

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B

TUESDAY, 06 OCTOBER 2020 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 Chairman to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) 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 that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

3 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3 - 12

4 MINUTES

To confirm and sign the Minutes of the meeting held on 4 August 2020.

13 - 52

5 LICENSING ACT 2003 PREMISES LICENCE – GRANT TOTAL ECLIPSE, 433 – 435 DUDLEY ROAD, BIRMINGHAM, B18 4HD

Report of the Interim Assistant 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 Chairman are matters of urgency.

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B 4 AUGUST 2020
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MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY 4 AUGUST 2020 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Nagina Kauser in the Chair;

Councillors Nicky Brennan and Adam Higgs.

ALSO PRESENT

David Kennedy – Licensing Section
Joanne Swampillai – Legal Services
Katy Townshend – Committee Services

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

NOTICE OF RECORDING/WEBCAST

- 1/040820 The Chairman advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public would record and take photographs except where there are confidential or exempt items.

2/040820 **DECLARATION OF INTERESTS**

Members were reminded that they must declare all relevant and pecuniary and non-pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/040820 No apologies were submitted.
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**LICENSING ACT 2003 PREMISES LICENCE – VARIATION - EDEN MANNA
SUPERMARKET, 122 FRANCES ROAD, COTTERIDGE, BIRMINGHAM, B30
3DX**

Report of the Interim Assistant Director of Regulation and Enforcement was submitted:-

(See document No. 1)

On Behalf of the Applicant

Anthony Gregson – Agent – Hospitality Training Solutions
Stacey Lukika – Employee and Applicant's wife.

Those Making Representations

Chris Jones – West Midlands Police (WMP)
Mary Locke – Local Ward Councillor.

* * *

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

The Chairman then explained the hearing procedure prior to inviting the Licensing Officer, David Kennedy to outline the report.

Afterwards, the Chairman invited the applicant to make their submission. At which stage Anthony Gregson, made the following points on behalf of the applicant: -

- a) That the shop had been trading 17 months and was a vital part of the community; especially during the recent outbreak of Covid-19. The shop provided local residents with daily essentials. The applicant was putting himself at increased risk to ensure the residents felt comfortable and could get their daily essentials.
- b) Since the store had been open, there hadn't been any complaints.
- c) That the location of the premises did not pose a risk to children. Further, other premises close by were able to sell alcohol.
- d) The concerns needed evidencing before the application could be rejected.
- e) The grant application received objections in relation to children and an agreement was made at that hearing to 'show willing' to the local community. Which demonstrated the character of the applicant and his commitment to the area.

- f) The alcohol in the shop had to be kept behind shutters. The reason for the variation was due to the expense of shutters, which meant they had to move the alcohol every day because the applicant could not afford shutters.
- g) The applicant had arthritis in his knee which was making moving the alcohol difficult.
- h) They believed that selling alcohol for the duration of the opening hours would not put children at risk.
- i) Children passed by many shops that sold alcohol on the way to school and would often go and buy sweets from such shops.
- j) They should not be the only shop that has a condition about alcohol not being sold in the morning.
- k) They had stuck by the guidance that was given at the time of the grant application and were not advertising outside even though other premises did.

Chris Jones on behalf of WMP made the following points: -

- a) That the original application last year requested a licence from 11am-midnight 7 days a week and the Committee decided to curtail the hours to 5:30pm-midnight Monday-Friday and 11am-midnight Saturday-Sunday. The initial hours applied for would not have impacted children, yet the Committee noted that the head teacher was concerned about children being vulnerable.
- b) The decision was accepted by the licence holder in that alcohol was not to be on view and must be covered with lockable shutters.
- c) The new application offered some extra conditions regarding CCTV, yet there was already a substantial CCTV condition on the licence.
- d) There was also another offered condition regarding external lighting, yet that did nothing to negate the Committee's concerns.
- e) The condition regarding no advertisements outside the premises also did nothing to negate concerns and alcohol could still be seen through the windows from the pavement.
- f) He attended the premises on 12 June, he was concerned at the amount of alcohol on display at the premises, the details of the visit were at pages 54-65.
- g) None of the alcohol was behind shutters.
- h) When Chris spoke to the PLH (Premises Licence Holder) about the issues he said he knew he was in breach of the conditions, but in mitigation said the shop was too small for the alcohol he had and moving it was therefore not practical.

- i) Due to the concerns WMP requested the CCTV footage, yet they were told the system was broken and they did not have the password either. Another licence condition breach.
- j) The applicant knew the CCTV was not working, but was happy to continue trading even whilst in breach of his licence conditions.
- k) WMP revisited on 15 June to review the CCTV system once they had reset the password and the CCTV was working and had a new hard drive.
- l) WMP asked for the hard drive that was removed and the PLH said he didn't have it; the engineer had taken it. Therefore, they gave the applicant a week to recover the hard drive and they arranged to come back.
- m) The alcohol on that occasion was covered by sheets, but again this was not compliant with the Committee's imposed condition of lockable shutters.
- n) The PLH sent an email stating that the hard drive was not available, and the engineer had taken it, so they didn't know where it was. This posed various GDPR and Data Protection issues.
- o) There were no complaints since the premises opened but on 14 January 2020 there was a burglary reported and £2000 worth of vodka was stolen – an excessive amount of alcohol.
- p) The statement from PC Williams at page 69 raised issues about CCTV.
- q) The applicant and the conditions offered did not negate the concerns the original Licensing Committee had for the grant application.

Councillor Mary Locke, Local Ward Councillor made the following points: -

- a) She was the Councillor for this area and was objecting due to the premises being located opposite a primary school.
- b) The licensing objective of protecting children from harm was her concern.
- c) The hours were far too early (6am).
- d) The applicant had submitted documents showing other premises close to schools, however, the school closed several decades ago and the Council District Offices had also closed 5 years ago and were now empty.
- e) There was also a parent refuge nearby for parents who were fleeing from domestic violence.
- f) The head master who previously made an objection to the grant application had left the school and she was not sure if the new head master was aware of the application. However, she could not speak on their behalf.

- g) Safeguarding children is important and serious. Lockdown easing concerned her as schools would be getting back up and running.

In summing up, Cllr Mary Locke made the following points: -

- That the conditions agreed last time were fine and she did not feel the new hours requested were suitable.

In summing up, Chris Jones, on behalf of WMP made the following points: -

- That premises had not proven that they can address the concerns the Committee raised at the previous hearing.
- He did not have faith that the PLH would comply with the conditions of licence, given that they had already breached their current licence conditions.
- Therefore, the application should be refused.

In summing up, Anthony Gregson, on behalf of the applicant made the following points: -

- That the school had not chosen to object to the application.
- That it was not the case that children should be sheltered from alcohol and it didn't happen anywhere else, so it was not fair that it should happen with this premises.
- Variation applications were a new application and should not be compared with the original application.
- That the 6am opening hour was not for monetary gain, it was due to the applicant's health concerns.
- The applicant wasn't in attendance as he was very nervous, and English was his second language. He sometimes stuttered if he got nervous.
- That the CCTV condition was imposed, no evidence to say that he didn't have CCTV. As soon as the PLH realised the CCTV was not working he got it repaired. The circumstances about the hard drive were all speculation.
- The alcohol being on display was a mistake. The condition was imposed during school times, so he assumed that because children weren't at school due to Covid-19 he didn't have to cover the alcohol.
- The challenge 25 policy would protect children from harm.

- The applicant did a very good job trying to promote the Licensing Objectives and to grant the application would be best for the business and the licensing objectives.

At this stage Stacey Lukika indicated that she wished to address the points made by the police officer.

The Chair advised that the time for addressing the Committee had gone and that she should have indicated she wished to speak when invited earlier in the meeting.

At this point the Chair advised that the Committee would be going into private session to seek legal advice. The Members, Committee Lawyer and Committee Manager joined a private teams meeting.

At 1112 the Members and officers re-joined the meeting having taken legal advice and the Chairman invited Stacey Lukika to make her points.

