what had been found in relation to underage persons being permitted to enter without the use of the ID scanner, or indeed any ID checks.

The Members determined that it was not possible to have any such confidence, and moreover were unsure how the licence holder company and its director had felt that the style of management seen in the CCTV recordings had been a proper way to operate licensed premises. Nothing in the management style inspired confidence. The terms of the recent variation, which had been submitted on Police advice following the discovery of poor practice, had not been followed, and underage persons had been allowed to enter – yet the conditions in the variation had been designed to guard against exactly that risk. The Sub-Committee therefore concluded that it would be foolhardy to expect the premises to adhere properly to its new procedures.

The Police had said that they had little confidence in the management of the premises to uphold the licensing objectives or to follow the licence conditions, and had made a request for revocation of the premises licence. The Members agreed that this was the only appropriate course, due to the past history and repeated failings.

The Members gave consideration to counsel's suggestion that they should accept the new procedures which were being put in place, but on reflection the Members were not satisfied, given the evidence submitted, that the licensing objectives would be properly promoted following any such determination, or that the premises could be trusted to operate within the law; after all, this had not been the case in the recent past.

The evidence, and in particular the CCTV recordings, had shown a complete disregard for the law by the licence holder and the staff alike. The operation had been managed in a way that was not merely irresponsible, but also illegal. The findings had shown a lack of professional supervision and control by the licence holder company and its director; in short, the licence holder company had demonstrated on more than one occasion that it was incapable of upholding the licensing objectives even when assisted and supported by the Police. Revocation was therefore proportionate in the circumstances.

After scrutinising all the evidence, the Sub-Committee determined that the issues around underage patrons were indeed so serious that they could not be tolerated; in addition, there had been a breach of the ID scanner condition. A determination to revoke would follow the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003, and was an entirely appropriate and proportionate sanction given that the premises' style of operation had seriously undermined the licensing objectives in Birmingham on more than one occasion.

There were no compelling reasons to depart from the Guidance in this instance. To take some other course (other than revocation) ran the risk of sending a message that admitting underage persons and breaching a licence condition were not a serious matter, or that there would be no consequences for such failings, which the Sub-Committee was not prepared to do. The Sub-Committee therefore resolved to revoke the licence.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under section 182 of the Licensing Act 2003 by the Secretary of State, the application for review, the written representations received and the submissions made at the hearing by West Midlands Police, and by counsel for the licence holder.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

The determination of the Sub-Committee does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the appeal is determined.

Please note the meeting ended at 1143 hours.

CHAIR.....

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Director of Regulation & Enforcement
Date of Meeting:	Wednesday 6th September 2023
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Premises at 15a Holyhead Road, Handsworth, Birmingham, B21 0LA
Ward affected:	Holyhead
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

To consider representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption off the premises) to operate from 09:00am until 06:00pm (Monday to Sunday).

There is no public access to the premises as the sale of alcohol is online only.

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 6th July 2023 in respect of Premises at 15a Holyhead Road, Handsworth, Birmingham, B21 0LA.

Representations have been received from other persons.

4. Compliance Issues:**4.1 Consistency with relevant Council Policies, Plans or Strategies:**

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

5. Relevant background/chronology of key events:

Mr Trent Beasley applied on 6th July 2023 for the grant of a Premises Licence for Premises at 15a Holyhead Road, Handsworth, Birmingham, B21 0LA.

Representations have been received from other persons, which are attached at Appendices 1 – 7.

The application is attached at Appendix 8.

Site Location Plans at Appendix 9.

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 – 7
Application Form, Appendix 8
Site Location Plans, Appendix 9

7. Options available

To Grant the licence in accordance with the application.

To Reject the application.

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

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

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

From: Councillor Rinkal Shergill
Sent: 26 July 2023 17:21
To: Licensing
Subject: Application Number: 167586

Application Number: **167586**

As councillor, I believe granting this license would compromise several crucial licensing objectives set forth by the Birmingham City Council.

Firstly, the prevention of crime and disorder is a primary concern in our community. Holyhead ward already suffers from a high rate of crime, drug, and alcohol use. Introducing more alcohol sales in such an environment would undoubtedly exacerbate these issues, leading to increased disorder, anti-social behaviour, and potential criminal activity.

