

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee B</b>
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Tuesday 27<sup>th</sup> June 2017</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>London International Supermarket, 235 – 237 Lozells Road, Birmingham, B19 1RJ</b>
<b>Ward affected:</b>	<b>Lozells and East Handsworth</b>
<b>Contact Officer:</b>	<b>Shaid Yasser, Senior Licensing Officer, 0121 303 6920, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### **1. Purpose of report:**

To consider relevant 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 24 hours (Monday to Sunday).

Premises to remain open to the public 24hours (Monday to Sunday).

### **2. Recommendation:**

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

### **3. Brief Summary of Report:**

An application for a Premises Licence was received on 11<sup>th</sup> May 2017 in respect of London International Supermarket, 235 – 237 Lozells Road, Birmingham, B19 1RJ.

Representations have been received from West Midlands Police, as a responsible authority, and 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:**

Shukriya Zardary applied on 11<sup>th</sup> May 2017 for the grant of a Premises Licence for London International Supermarket, 235 – 237 Lozells Road, Birmingham, B19 1RJ.

A representation has been received from West Midlands Police, as a responsible authority. See Appendix 1.

A representation has been received from other persons, which is attached at Appendix 2.

The application is attached at Appendix 3.

Site Location Plans at Appendix 4.

When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-

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

## **6. List of background documents:**

Copy of the representations as detailed in Appendices 1 & 2  
Application Form, Appendix 3  
Site Location Plans, Appendix 4

## **7. Options available**

To Grant the licence in accordance with the application.

To Reject the application.

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

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

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

## Appendix 1

Entered  
21

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**From:** Abdool Rohomon  
**Sent:** 08 June 2017 07:43  
**To:** Licensing  
**Cc:** bw licensing  
**Subject:** Premise licence application - London International Supermarket

Dear Licensing,

West Midlands Police have received an application for a new premise licence for 235-237 Lozells Road. The application is for a 24 hour off licence, West Midlands Police are objecting to this application on the grounds of the prevention of crime and disorder, public safety and public nuisance. Lozells Road is a hot spot area for West Midlands Police in terms of alcohol related crime and disorder and anti-social behaviour, this has been on the increase and causing significant nuisance in the area, and is growing problem that the local neighbourhood team are trying to tackle, to the point that they are now looking at all legal avenues to curb the amount of alcohol that is on the street. To have another licensed premises on this road, that could be authorised to sell alcohol 24 hours a day will only add to this issue. West Midlands Police would not even endorse a reduction in hours.

On this basis West Midlands Police object to this application and formally request a hearing for this application to be considered

Kind regards

Abs Rohomon

**Abs Rohomon**

**PC 4075 Rohomon**  
**BWC Planning and Licensing**  
**Police headquarters**  
**Lloyd House**  
**Colmore Circus**  
**Birmingham**  
**B4 6NQ**

**Website:** [www.west-midlands.police.uk](http://www.west-midlands.police.uk)  
**Twitter:** [www.twitter.com/brumpolice](https://twitter.com/brumpolice)  
**Facebook:** [www.facebook.com/westmidlandspolice](https://www.facebook.com/westmidlandspolice)  
**YouTube:** [www.youtube.com/westmidlandspolice](https://www.youtube.com/westmidlandspolice)

**Vision statement - Serving our communities, protecting them from harm**

## Appendix 2

Entered  
2

**From:** Heath Thomas <  
**Sent:** 06 June 2017 11:35  
**To:** Licensing  
**Subject:** Representation against grant of premises licence to Shukriya Zardary in respect of London International Supermarket, 235-237 Lozells Road, Birmingham B19 1RJ

Dear Sirs

I am instructed on behalf of Mr Mahir Akgul of 233 Lozells Road, Birmingham B19 1RJ to object to the grant of a premises licence by Shukriya Zardary on the grounds of crime and disorder.

Shukriya Zardary is associated with the former operator of licensed premises known as International Supermarket, 117 Villa Road, Birmingham B19 1NH whose licence was revoked due to breaches of the crime prevention objective (the sale of illegal/non-duty paid tobacco), and whose application for the grant of a premises licence for 235-237 Lozells Road was withdrawn following objections from Mr Akgul on grounds of crime and disorder. We are instructed that Shukriya Zardary is making this application on behalf of individual(s) who would otherwise be refused the grant of a premises licence due to their criminal activity in connection with licensed premises, namely the sale of smuggled tobacco. This type of activity should be treated particularly seriously. There is a real risk that Shukriya Zardary will permit these activities at London International Supermarket, 235-237 Lozells Road, and use/allow the use of these premises to further crimes. The crime prevention objective is being undermined by this applicant and as such Shukriya Zardary should be refused a premises licence.