Stacey Lukika made the following points: -

- a) That they submitted the evidence for the burglary. There was a power cut so no one was in the premises at the time; they were not trading.
- b) The £2000 worth of vodka was incorrect – it was alcohol and cigarettes which was the reason it was a big amount.
- c) They haven't made any changes to the building.
- d) The investigation of the robbery was not done properly.
- e) 2 officers attended the premises, saw the shop was closed due to power cut and that was why the burglary occurred. It would not have happened if they were trading as they would have been in the premises.
- f) That she didn't know much about the licence as she wasn't a DPS. However, how would anyone know the CCTV wasn't working until it was checked. They couldn't sit and watch it all day to ensure it was always working.
- g) The screen said it was recording, it wasn't until they went to access it that they realised it was not working.
- h) That Councillor Locke misunderstood the condition so why couldn't they misunderstand it? The school was only open to key worker children, so there were hardly any children around.
- i) They did not sell alcohol before 1730 hours.
- j) Bars and Clubs were closed due to Covid-19 so the demand for alcohol in the shop increased so they had to increase their stock.

- k) That there was a letter from the GP explaining her husband's health concerns.
- l) If they wanted to breach the conditions, they wouldn't have made a variation application.
- m) The school had no concerns and had not objected to the application.
- n) Her husband wanted to work with the community.
- o) They were being victimised for doing what they thought was right.
- p) If they weren't protecting children, why had no parents made objections.
- q) That the Councillor's objection last year was about crime and now it was about children. She had just objected for the sake of it.

The Chairman advised that Councillor Locke had the right to object, and this was a fresh application.

Stacey Lukika advised that the information submitted by WMP and Councillor Locke all made reference to the previous application and if it was deemed a new application then that information shouldn't be considered. Her final point was in relation to the objectors who she felt had approached the issues wrongly. She felt they should have sat the applicant down and tried to make him understand as there was a language barrier.

Councillor Locke advised that the school was open during lockdown.

Chris Jones, WMP advised that the premises had not proven or negated any concerns and had also breached their licence conditions. Further, the PLH did not give Chris the impression they he did not understand what was happening or being said when they carried out inspections.

Anthony Gregson reminded Members that it was a fresh application. The hours agreed at the grant hearing were agreed with the head teach and not imposed by the Committee – therefore because it wasn't a Committee concern it does not need to be negated.

Councillor Locke added that the hours agreed at the previous hearing were sufficient, she still had concerns about the protection of children.

The Committee Lawyer asked Stacey Lukika whether there were lockable shutters or blinds over the alcohol.

She responded to say that they did have blinds, but due to the increase in alcohol they did not have enough blinds, therefore they currently had no shutters or blinds.

The Committee Lawyer then asked Stacey Lukika to clarify what was stolen during the robbery.

She said she did not understand the importance of the question – it was not just vodka but other types of alcohol and cigarettes.

The Chair asked how many CCTV cameras were in the premises.

She stated that the premises had 4 CCTV cameras.

Anthony Gregson concluded that mistakes had been made however the police had the power to discuss and explain things to the licensee. The application was enough to show how children would be protected from harm and if there were any problems in the area, that would have been brought to the Committees attention. The applicant was an outstanding member of the community and was running a good store.

At this stage the meeting was adjourned in order for the Sub Committee to make a decision and all parties left the meeting. The Members, Committee Lawyer and Committee Manager conducted the deliberations in private and decision of the Sub-Committee was sent out to all parties as follows: -

4/040820

RESOLVED:-

That the application by Eden Manna Supermarket Ltd to vary the premises licence in respect of Eden Manna Supermarket, 122 Frances Road, Cotteridge, Birmingham B30 3DX, under section 34 of the Licensing Act 2003, be refused.

The Sub-Committee carefully considered the operating schedule put forward by the applicant, and the likely impact of the variation application, but is not satisfied that the protection of children from harm licensing objective would be promoted, due to the style of management displayed by the applicant - particularly given the observations made by West Midlands Police.

The applicant, via his agent, stated that the application to vary had not been made for any commercial reason; rather, it was because of the applicant's health problems, and to "ease the burden" on him. This was confirmed by the applicant's wife, who also attended the meeting and addressed the Sub-Committee. The applicant did not attend.

The Sub-Committee determined that the variation sought was substantial as it would extend the licensable hours, on all days of the week, far earlier into the hours of the morning and afternoon; moreover, the effect of the proposed operation would extend beyond the licensed premises itself. There was a primary school opposite the shop; there was also a parents' refuge nearby, which the Sub-Committee heard was used by those fleeing domestic violence.

Consequently, significant weight was attached to the representations made by West Midlands Police and a local Ward Councillor, relating to the impact of the proposed operation on those in the neighbourhood, especially children attending the primary school.

Both of those making representations felt that only the existing hours for the sale of alcohol (as determined in the decision of the Sub-Committee in March 2019) gave proper protection from harm for local children. To bring the hours forward, such that alcohol would be on sale from 06.00 hours daily, risked undermining the licensing objective.

In addition, West Midlands Police expressed concerns that the conditions agreed and imposed in March 2019 were not in fact being observed by the applicant. The Police drew the attention of the Sub-Committee to the condition that '*the licence holder shall ensure that at times when the premises are open but alcohol is not for sale that alcohol is not on view and is covered by lockable blinds or shutters.*' Upon attending at the premises at 11.50 hours on a Friday, ie a day when alcohol was not to be sold until 17.30 hours, officers observed that alcohol was openly on display behind the sales counter in an open fridge and on shelving units, and could be seen from the public footpath.

When spoken to by officers, the applicant had stated that he was aware of his licence conditions and knew that he was in breach of them by displaying alcohol in the premises outside his licensable hours; however he stated that the shop was too small to store the amount of alcohol and that it was impracticable to keep removing it on and off display. This appeared to be a reference to his health condition, which made moving the alcohol difficult.

The Police had also been dissatisfied with the applicant's arrangements regarding CCTV, and considered him to not be following the relevant conditions of the licence. Accordingly the Police had not been persuaded that the new conditions proposed by the applicant would add anything to uphold the licensing objectives; the issue was the applicant's capability in promoting the licensing objectives.

The Sub-Committee agreed with this; the Members were not altogether impressed with the management style described, and noted in particular that the applicant had admitted breaching the condition regarding the display of alcohol outside the licensable hours. Whilst the Sub-Committee accepted that the applicant was providing a service to the community, this type of failure to follow conditions already on the licence hardly inspired confidence that the applicant was a suitable person to have his licensable hours extended such that he would be able to sell alcohol all day, starting from 06.00 hours, or that he would take his responsibilities under the Act seriously. Accordingly, the Sub-Committee resolved to refuse the application.

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 information in the application for a variation, the written representations received, and the submissions made at the hearing by the applicant's agent, the applicant's wife, West Midlands Police and the local Ward Councillor.

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 Sub-Committee B – 4 August 2020.

Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

Please note, the meeting ended at 1152.

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Interim Assistant Director of Regulation & Enforcement
Date of Meeting:	Tuesday 6th October 2020
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Total Eclipse, 433 – 435 Dudley Road, Birmingham, B18 4HD
Ward affected:	North Edgbaston
Contact Officer:	Bhupinder 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 initially sought to permit the Sale of Alcohol (for consumption off the premises) to operate from 7:00am until 12:00midnight (Sunday to Thursday) and 7:00am until 3:00am (Friday and Saturday).

To permit the provision of Late Night Refreshment to operate from 11:00pm until 12:00midnight (Sunday to Thursday) and 11:00pm until 3:00am (Friday and Saturday).

Premises to remain open to the public from 7:00am until 12:00midnight (Sunday to Thursday) and 7:00am until 3:00am (Friday and Saturday).

After discussions with West Midlands Police, the applicant has agreed to amend the scope of the application. The applicant has agreed to terminate licensable activities at 2:00am on Friday and Saturday. The agreed conditions with West Midlands Police are attached to this report at Appendix 5.

Other dates and times as specified in the application form.

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 14th August 2020 in respect of Total Eclipse, 433 – 435 Dudley Road, Birmingham, B18 4HD.

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:

Amera Campbell applied on 14th August 2020 for the grant of a Premises Licence for Total Eclipse, 433 – 435 Dudley Road, Birmingham, B18 4HD.

Representations have been received from other persons. See Appendices 1 – 3.

The application is attached at Appendix 4.

Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 5.

Site Location Plans at Appendix 6.

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 – 3

Application Form, Appendix 4

Conditions agreed with West Midlands Police, Appendix 5

Site Location Plans, Appendix 6

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.

