

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Wednesday 25th July 2018
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	The Deli in Boldmere, 60B-60C Boldmere Road, Sutton Coldfield, B73 5JT
Ward affected:	Sutton Vesey
Contact Officer:	Shaid Yasser, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:
<p>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 both on and off the premises) to operate from 08:00am until 11:00pm (Monday to Sunday).</p> <p>The provision of Regulated Entertainment consisting of live music, recorded music, performances of dance and anything of a similar description to operate from 08:00am until 11:00pm (Monday to Sunday).</p> <p>The above activities to operate both indoors and outdoors, with the exception of recorded music to operate indoors only.</p> <p>Premises to remain open to the public from 08:00am until 11:00pm (Monday to Sunday).</p> <p>The garden terrace seating area and external bar shall remain open to the public between the hours of 09:00am and 09:00pm.</p>

2. Recommendation:
<p>To consider the representations that have been made and to determine the application.</p>

3. Brief Summary of Report:
<p>An application for a Premises Licence was received on 1st June 2018, in respect of The Deli in Boldmere, 60B-60C Boldmere Road, Sutton Coldfield, B73 5JT.</p> <p>Representations have been received from other persons.</p>

4. Compliance Issues:
4.1 Consistency with relevant Council Policies, Plans or Strategies:
<p>The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.</p>

5. Relevant background/chronology of key events:

Philippa Goode applied on 1st June 2018 for the grant of a Premises Licence for The Deli in Boldmere, 60B-60C Boldmere Road, Sutton Coldfield, B73 5JT.

Representations have been received from other persons, see Appendices 1 – 2.

The application is attached at Appendix 3.

Conditions have been agreed with Environmental Health and the applicant, which are attached at Appendix 4.

Site Location Plans at Appendix 5.

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

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

6. List of background documents:

Copies of the representations are detailed in Appendices 1 – 2
Application Form, Appendix 3
Conditions agreed with Environmental Health, Appendix 4
Site Location Plans, Appendix 5

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.

BCC	
REGULATION & ENFORCEMENT	
LICENSING SECTION	
DATE RECEIVED	
18 JUN 2018	
REF NO
INITIALS

Redacre Road ^{ENTRUE} 49
Sutton Coldfield
Birmingham
B73 5DX
15th June 2018.

Dear Sir/Madam

Re application for new premises licence.

Ref number 106613.

In the name of ..

60B & 60C Boldmere B73 5TJ.

Please accept this letter as a formal objection to the application for a total sale and provision of entertainment both between the hours of 8am and 11pm.

I am aware that a number of other local residents are objecting to this application.

This property has recently created an outside area behind their building at 60B & C Boldmere Rd, this area is

adjacent to my garden where I and the family obviously enjoy spending evenings, this garden area

of my mine has been quiet and
peaceful ever though we live next
to a retail area, however now a
wildly unacceptable development has
been allowed to rear of 60 B+C which
will have a "outside" bar area, I am
strongly concerned that this is an
"categorized" (d) a public nuisance
although the area has a proposal for
is only until 9pm I am concerned that
this will not be adhered to as the
suggestion of alcohol will come after
this time causing a nuisance of application
for a license will 11pm is granted.
Bodnere has a number of premises serving
alcohol and I have seen a steady
increase in crime and disorder as
a result of late or night drinking over
the years, another establishment selling
alcohol will only add to this!
I also note with trepidation an
application for entertainment,

although this has a conclusion of no application, a man or woman playing a guitar or drums without application can make a very loud noise! again this outside area is ... to my rear garden!

Just to recap I object on the main points of:

- 1) Increase in crime and disorder
- 2) public nuisance, both from alcohol consumption and especially from noise in the rear area

A nuisance would also be caused by yet more parking on footways.