Secondly, public safety is at stake if this license is approved. The sale of alcohol in a neighbourhood already grappling with social issues could potentially escalate confrontations and violence, posing a significant risk to residents and visitors alike. Ensuring public safety should be a priority, and granting this license would compromise the well-being of the community.

This location is located on a very busy high street which is key for the local economy - further issues in the area will impact its viability as a local centre in the city.

Moreover, the prevention of public nuisance is of utmost importance in fostering a harmonious living environment. The proposed alcohol sales would contribute to the existing nuisances such as public drunkenness, loitering, and disturbances, thereby adversely affecting the quality of life for local residents.

Lastly, protecting women and children from harm is a vital responsibility that must not be disregarded. The availability of alcohol in close proximity to several schools raises serious concerns about the potential accessibility to underage individuals, thereby exposing them to significant harm, including alcohol-related health risks, addiction, and the possibility of engaging in criminal activities. Children, in this case, are also potential victims of organised begging, anti-social behaviour and public drunkenness in the area.

Regards

Cllr Rinkal Shergill

From:

Sent: 14 July 2023 09:42

To: Licensing

Subject: Objection to Alcohol License Application for 15A Holyhead Road (167586)

Dear Birmingham City Council,

I am writing to express my strong objection to the alcohol license application submitted by 15A Holyhead Road to operate as an alcohol distribution warehouse. Given the prevailing issues of crime, drug and alcohol use, begging, deprivation, and gambling in this area, granting this license would contradict several critical licensing objectives outlined by the Birmingham City Council.

First and foremost, the prevention of crime and disorder is a paramount concern for our community. Establishing an alcohol distribution warehouse in an area already grappling with high rates of crime and substance abuse would undoubtedly exacerbate these issues. The potential for illegal activities, such as illicit alcohol sales, theft, and violence, would be significantly heightened, posing a direct threat to the safety and security of local residents.

Public safety is another crucial consideration that cannot be ignored. Allowing the operation of an alcohol distribution warehouse in an area with a history of social problems would jeopardize the well-being of the community. Increased foot traffic, potential clashes among individuals, and the associated risks of accidents or confrontations would place an unnecessary burden on public safety resources.

Furthermore, the prevention of public nuisance is of utmost importance in fostering a peaceful and harmonious living environment. The establishment of a warehouse solely dedicated to alcohol distribution would inevitably contribute to an escalation of the existing nuisances, including noise disturbances, increased litter, loitering, and disruptive behavior, causing distress to local residents and businesses.

Lastly, the protection of children from harm should be a paramount consideration in any licensing decision. The proximity of an alcohol distribution warehouse to areas frequented by children, such as schools or parks, raises concerns about their exposure to harmful influences and potentially dangerous situations. It is our responsibility to safeguard the well-being and future of our children by preventing their access to alcohol and ensuring their protection from the associated risks and harms.

Considering the significant challenges already faced by the community, it is imperative that the Birmingham City Council prioritizes the welfare, safety, and quality of life of its residents. Granting an alcohol license to 15A Holyhead Road would directly contradict these objectives and exacerbate the existing social issues in the area.

I strongly urge the council to carefully consider the potential ramifications and reject the alcohol license application for 15A Holyhead Road.

Thank you for your attention to this matter.

Yours sincerely,

Scholars Close, Birmingham, B21

From

Sent: 14 July 2023 22:06

To: Licensing

Subject: Objection to Alcohol License Application for 15A Holyhead Road (167586)

Dear Birmingham City Council,

I am writing to express my strong objection to the alcohol license application submitted by 15A Holyhead Road to operate as an alcohol distribution warehouse. Given the prevailing issues of crime, drug and alcohol use, begging, deprivation, and gambling in this area, granting this license would contradict several critical licensing objectives outlined by the Birmingham City Council.

First and foremost, the prevention of crime and disorder is a paramount concern for our community. Establishing an alcohol distribution warehouse in an area already grappling with high rates of crime and substance abuse would undoubtedly exacerbate these issues. The potential for illegal activities, such as illicit alcohol sales, theft, and violence, would be significantly heightened, posing a direct threat to the safety and security of local residents.