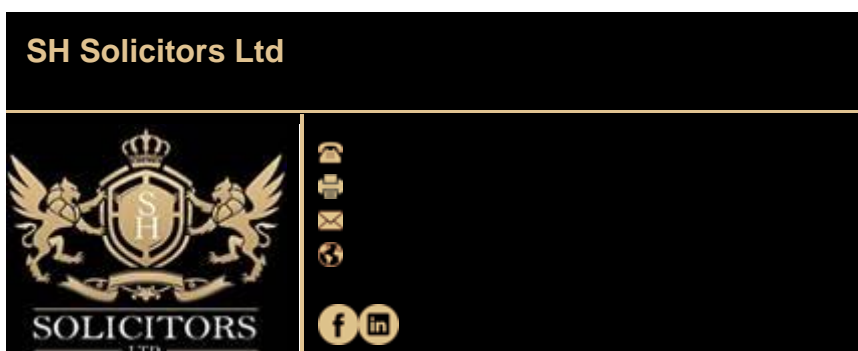
From:
Sent: 21 August 2020 11:33
To: Licensing
Subject: OBJECTION- 435 DUDLEY ROAD, BIRMINGHAM, B18 4HD

Dear Sirs / Madam

It has come to my attention that a licence to serve Alcohol has been granted at 435 Dudley Road, Birmingham, B18 4HD. I would like to object against this as I operate a firm of Solicitors directly above these shop premises and this would grossly affect my business. As you may or may not be aware there are many off licenses situated on the main Dudley Road and this will only contribute to increase of anti- social behaviour and crime in the area. I do not want such customers / anti social type behaviour to start taking place outside my office.

I have been petitioning to get other licenses revoked only to be told that it has already been granted in the same building as myself and without me being informed or having the opportunity to object. As the street watch co-ordinator of the area I will ensure that the license is withdrawn.

I look forward to hearing from you.



From:
Sent: 21 August 2020 12:29
To: Licensing
Subject: Off licence request 435 B18 4HD

Hello, hope you are well.

I am emailing regards the above request and would like to formally object.

A few reasons for my objections are that there are already many in the area, this has been directly related to increasing antisocial behaviour and crime in the area, many alcohol related cans and bottles left on the roads. With individuals drinking on the roads me and my family do not feel safe or comfortable walking on these roads any more!

If this were to be granted I feel our concerns will only increase.

I would hope you are able to take my concerns into consideration and reject this licence request.

Kind regards,

From:
Sent: 21 August 2020 12:54
To: Licensing
Cc:
Subject: Re: licensing application

Hi,

It has come to my knowledge, a request for a licensing application has being made from the Birmingham City Council to open yet another off licence.

The property in question 435 Dudley B18 4HD.

This is an already deprived area with enough anti social behaviour for our community to deal with. By having more places which attact trouble with only increase the tension in this area.

It's the duty of the council to consider the residents opinions, and I am writing to you to tell you that we totally disagree with any more off licenses.

Perhaps you should take a walk down here rather than sitting in an office and stamping your approval.

Yours sincerely



Birmingham
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

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

☒ Applying as an individual

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

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="Nick"/>
* Family name	<input type="text" value="SEMPER"/>
* E-mail	<input type="text"/>
Main telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

Include country code.

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

Are you:

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

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

Agent Business

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

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

Registration number	<input type="text" value="12708406"/>
Business name	<input type="text" value="TL Guys Ltd"/>
VAT number	<input type="text" value="-"/> <input type="text" value="None"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text" value="Director"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

Building number or name	Rural Enterprise Centre
Street	Vincent Carey Road
District	Rotherwas Business Park
City or town	HEREFORD
County or administrative area	Herefordshire
Postcode	HR2 6FE
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	433-435
Street	Dudley Road
District	
City or town	BIRMINGHAM
County or administrative area	West Midlands
Postcode	B18 4HD
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	15,250

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

Amera Beverley

Family name

CAMPBELL

Is the applicant 18 years of age or older?

☒ Yes

☐ No

Continued from previous page...

Current Residential Address

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

☒ Yes

☐ No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

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

☒ Yes

☐ No

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

E-mail

Telephone number

Other telephone number

* Date of birth

 -

dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

Right to work share code

Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

 01 / 09 / 2020

dd mm yyyy

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

 / /

dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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

This is a pre-existing and established takeaway business that wishes to expand by obtaining a premises by way of off-sales either over a counter or as part of a takeaway meal.

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

1: Queen's Printer and Controller of HMSO 2009

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

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

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...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☐ Indoors

☒ Outdoors

☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of late night refreshments 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.

Terminal hour extended to 03:00 on Bank Holidays, Sundays preceding Bank Holidays, Christmas Eve and New Year's Eve.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 07:00

End 00:00

Start

End

TUESDAY

Start 07:00

End 00:00

Start

End

WEDNESDAY

Start 07:00

End 00:00

Start

End

THURSDAY

Start 07:00

End 00:00

Start

End

FRIDAY

Start 07:00

End 03:00

Start

End

SATURDAY

Start 07:00

End 03:00

Start

End

SUNDAY

Start 07:00

End 00:00

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.

Will the sale of alcohol be for consumption:

☐ On the premises ☒ Off the premises ☐ Both

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

State any seasonal variations

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

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

Continued from previous page...

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

Terminal hour extended to 03:00 on Bank Holidays, Sundays preceding Bank Holidays, Christmas Eve and New Year's Eve.

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

Name

First name

Family name

Date of birth - -

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

Continued from previous page...

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

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

Continued from previous page...

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.

Terminal hour extended to 03:00 on Bank Holidays, Sundays preceding Bank Holidays, Christmas Eve and New Year's Eve.

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

In making this application, we have taken into account the Guidance issued under the Licensing Act 2003 and the Licensing Policy of City of Birmingham Council. We have inspected the area and have noted the environmental and socio-economic composition. As a consequence of all this, we are applying effective conditions in order to promote the Licensing Objectives. We would stress that NO more than 25% of the shop's floorspace would be given over to alcohol display.

b) The prevention of crime and disorder

1. Spirits of high ABV will be sold from behind the counter.

2. When the Designated Premises Supervisor is not on duty, a contact telephone number will be available at all times.

3. CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly regarding facial recognition.

Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs.

Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days.

The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in recordable media format, and able to produce it to a Police Officer and/or an authorised Local Authority/Council Trading Standards Officer on demand and in a viewable format.

The CCTV equipment shall be kept in a secure environment under the control of the DPS or other responsible named individual.

An operational daily weekly report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police (on contact number '101') and Council Licensing Department immediately.

4. An incident log must be kept at the premises. Incident log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Trading Standards Officer or the Police, and must record the following:

(a) all crimes reported to the premises (where relevant to the licensing objectives)

(b) all ejections of patrons

Continued from previous page...

(c) any complaints received (where relevant to the licensing objectives)

(d) any incidents of disorder

(e) any faults in the CCTV system or searching equipment or scanning equipment

(f) any refusal of the sale of alcohol or tobacco products

(g) any visit by a relevant authority or emergency services, noting time, date & purpose and those officials by name.

c) Public safety

5. The Premises Licence Holder shall have a procedure in place to ensure that the Fire Exit(s) is checked regularly and clear of obstruction at all time.

6. Emergency lighting and smoke detectors and self-closing emergency door(s) shall be installed and inspected regularly to ensure that they are in good working order and free of hindrance or obstruction.

d) The prevention of public nuisance

7. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quickly and quietly.

e) The protection of children from harm

8. A written register of Refusals on grounds of age or sobriety will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months and will be collected by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer the Local Authority/Council on demand.

9. All staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing prior to commencing employment unless themselves a Personal Licence Holder in their own right. Retraining will be carried out every 12 months. Training records shall be kept on the premises and produced to the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of the Local Authority/ Council) on demand.

10. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer the Local Authority/Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme operated.

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 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.

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 <https://www.tax.service.gov.uk/business-rates-find/search>

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

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

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

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

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

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

Capacity 5000-9999 - £1,000.00

Capacity 10000 -14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE

- * ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15).

THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS

- * PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

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

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

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

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



Total Eclipse
433-435 Dudley Road
Birmingham
B18 4HD

Scale 1:100

Key

— Licensable Activity

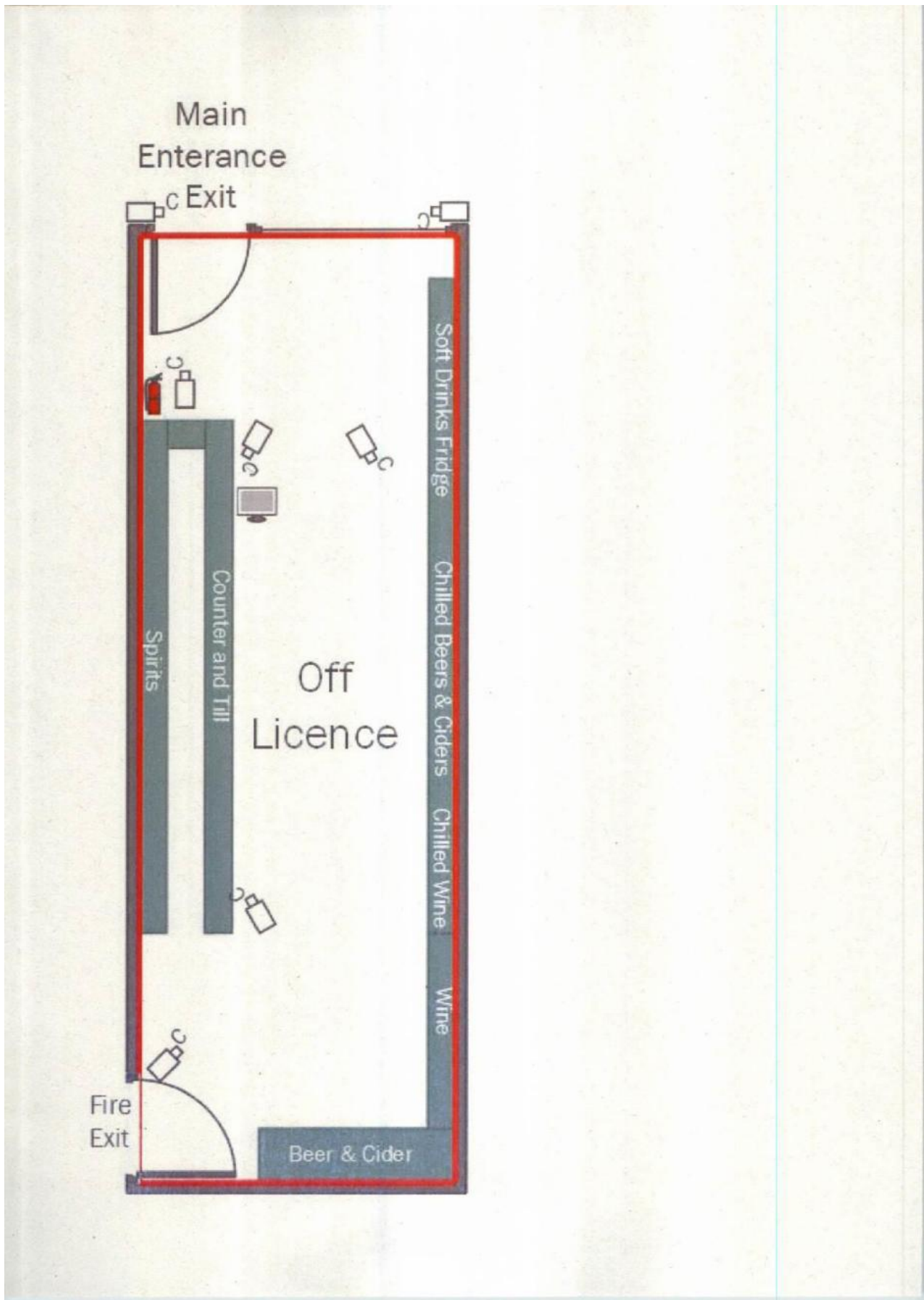
 CCTV Camera

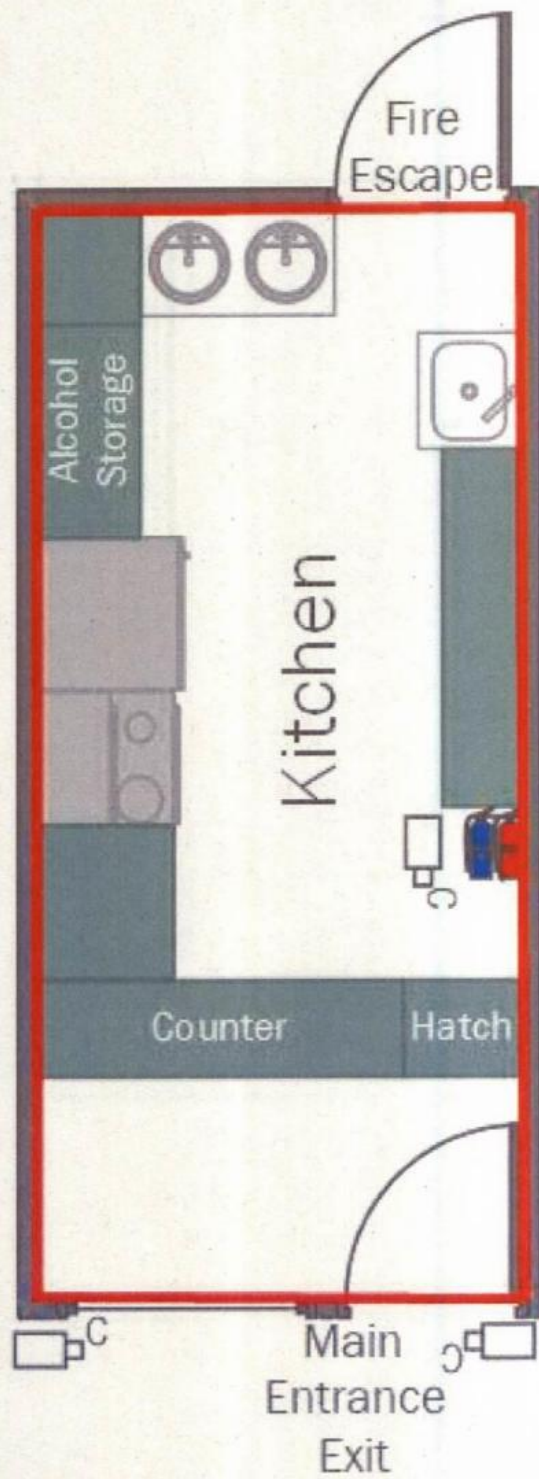
 Foam Fire Extinguisher

 Co2 Fire Extinguisher

 CCTV Monitor







From: Christopher Jones
Sent: 19 August 2020 08:57
To: Licensing
Cc:
Subject: FW: [External]: RE: Total Eclipse 433-435 Dudley Rd, Birmingham B18 4HD - GRANT

Good Morning Licensing,

West Midlands Police have reviewed the application for Total Eclipse, 433-435 Dudley Rd. B18 4HD and are happy that if the below conditions are added to the premises licence along with the conditions already offered by the applicant then the licensing objective will be met and promoted. The below conditions have been agreed by the applicant, via their solicitor who is also copied into this email.

- Licensable activity to terminate at 02.00hrs Friday & Saturday. Also bank holidays, Sundays proceeding bank holidays, Christmas eve and new year's eve.
- From 23.00hrs alcohol sales from the 'take away' area will be ancillary to the main purpose of food sales will be limited to those customers who are making a substantial food order.
- There will be no alcohol allowed on the premises in open containers and no alcohol will be consumed on the premises.
- The premises will not sell any ciders, lagers or alco-pops above 6.5% ABV
- If for any reason the hard drive of the CCTV system needs to be replaced, the old hard will be kept on the premises for a minimum of 31 days and made immediately available to any of the responsible authorities on request.
- An age verification and delivery policy will be operated when alcohol is ordered for delivery. To maintain the veracity of this policy an age verification at the point of delivery is required. This written policy will be made available to any of the responsible authorities on request. All deliveries will be signed at point of receipt by the person making the order. A copy of all deliveries will be kept by the premises for no less than 3 months for inspection by any of the responsible authorities in request.
- Deliveries of alcohol made by 3rd parties and staff not employed directly by the premises licence holder will not be dispatched until a minimum of 24 hours have passed from receipt of the order.
- A documented contract will be in place to ensure the third party carries out an age verification check and delivers in line with the current licensing act. This contract will be made available to any of the responsible authorities on request.
- Staff making deliveries of alcohol employed directly by the premises licence holder will be trained in their responsibility of the licensing act and premises licence operating conditions. This training will be documented and signed by both the trainer and trainee. No staff to carry out deliveries without this documented training with the exception of personal licence holders. This training is to be refreshed every 6 months signed by both the trainer & trainee and documented.