- 3) with regard to crime and disorder I note with interest "All members of staff shall be trained to deal with suspicious customers effectively"

I wait with interest your response to this formal objection.
Regards

Appendix 2

From:
Sent: 28 June 2018 16:46
To: Licensing
Subject: Re: blank email

I am concerned about the developments taking place at the above>

Originally I understood that the restaurant facilities was being expanded into the garden service tea < coffee and light snacks for which planning had been granted but understand that major step has been taken in seeking to license for music dancing and the serving of alcohol

Certain stipulations have been made about the distances from close neighbours gardens but cannot see how the acoustic fencing being installed is going to prevent or indeed curb the noise> The combination of music dancing and alcohol especially the latter being available all day until eleven pm will create noise and disturbance preventing neighbours from enjoying their own garden facilities>

My family live at heathlands and we have on occasions heard the music and sounds from Los Benitos restaurant some two hundred metres away but the Delhi proposal is virtually in " in my own back garden" as I live at heathlands road>

I believe that there will be a meeting to discuss the issues but await hearing from you>

Regards



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

Not Currently In Use

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

Your reference

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

Are you an agent acting on 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

PHILIPPA

* Family name

GOODE

* 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 align="center">BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED 1 JUN 2018 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" value="United Kingdom"/>

Agent Details

* First name	<input type="text" value="MARTIN"/>
* Family name	<input type="text" value="BOSTOCK"/>
* 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.

Your Address

Address official correspondence should be sent to.

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

Section 2 of 21

PREMISES DETAILS

Continued from previous page...

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	THE DELI IN BOLDMERE
Street	60B-60C BOLDMERE ROAD
District	
City or town	SUTTON COLDFIELD
County or administrative area	
Postcode	B73 5JT
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	0

Section 3 of 21	
APPLICATION DETAILS	
<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>Confirm The Following</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>	
Section 4 of 21	
INDIVIDUAL APPLICANT DETAILS	
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p>Applicant Name</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;"> <input checked="" type="radio"/> Yes <input type="radio"/> No </div> <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 25%;">First name</div> <div style="border: 1px solid black; padding: 2px 5px;">PHILIPPA</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 25%;">Family name</div> <div style="border: 1px solid black; padding: 2px 5px;">GOODE</div> </div> </div> <p>Is the applicant 18 years of age or older?</p> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="radio"/> Yes <input type="radio"/> No </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>	

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

United Kingdom

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.

A PURPOSE BUILT BRICK PREMISES OPERATING AS A DELICATESSEN WITH AN INTERNAL DINE IN AREA AND AN EXTERNAL

Continued from previous page...	
GARDEN AND TERRACE FOR USE BY PATRONS	
If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend <div style="border: 1px solid black; width: 80px; height: 20px; display: inline-block; margin-left: 10px;"></div>	
Section 6 of 21	
PROVISION OF PLAYS	
See guidance on regulated entertainment	
Will you be providing plays?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
Section 7 of 21	
PROVISION OF FILMS	
See guidance on regulated entertainment	
Will you be providing films?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
Section 8 of 21	
PROVISION OF INDOOR SPORTING EVENTS	
See guidance on regulated entertainment	
Will you be providing indoor sporting events?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
Section 9 of 21	
PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS	
See guidance on regulated entertainment	
Will you be providing boxing or wrestling entertainments?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
Section 10 of 21	
PROVISION OF LIVE MUSIC	
See guidance on regulated entertainment	
Will you be providing live music?	
<input checked="" type="radio"/> Yes <input type="radio"/> No	
Standard Days And Timings	
MONDAY Start <div style="border: 1px solid black; width: 60px; text-align: center;">08:00</div> Start <div style="border: 1px solid black; width: 60px; height: 20px; display: inline-block;"></div>	End <div style="border: 1px solid black; width: 60px; text-align: center;">23:00</div> End <div style="border: 1px solid black; width: 60px; height: 20px; display: inline-block;"></div>
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 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

Will the performance of live music 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.

FOR THE PROVISION OF THE LICENSABLE ACTIVITY, SHOULD IT BE SO REQUIRED FOR SPECIAL EVENTS OR FOR THE PATRONS ENJOYMENT
 EXTERNAL MUSIC SHALL NOT BE AMPLIFIED

State any seasonal variations for the performance of live music

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 performance of live music 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.