Public safety is another crucial consideration that cannot be ignored. Allowing the operation of an alcohol distribution warehouse in an area with a history of social problems would jeopardize the well-being of the community. Increased foot traffic, potential clashes among individuals, and the associated risks of accidents or confrontations would place an unnecessary burden on public safety resources.

Furthermore, the prevention of public nuisance is of utmost importance in fostering a peaceful and harmonious living environment. The establishment of a warehouse solely dedicated to alcohol distribution would inevitably contribute to an escalation of the existing nuisances, including noise disturbances, increased litter, loitering, and disruptive behaviour, causing distress to local residents and businesses.

Lastly, the protection of children from harm should be a paramount consideration in any licensing decision. The proximity of an alcohol distribution warehouse to areas frequented by children, such as schools or parks, raises concerns about their exposure to harmful influences and potentially dangerous situations. It is our responsibility to safeguard the well-being and future of our children by preventing their access to alcohol and ensuring their protection from the associated risks and harms.

Considering the significant challenges already faced by the community, it is imperative that the Birmingham City Council prioritizes the welfare, safety, and quality of life of its residents. Granting an alcohol license to 15A Holyhead Road would directly contradict these objectives and exacerbate the existing social issues in the area.

I strongly urge the council to carefully consider the potential ramifications and reject the alcohol license application for 15A Holyhead Road.

Thank you for your attention to this matter.

Regards,

Resident of Whitehall Road
Handsworth
Birmingham
B21

From:

Sent: 14 July 2023 22:15

To: Licensing

Subject: alcohol license application submitted by 15A Holyhead Road to operate as an alcohol distribution warehouse.

Dear Birmingham City Council,

I am writing to express my strong objection to the alcohol license application submitted by 15A Holyhead Road to operate as an alcohol distribution warehouse. Given the prevailing issues of crime, drug and alcohol use, begging, deprivation, and gambling in this area, granting this license would contradict several critical licensing objectives outlined by the Birmingham City Council.

First and foremost, the prevention of crime and disorder is a paramount concern for our community. Establishing an alcohol distribution warehouse in an area already grappling with high rates of crime and substance abuse would undoubtedly exacerbate these issues. The potential for illegal activities, such as illicit alcohol sales, theft, and violence, would be significantly heightened, posing a direct threat to the safety and security of local residents.

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Considering the significant challenges already faced by the community, it is imperative that the Birmingham City Council prioritizes the welfare, safety, and quality of life of its residents. Granting an alcohol license to 15A Holyhead Road would directly contradict these objectives and exacerbate the existing social issues in the area.

I strongly urge the council to carefully consider the potential ramifications and reject the alcohol license application for 15A Holyhead Road.

Thank you for your attention to this matter.

Yours sincerely,

Elmwood Gardens
handsworth
B20

From:

Sent: 15 July 2023 06:55

To: Licensing

Subject: Subject: Objection to Alcohol License Application for 15A Holyhead Road (167586)

Subject: Objection to Alcohol License Application for 15A Holyhead Road (167586)

Dear Birmingham City Council,

I am writing to express my strong objection to the alcohol license application submitted by 15A Holyhead Road to operate as an alcohol distribution warehouse. Given the prevailing issues of crime, drug and alcohol use, begging, deprivation, and gambling in this area, granting this license would contradict several critical licensing objectives outlined by the Birmingham City Council.

First and foremost, the prevention of crime and disorder is a paramount concern for our community. Establishing an alcohol distribution warehouse in an area already grappling with high rates of crime and substance abuse would undoubtedly exacerbate these issues. The potential for illegal activities, such as illicit alcohol sales, theft, and violence, would be significantly heightened, posing a direct threat to the safety and security of local residents.

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Lastly, the protection of children from harm should be a paramount consideration in any licensing decision. The proximity of an alcohol distribution warehouse to areas frequented by children, such as schools or parks, raises concerns about their exposure to harmful influences and potentially dangerous situations. It is our responsibility to safeguard the well-being and future of our children by preventing their access to alcohol and ensuring their protection from the associated risks and harms.