If the above conditions are imposed onto the premises licence then West Midlands Police have no objection to this application.

Regards

Chris Jones 55410

Birmingham Central Licensing Team West Midlands Police
Tel: 101 (ext. 801 1628) - DD: 0121 626 6099

Preventing crime, protecting the public and helping those in need.

From: The Licensing Guys [Licensing]

Sent: 18 August 2020 13:38

To: Christopher Jones

Cc: Nick Semper

Subject: [External]: RE: Total Eclipse 433-435 Dudley Rd, Birmingham B18 4HD - GRANT

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

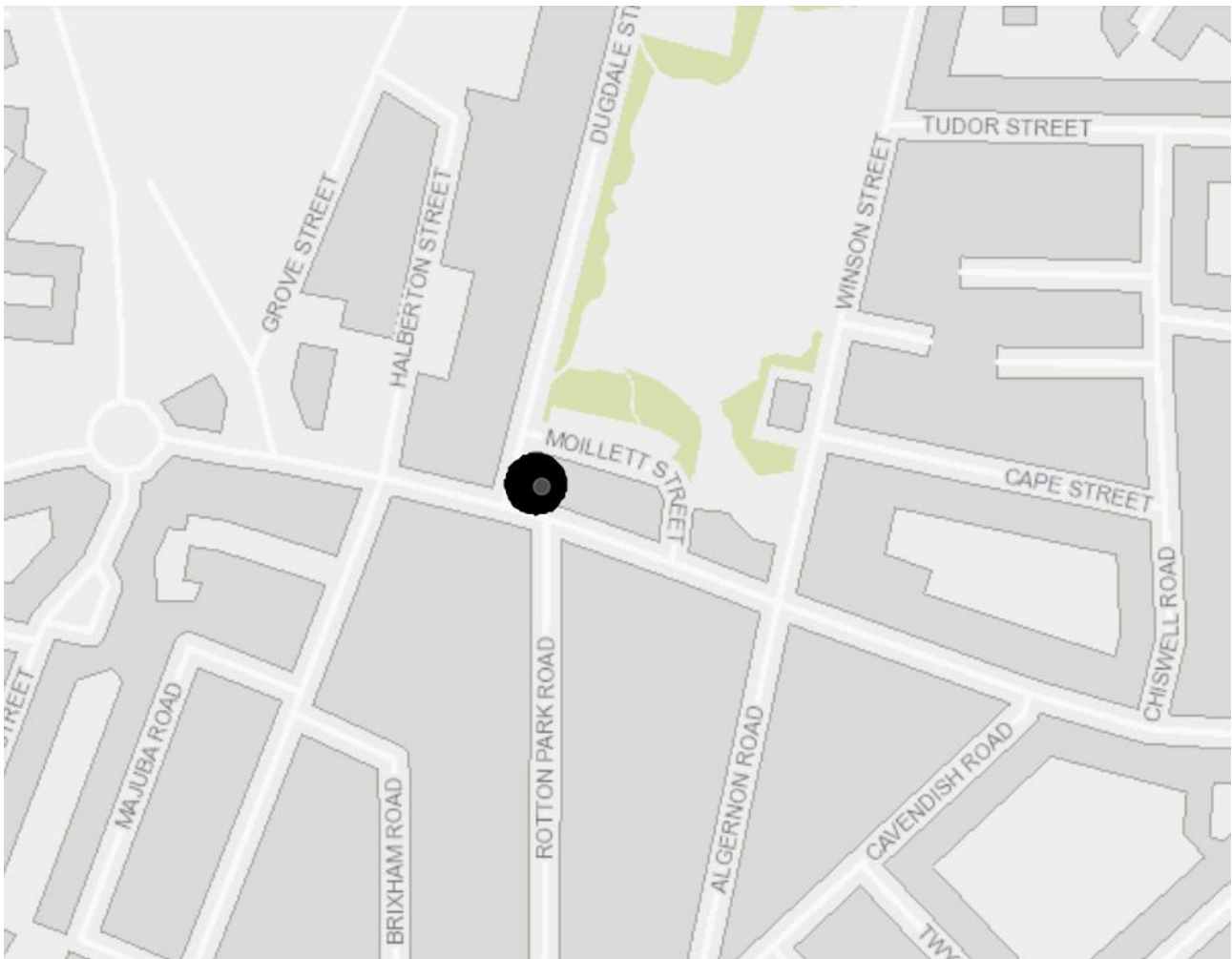
Good Afternoon Chris

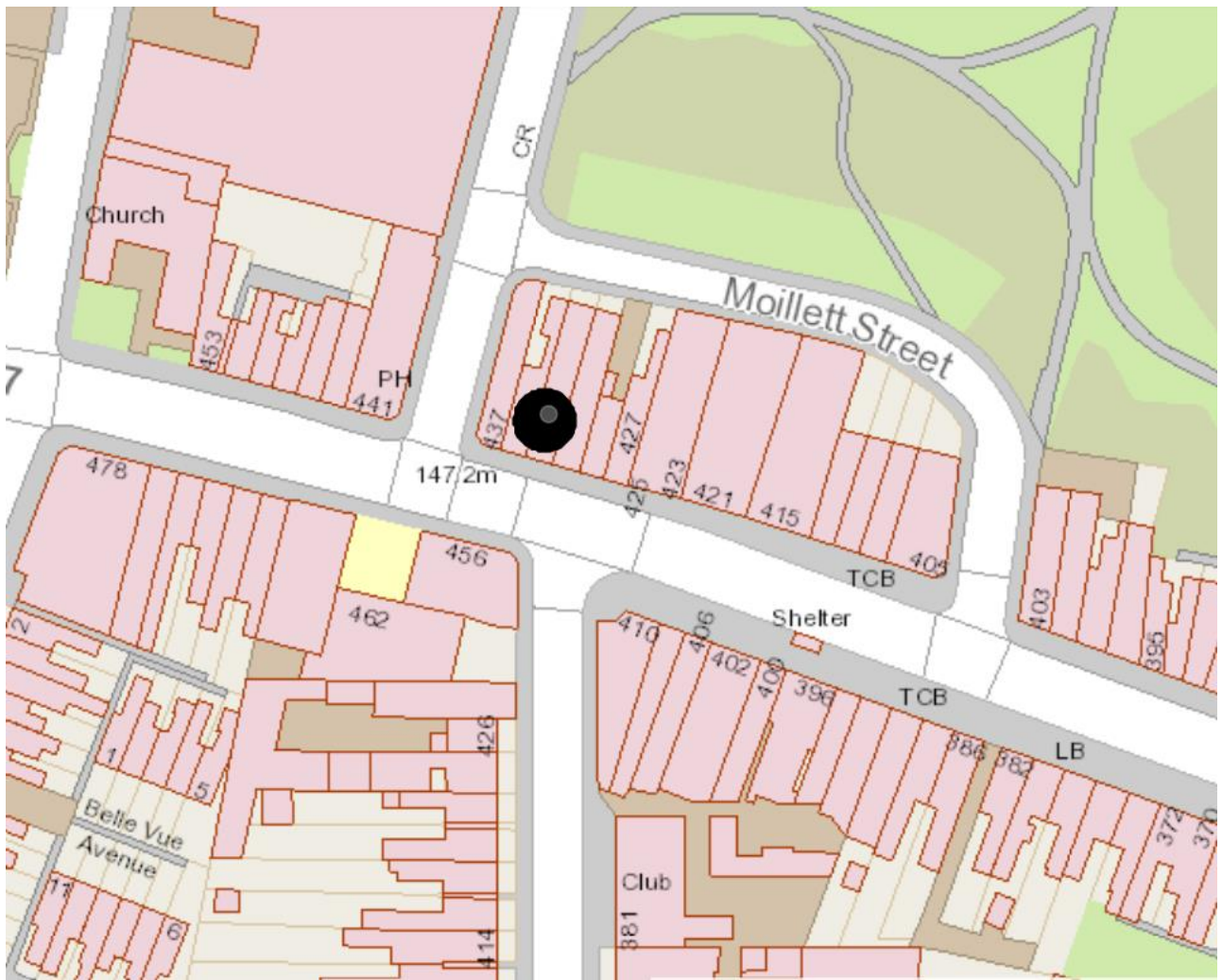
Good to speak to you on the phone, We accept the conditions below and will add these to the application.