Evidence in support of the above will be produced before the Licensing sub-committee in due course.

Yours faithfully


**Heath Thomas**


Partner  
Licensing & Regulatory  
For and on behalf of Harrison Clark Rickerbys Limited

Harrison Clark Rickerbys Limited, 5 Deansway, Worcester  
Worcestershire, WR1 2JG, United Kingdom

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**Birmingham**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[licensingonline@birmingham.gov.uk](mailto:licensingonline@birmingham.gov.uk)  
 Telephone: 0121 303 9896

\* required information

**Section 1 of 21**

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Is the applicant:

☐ Applying as a business or organisation, including as a sole trader

☒ Applying as an individual

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

<p>BCC          REGULATION &amp; ENFORCEMENT          LICENSING SECTION          DATE RECEIVED    <b>11 MAY 2017</b>            REF NO _____          INITIALS _____</p>
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Continued from previous page...

**Address**

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

**Agent Details**

* First name	<input type="text" value="Patrick"/>
* Family name	<input type="text" value="Burke"/>
* E-mail	<input type="text"/>
Main telephone number	<input data-bbox="507 943 949 981" type="text" value="( "/> Include country code.
Other telephone number	<input type="text"/>

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

Are you:

- ☒ An agent that is a business or organisation, including a sole trader  
☐ A private individual acting as an agent

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

**Agent Business**

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

Is your business registered outside the UK? ☐ Yes ☒ No

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

Business name	<input type="text" value="Pmb licensing"/>	If your business is registered, use its registered name.
VAT number	<input type="text" value="NONE"/>	Put "none" if you are not registered for VAT.
Legal status	<input type="text" value="Sole Trader"/>	
Your position in the business	<input type="text" value="PROPIETOR"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the headquarters of your business is located.

*Continued from previous page...*

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name	DOG AND PARTRIDGE
Street	136 HIGH STREET
District	BRIERLEY HILL
City or town	DUDLEY
County or administrative area	WEST MIDLANDS
Postcode	DY5 3BP
Country	United Kingdom

**Section 2 of 21**

**PREMISES DETAILS**

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

**Premises Address**

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

☒ Address    ☐ OS map reference    ☐ Description

**Postal Address Of Premises**

Building number or name	London International Supermarket
Street	235 - 237 Lozells Road
District	
City or town	Birmingham
County or administrative area	
Postcode	B19 1RJ
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	4,150

<b>Section 3 of 21</b>	
<b>APPLICATION DETAILS</b>	
<p>In what capacity are you applying for the premises licence?</p> <div style="list-style-type: none; padding-left: 0;"> <div><input checked="" type="checkbox"/> An individual or individuals</div> <div><input type="checkbox"/> A limited company / limited liability partnership</div> <div><input type="checkbox"/> A partnership (other than limited liability)</div> <div><input type="checkbox"/> An unincorporated association</div> <div><input type="checkbox"/> Other (for example a statutory corporation)</div> <div><input type="checkbox"/> A recognised club</div> <div><input type="checkbox"/> A charity</div> <div><input type="checkbox"/> The proprietor of an educational establishment</div> <div><input type="checkbox"/> A health service body</div> <div><input type="checkbox"/> A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales</div> <div><input type="checkbox"/> 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</div> <div><input type="checkbox"/> The chief officer of police of a police force in England and Wales</div> </div> <p><b>Confirm The Following</b></p> <div style="list-style-type: none; padding-left: 0;"> <div><input checked="" type="checkbox"/> I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities</div> <div><input type="checkbox"/> I am making the application pursuant to a statutory function</div> <div><input type="checkbox"/> I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative</div> </div>	
<b>Section 4 of 21</b>	
<b>INDIVIDUAL APPLICANT DETAILS</b>	
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p><b>Applicant Name</b></p> <p>Is the name the same as (or similar to) the details given in section one?</p> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <span><input checked="" type="radio"/> Yes</span> <span><input type="radio"/> No</span> </div> <div style="display: flex; margin-top: 10px;"> <div style="width: 25%;">First name</div> <div style="border: 1px solid black; padding: 2px 5px; flex-grow: 1;">Shukriya</div> </div> <div style="display: flex; margin-top: 5px;"> <div style="width: 25%;">Family name</div> <div style="border: 1px solid black; padding: 2px 5px; flex-grow: 1;">Zardary</div> </div> <p>Is the applicant 18 years of age or older?</p> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <span><input checked="" type="radio"/> Yes</span> <span><input type="radio"/> No</span> </div> </div> <div style="width: 35%; font-size: 0.9em;"> <p>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.</p> </div> </div>	



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### 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

Add another applicant

## Section 5 of 21

### OPERATING SCHEDULE

When do you want the premises licence to start?