Considering the significant challenges already faced by the community, it is imperative that the Birmingham City Council prioritizes the welfare, safety, and quality of life of its residents. Granting an alcohol license to 15A Holyhead Road would directly contradict these objectives and exacerbate the existing social issues in the area.

I strongly urge the council to carefully consider the potential ramifications and reject the alcohol license application for 15A Holyhead Road.

Thank you for your attention to this matter.

Yours sincerely,

Scholars Close B21

From:

Sent: 15 July 2023 06:07

To: Licensing

Subject: Objection to Alcohol License Application for 15A Holyhead Road (167586)

Dear Birmingham City Council,

I am writing to express my strong objection to the alcohol license application submitted by 15A Holyhead Road to operate as an alcohol distribution warehouse. Given the prevailing issues of crime, drug and alcohol use, begging, deprivation, and gambling in this area, granting this license would contradict several critical licensing objectives outlined by the Birmingham City Council.

First and foremost, the prevention of crime and disorder is a paramount concern for our community. Establishing an alcohol distribution warehouse in an area already grappling with high rates of crime and substance abuse would undoubtedly exacerbate these issues. The potential for illegal activities, such as illicit alcohol sales, theft, and violence, would be significantly heightened, posing a direct threat to the safety and security of local residents.

Public safety is another crucial consideration that cannot be ignored. Allowing the operation of an alcohol distribution warehouse in an area with a history of social problems would jeopardize the well-being of the community. Increased foot traffic, potential clashes among individuals, and the associated risks of accidents or confrontations would place an unnecessary burden on public safety resources.

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Considering the significant challenges already faced by the community, it is imperative that the Birmingham City Council prioritizes the welfare, safety, and quality of life of its residents. Granting an alcohol license to 15A Holyhead Road would directly contradict these objectives and exacerbate the existing social issues in the area.

I strongly urge the council to carefully consider the potential ramifications and reject the alcohol license application for 15A Holyhead Road.

Thank you for your attention to this matter.

Kindest regards,

B21

From:

Sent: 15 July 2023 10:03

To: Licensing

Subject: Objection to Alcohol License Application for 15A Holyhead Road (167586)

Dear Birmingham City Council,

I am writing to express my strong objection to the alcohol license application submitted by 15A Holyhead Road to operate as an alcohol distribution warehouse. Given the prevailing issues of crime, drug and alcohol use, begging, deprivation, and gambling in this area, granting this license would contradict several critical licensing objectives outlined by the Birmingham City Council.

First and foremost, the prevention of crime and disorder is a paramount concern for our community. Establishing an alcohol distribution warehouse in an area already grappling with high rates of crime and substance abuse would undoubtedly exacerbate these issues. The potential for illegal activities, such as illicit alcohol sales, theft, and violence, would be significantly heightened, posing a direct threat to the safety and security of local residents.

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Lastly, the protection of children from harm should be a paramount consideration in any licensing decision. The proximity of an alcohol distribution warehouse to areas frequented by children, such as schools or parks, raises concerns about their exposure to harmful influences and potentially dangerous situations. It is our responsibility to safeguard the well-being and future of our children by preventing their access to alcohol and ensuring their protection from the associated risks and harms.

Considering the significant challenges already faced by the community, it is imperative that the Birmingham City Council prioritizes the welfare, safety, and quality of life of its residents. Granting an alcohol license to 15A Holyhead Road would directly contradict these objectives and exacerbate the existing social issues in the area.

I strongly urge the council to carefully consider the potential ramifications and reject the alcohol license application for 15A Holyhead Road.

Thank you for your attention to this matter.

Yours sincerely,

B20



Birmingham
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- ☐ 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* 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" value="United Kingdom"/>

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name	<input type="text" value="15a"/>
Street	<input type="text" value="Holyhead road"/>
District	<input type="text"/>
City or town	<input type="text" value="Birmingham"/>
County or administrative area	<input type="text" value="West Midlands"/>
Postcode	<input type="text" value="B21 0LA"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="0"/>

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

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

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

- ☒ Yes ☐ No

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

First name

Family name

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No

Continued from previous page...