Kind Regards

Paul Neades









THE
LICENSING GUYS
KEEPING YOU LEGAL AND TRADING

CRIME & ASB DATA

Mar – Aug 2020

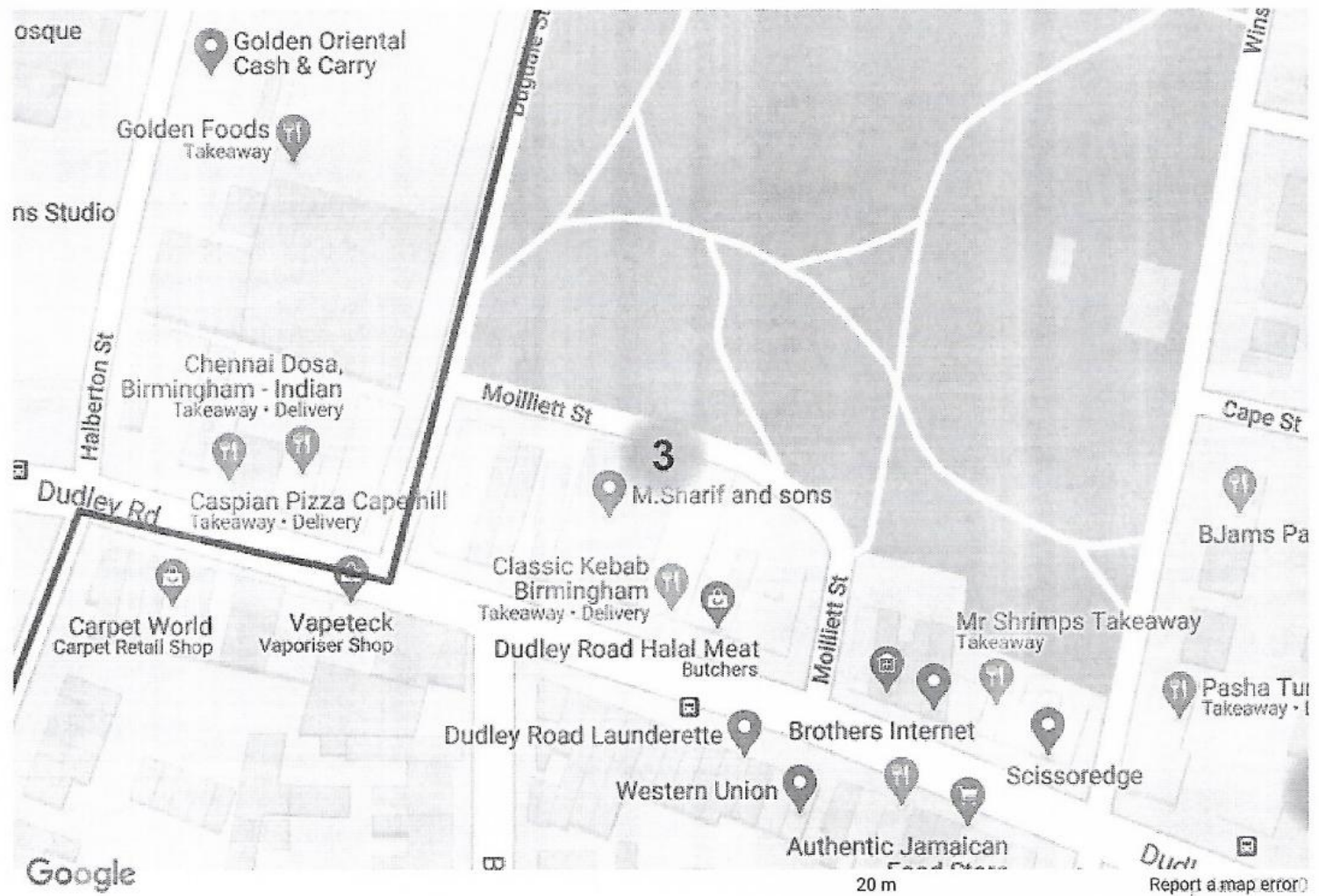
for

435 Dudley Road

BIRMINGHAM

B18 4HD

Source: UK Crime Mapper c/o Home Office & West Mids Police



3 crimes were reported here in March 2020

Crime type	Instances
Anti-social behaviour	1
Theft from the person	1
Violence and sexual offences	1

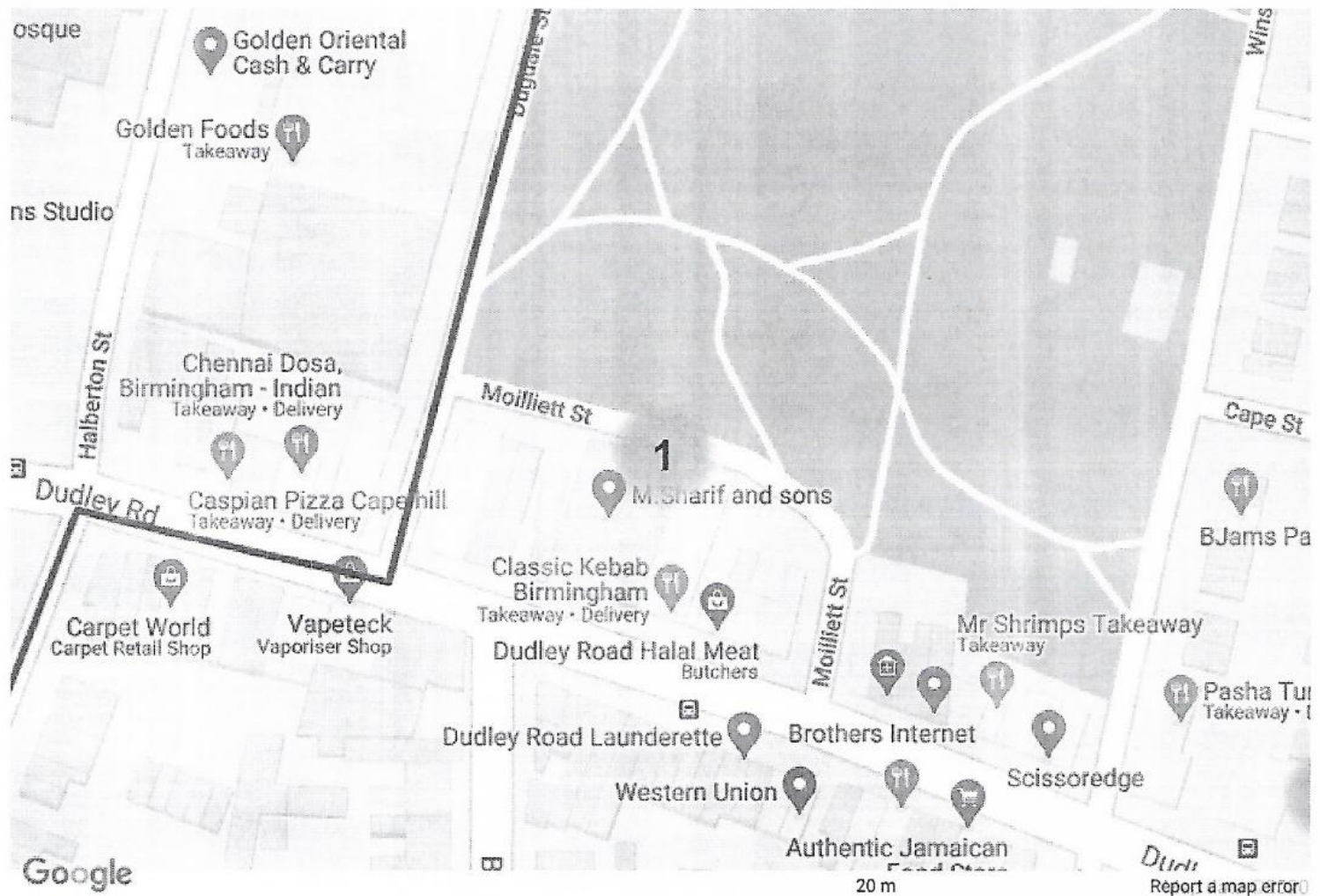
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About this crime map

This map is populated with data submitted by local forces. The location of the hotspots shown on this map has been anonymised.

Please note that not all crimes that occurred can be shown on the map.