 /  /   
dd mm yyyy

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

 /  /   
dd mm yyyy

Provide a general description of the premises

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

General store wishing to sell alcohol along with the other products on offer.

Continued from previous page...

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

Will you be providing recorded music?

☐ Yes

☒ No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

*Continued from previous page...*

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes

☒ No

### Section 13 of 21

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

See guidance on regulated entertainment

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

☐ Yes

☒ No

### Section 14 of 21

#### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

### Section 15 of 21

#### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

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

Start

End

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 00:00

End 23:59

Start

End

SUNDAY

Start 00:00

End 23:59

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises ☒ Off the premises ☐ Both

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

State any seasonal variations

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

none

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.

none

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

Name

First name

Shukriya

Family name

Zardary

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"/>
Issuing licensing authority (if known)	<input type="text"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 21**

**ADULT ENTERTAINMENT**

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

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

None

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start 00:00

End 23:59

Start

End

WEDNESDAY

Start 00:00

End 23:59

Start

End

THURSDAY

Start 00:00

End 23:59

Start

End

FRIDAY

Start 00:00

End 23:59

Start

End

SATURDAY

Start 00:00

End 23:59

Start

End

SUNDAY

Start 00:00

End 23:59

Start

End

State any seasonal variations

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

none

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

none

## Section 18 of 21

### LICENSING OBJECTIVES

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

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

*Continued from previous page...*

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

ALL STAFF WILL BE TRAINED WITH REDARDS TO THE LICENCING ACT 2003, THE SERVICE OF ALCOHOL AND TOBACCO. A RECORD WILL BE KEPT OF ALL ATENTIVE PURCHASES BY UNDER 18'S. WE WILL LIASE WITH THE LOCAL POLICE LICENSING OFFICER ON A REGULAR BASIS. ALL STAFF TRAINING RECORDS RELATING THE LICENSING ACT 2003 TO BE DOCUMENTED AND SIGNED BY BOTH THE TRAINER AND TRAINEE. RECORDS TO BE MADE IMMEDIATELY AVAILABLE TO ANY OF THE RESPONSIBLE AUTHORITIES ON REQUEST.

**b) The prevention of crime and disorder**

PROMINENT SIGNS ARE DISPALYED WITH REGARDS TO ALCOHOL AND TOBACCO SALES.  
CCTV CAMERAS ARE INSTALLED AT THE PREMISES WITH THE SPECIFICATIONS AND RECOMMENDATIONS OF THE WEST MIDILANDS POLICE. CCTV RECORDINGS AND IMAGES TO BE DOWNLOADABLE KEPT FOR A MINIMUM OF 28 DAYS AND MADE IMMEDIATELY AVAILABLE TO ANY OF THE RESPONSIBLE AUTHORITIES.  
A REFUSAL BOOK IS KEPT AT THE PREMISES AND TO BE MADE IMMEDIATELY AVAILABLE TO ANY OF THE RESPONSIBLE AUTHORITIES ON REQUEST AND SIGNED OFF WEEKLY BY THE DPS.  
Records of staff training shall be made available on site for inspection at any time.  
The premises shall have a panic button facilities on the premises.  
Internal and External CCTV shall be maintained on the premises, recordings of which will be kept for 31 days.  
CCTV will be recording and cover all areas open to members of the public, including the interior, front exterior of the premises and the entrance of the premises. This will be to the recommendation and specification of West Midlands Police.  
The CCTV will operate whenever the premises is open to members of the public. It will hold recorded data for a minimum of 28 days, and be made available to West Midlands Police or any responsible authority on request  
A member of staff in possession of a personal licence will be on the premises after 23:00hrs until 06:00hrs every day. In addition, all staff members will be able to operate and download CCTV at all times  
An incident book will be maintained to record any incidents that occur inside the premises or directly outside of the premises. This incident book will be made available for inspection by any of the responsible authorities  
SIA registered door supervision wearing high visibility clothing to be at the premises from 23:00hrs until 06:00 hrs on Fridays, Saturdays and on Sundays before a Bank Holiday

**c) Public safety**

ALL EMERGENCY LIGHTING WILL BE CHECKED WEEKLY.  
ENTRANCES,EXITS AND PASSAGEWAYS ARE TO BE KEPT CLEAR  
No enforceable conditions identified from operating schedule.