Current Residential Address

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

☒ Yes

☐ No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

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

☒ Yes

☐ No

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

E-mail

Telephone number

Other telephone number

* Date of birth

 / /
dd mm yyyy

* Nationality

[Documents that demonstrate entitlement to work in the UK](#)

Right to work share code

[Right to work share code if not submitting scanned documents](#)

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

 07 / 08 / 2023
dd mm yyyy

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

 / /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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

Premise will only be used to sell alcohol ordered online. All delivery will be via postage. Individuals are not permitted to attend the premise. The premise will mainly be used for storage and delivering orders made online. We do not offer collection facility here.

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes

☒ No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes

☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes

☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes

☒ No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing recorded music?

☐ Yes ☒ No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes ☒ No

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

☐ Yes ☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY		
Start	<input type="text" value="09:00"/>	End <input type="text" value="18:00"/>
Start	<input type="text" value="09:00"/>	End <input type="text" value="18:00"/>
TUESDAY		
Start	<input type="text" value="09:00"/>	End <input type="text" value="18:00"/>
Start	<input type="text" value="09:00"/>	End <input type="text" value="18:00"/>
WEDNESDAY		
Start	<input type="text" value="09:00"/>	End <input type="text" value="18:00"/>
Start	<input type="text" value="09:00"/>	End <input type="text" value="18:00"/>
THURSDAY		
Start	<input type="text" value="09:00"/>	End <input type="text" value="18:00"/>
Start	<input type="text" value="09:00"/>	End <input type="text" value="18:00"/>

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

Continued from previous page...

FRIDAY

Start 09:00

End 18:00

Start 09:00

End 18:00

SATURDAY

Start 09:00

End 18:00

Start 09:00

End 18:00

SUNDAY

Start 09:00

End 18:00

Start 09:00

End 18:00

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.

N/A

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.

N/A

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

Name

First name

Trent

Family name

Szilva Beasley

Date of birth

/ /
dd mm yyyy

Continued from previous page...

Enter the contact's 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"/>
Personal Licence number (if known)	<input type="text" value="12062/2"/>
Issuing licensing authority (if known)	<input type="text" value="Birmingham City Council"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

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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

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

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

Start

End

End

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

Continued from previous page...

TUESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

--

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

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

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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)

Continued from previous page...

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

Access to the public is prohibited. The premises will operate as a distribution warehouse only, storing and dispatching alcohol. The most important issues are security (to prevent theft of alcohol) and ensuring that only people over the age of 18 are purchasing alcohol online.

b) The prevention of crime and disorder

Access to the public is prohibited. The most likely crime to be committed is burglary. A video doorbell is fitted to the premises. An alarm system has been installed at the premises. The doors to the garage are fitted with Heavy duty Hasp & Staple lock with a reinforced padlock, the door is locked by Yale lock.

c) Public safety

Access to the public is prohibited. There will be no visitors at risk. To protect our customers, irresponsible online promotions of our alcoholic products will not be permitted. We are selling premium, expensive products and bulk buying with the intention to drink heavily is very unlikely. The main risk is to staff working in the warehouse. A Health and Safety Risk Assessment and Fire Risk Assessment will be completed annually and a fire extinguisher is located in the garage. Smoke alarms are located in the main house. All staff will receive training regarding their social and legal obligations regarding the sale of alcohol. The location of the premises will not be advertised.

d) The prevention of public nuisance

Access to the public is prohibited. There will be no visitors to cause a nuisance. Any packaging materials and rubbish will be stored out of sight and disposed of responsibly.

e) The protection of children from harm

A proof of age policy will be enforced. Members of the public purchasing alcohol online via the distance selling regulations will be required to state that they are over the age of 18 before entering the website. Age verification service offered by courier and Royal Mail will be used.

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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.

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

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

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

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

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

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

Capacity 5000-9999 - £1,000.00

Capacity 10000 -14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

* Fee amount (£)

100.00

DECLARATION

Continued from previous page...

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

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

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

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

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

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

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

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

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

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