1 crimes were reported here in April 2020

Crime type	Instances
Vehicle crime	1

[View crime definitions](#)

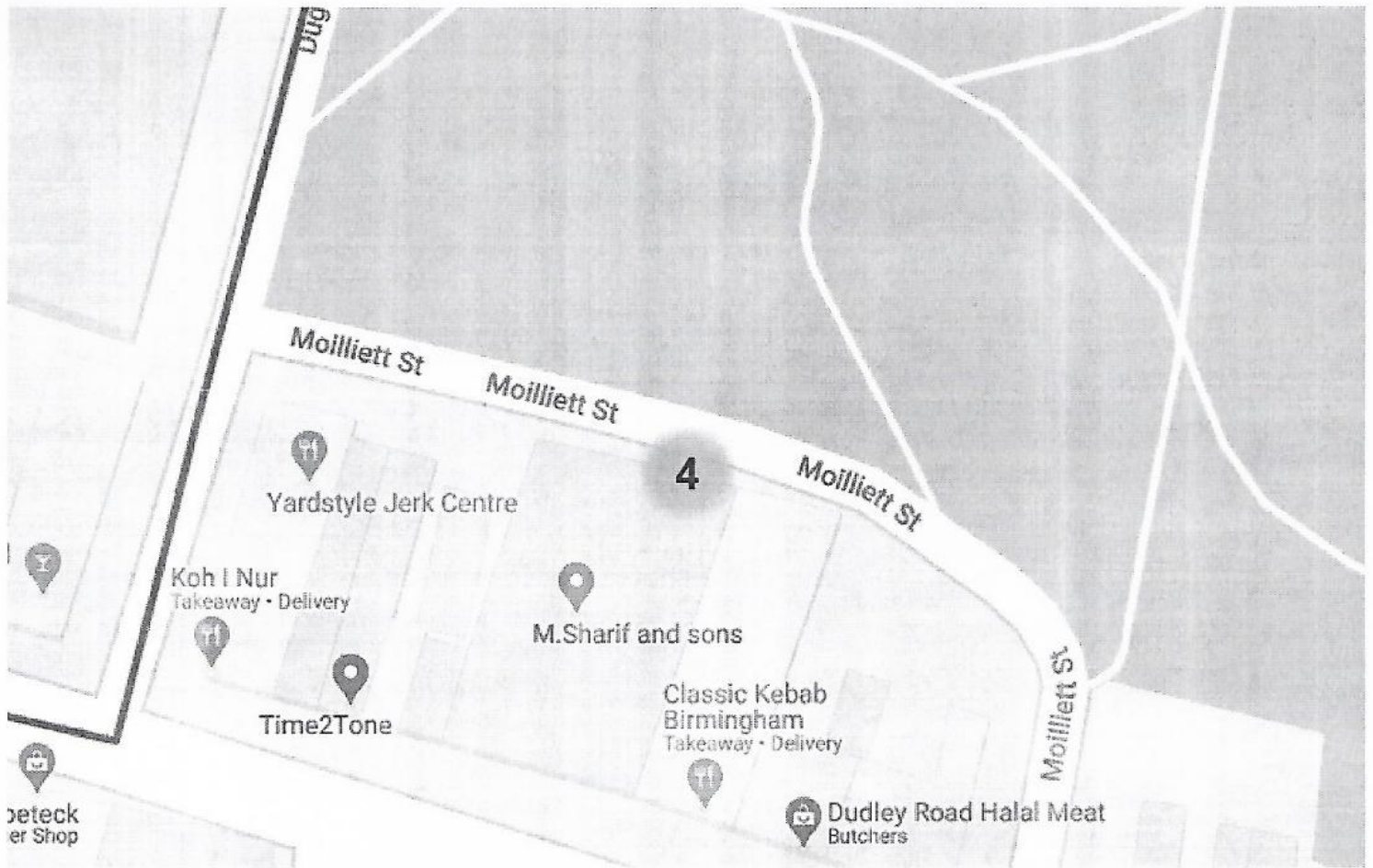
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About this crime map

This map is populated with data submitted by local forces. The location of the hotspots shown on this map has been anonymised.

Please note that not all crimes that occurred can be shown on the map.

0 incidents of Crime occurred in West Midlands Police could not be mapped to a location and therefore are not on this map. [Learn more about how data is managed on police.uk.](#)



Google

10 m

[Report a map error](#)

4 crimes were reported here in May 2020

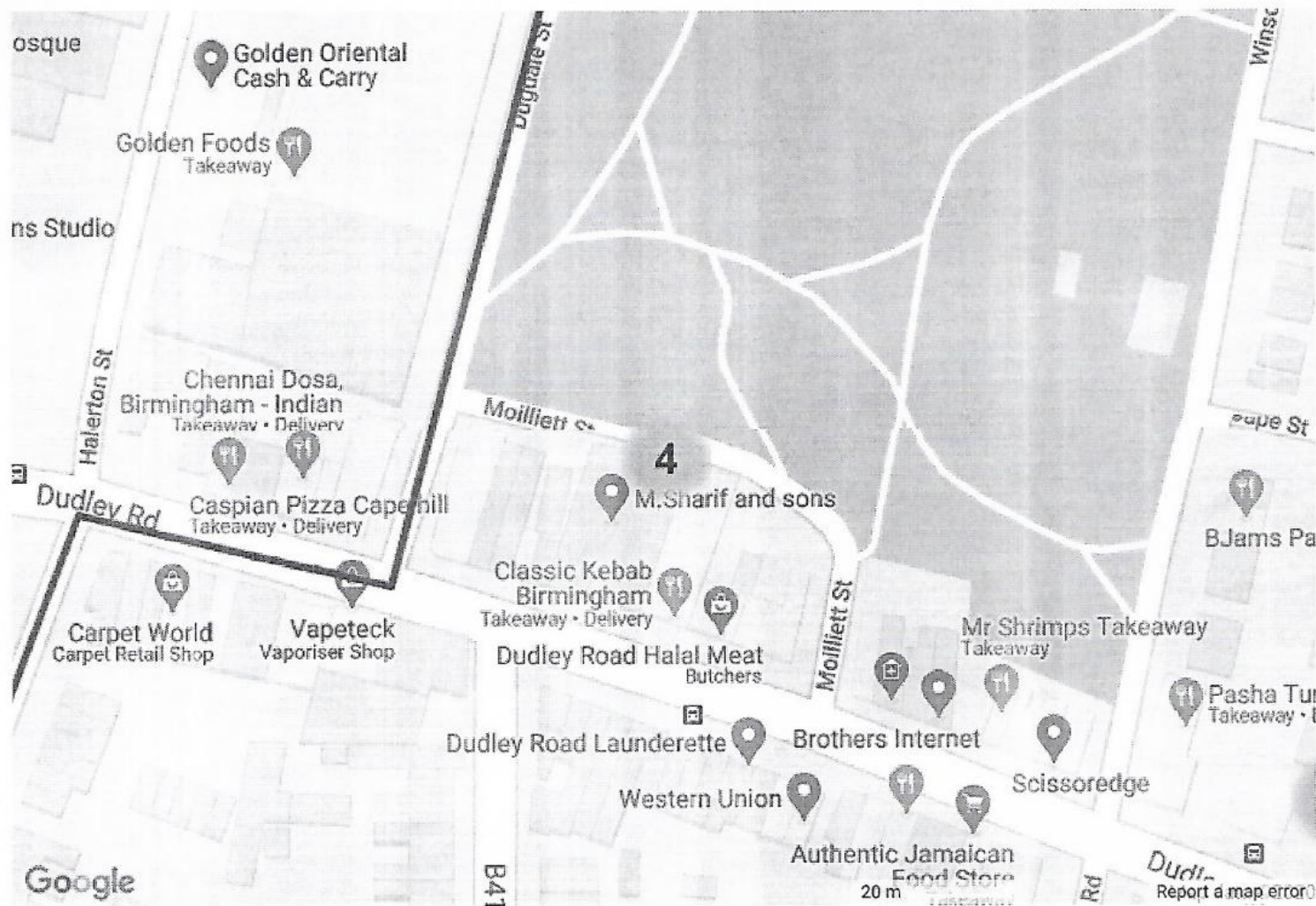
Crime type	Instances
Anti-social behaviour	2
Violence and sexual offences	2

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About this crime map

This map is populated with data submitted by local forces. The location of the hotspots shown on this map has been anonymised.

Please note that not all crimes that occurred can be shown on the map.