**d) The prevention of public nuisance**

PROMINENT SIGNS WILL BE DISPALYED REQUESTING CUSTOMERS TO HAVE REGARD FOR LOCAL RESIDENTS WHEN LEAVING THE PREMISES. ADEQUATE BINS ARE AVAILABLE FOR CUSTOMERS TO DISPOSE OF LITTER  
NO ALCOHOL ALLOWED ON THE PREMISES IN OPEN CONTAINERS.  
NO ALCOHOL TO BE CONSUMED ON THE PREMISES.  
No enforceable conditions identified from operating schedule.

**e) The protection of children from harm**

WILL OPERATE A CHALLENGE 25 POLICY AND CCTV SIGNAGE ON THE ENTRANCE DOOR AND POINT OF SALE.  
A refusals book will be fully maintained and available for inspection at any time.  
The premises shall operate a proof of age scheme via acceptable forms of identification and incorporating the challenge 21 system.  
The Premises Licence Holder shall ensure that any alcohol on display is not obstructed from view of the sales assistants

**Section 19 of 21**

**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 by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

**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 **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.



*Continued from previous page...*

- 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 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, 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.

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.

## **Section 20 of 21**

### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

*Continued from previous page...*

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

## Section 21 of 21

### 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 [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

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

1

Continued from previous page...

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

I/WE UNDERSTAND 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.

☒ 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

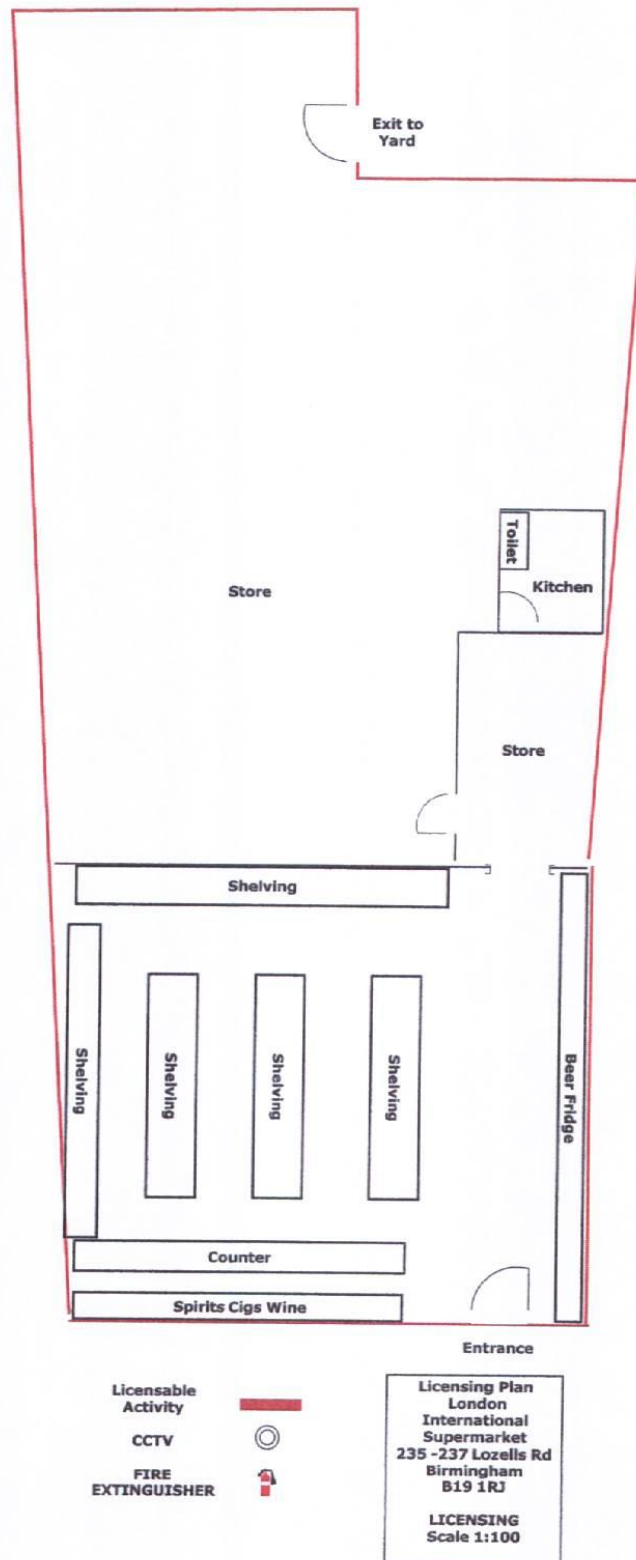
Once you're finished you need to do the following:

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**



## Appendix 4



**Birmingham City Council** Map Created By:

Date of Map Creation: 13/06/2017

Notes



Scale:  
1:4,000

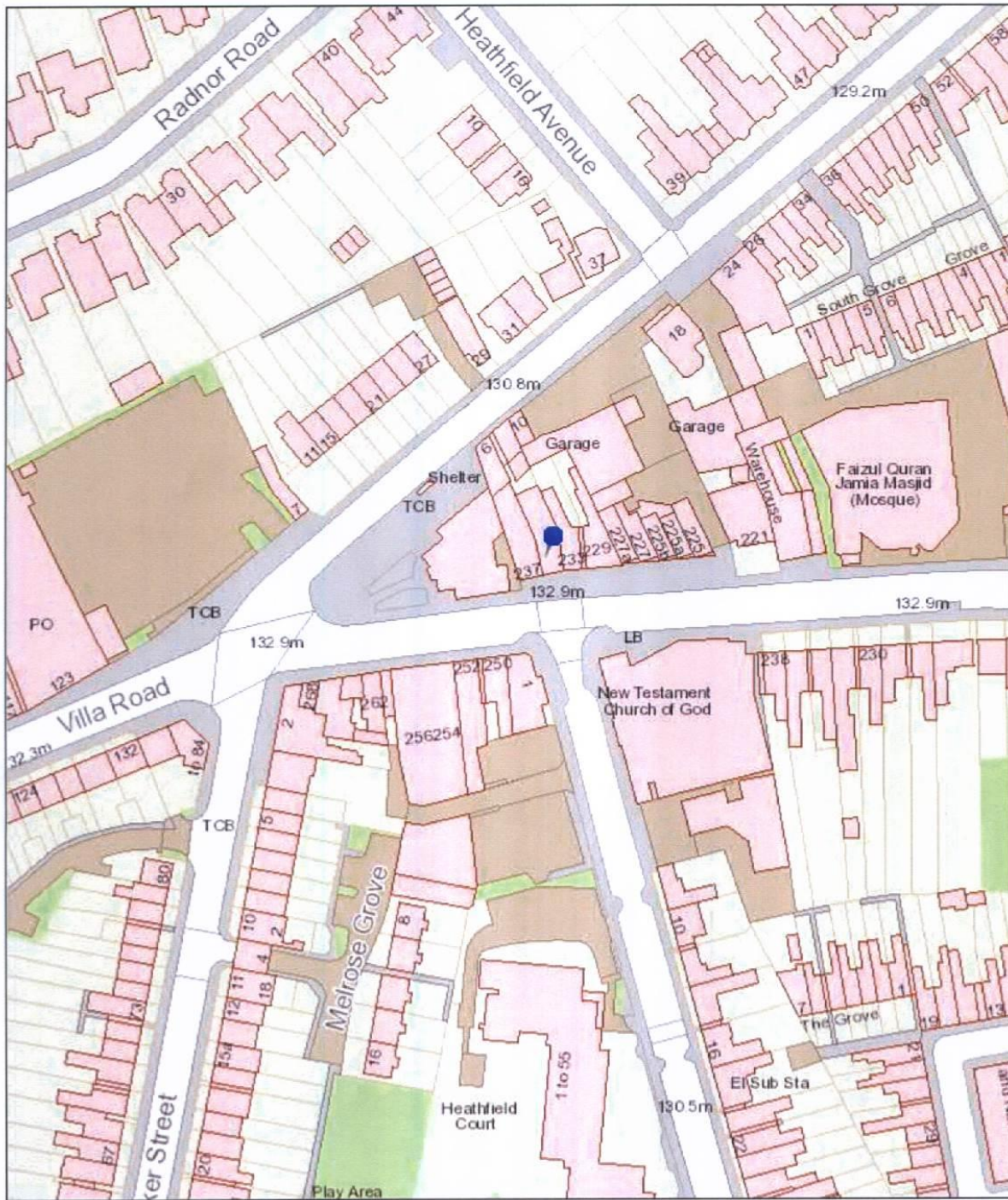
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**Birmingham City Council** Map Created By:

**Notes**

Date of Map Creation: 13/06/2017



Scale:  
1:1,250

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