4 crimes were reported here in June 2020

Crime type	Instances
Public order	2
Violence and sexual offences	2

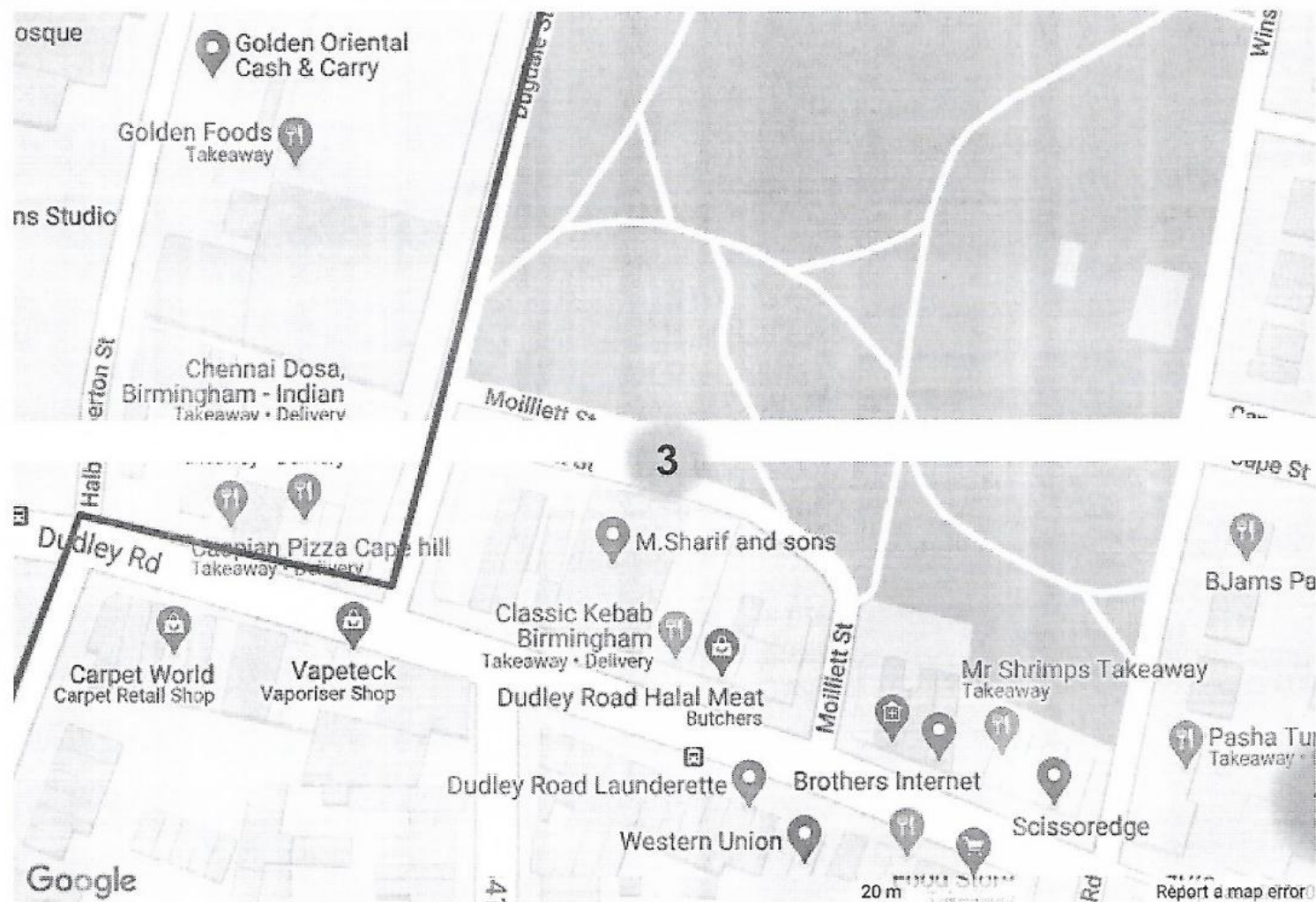
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About this crime map

This map is populated with data submitted by local forces. The location of the hotspots shown on this map has been anonymised.

Please note that not all crimes that occurred can be shown on the map.



3 crimes were reported here in July 2020

Crime type		Instances
Anti-social behaviour	1	
Criminal damage and arson	1	
Public order	1	

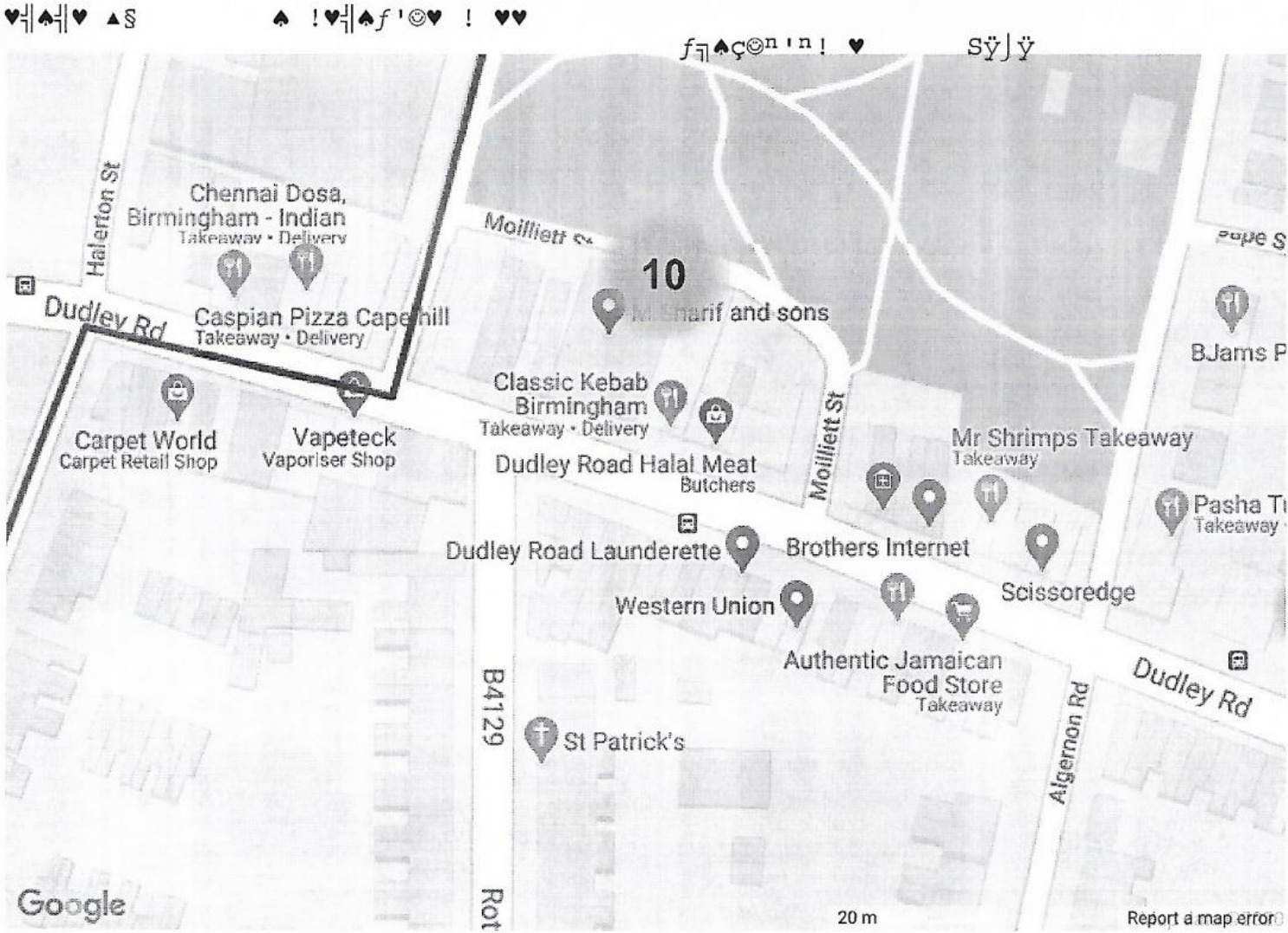
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About this crime map

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Please note that not all crimes that occurred can be shown on the map.



10 crimes were reported here in August 2020

Crime type		Instances
Violence and sexual offences		7
Anti-social behaviour		3

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About this crime map

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Please note that not all crimes that occurred can be shown on the map.