NONE

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☒ Yes

☐ No

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

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

☒ Indoors

☐ Outdoors

☐ Both

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

Continued from previous page...

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.

THERE SHALL BE NO AMPLIFIED MUSIC PLAYED OUTDOORS, ONLY INTERNAL
FOR THE PROVISION OF BACKGROUND MUSIC AND FOR THE PROVISION OF THE LICENSABLE ACTIVITY, SHOULD IT BE SO
REQUIRED FOR SPECIAL EVENTS OR FOR THE PATRONS ENJOYMENT

State any seasonal variations for playing recorded music

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

NONE

Non-standard timings. Where the premises will be used for the playing of recorded music 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 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start 08:00

End 23:00

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.

TUESDAY

Start 08:00

End 23:00

Start

End

WEDNESDAY

Start 08:00

End 23:00

Start

End

Continued from previous page...

THURSDAY

Start 08:00

End 23:00

Start

End

FRIDAY

Start 08:00

End 23:00

Start

End

SATURDAY

Start 08:00

End 23:00

Start

End

SUNDAY

Start 08:00

End 23:00

Start

End

Will the performance of dance 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.

FOR THE PROVISION OF THE LICENSABLE ACTIVITY, SHOULD IT BE SO REQUIRED FOR SPECIAL EVENTS OR FOR THE PATRONS ENJOYMENT
EXTERNAL MUSIC ACCOMPANYING ANY PERFORMANCE OF DANCE SHALL NOT BE AMPLIFIED

State any seasonal variations for the performance of dance

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 performance of dance 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 13 of 21

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

See guidance on regulated entertainment

Continued from previous page...

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

☒ Yes

☐ No

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

Give a description of the type of entertainment that will be provided

FOR THE PROVISION OF THE LICENSABLE ACTIVITY, SHOULD IT BE SO REQUIRED FOR SPECIAL EVENTS OR FOR THE PATRONS ENJOYMENT

Will this entertainment 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.

Continued from previous page...

State any seasonal variations for entertainment

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 entertainment 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 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

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

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...

THURSDAY

Start 08:00

End 23:00

Start

End

FRIDAY

Start 08:00

End 23:00

Start

End

SATURDAY

Start 08:00

End 23:00

Start

End

SUNDAY

Start 08:00

End 23:00

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

MATTHEW

Family name

GOODE

Continued from previous page...

Date of birth

	/		/	
dd		mm		yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number
(if known)

Issuing licensing authority
(if known)

BIRMINGHAM CITY COUNCIL

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

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

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start 08:00

End 23:00

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.

TUESDAY

Start 08:00

End 23:00

Start

End

WEDNESDAY

Start 08:00

End 23:00

Start

End

THURSDAY

Start 08:00

End 23:00

Start

End

FRIDAY

Start 08:00

End 23:00

Start

End

SATURDAY

Start 08:00

End 23:00

Start

End

SUNDAY

Start 08:00

End 23:00

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

<i>Continued from previous page...</i>
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.
The DPS fully understands his roles and responsibilities concerning the four licensing objectives obtained within the 2003 Licensing Act, a comprehensive breakdown of these objectives and how to ensure they are met are detailed below. The DPS attended the APLH level 2 training programme and his personal licence will be issued by Birmingham City Council. The DPS will take full responsibility of ensuring all staff are trained and have full knowledge of all licensing issues concerning them under the 2003 Licensing Act including the Challenge 25 rule. In addition to the mandatory conditions as prescribed by the Licensing Act 2003, the applicant offers the following:
b) The prevention of crime and disorder
The client does not currently have installed to the premises a CCTV digital recording system with recording capability to ensure the prevention of crime & disorder. However, the premises does have 'dummy' cameras to deter any untoward behaviour. All members of staff shall be trained to deal with suspicious customers efficiently.
c) Public safety
The DPS will monitor all public safety issues. The DPS will be responsible for conducting a Fire Risk Assessment and also a Health & Safety Risk Assessment for the licensed premises. All notices in relation to public health & safety will be displayed at the premises. The DPS will also ensure the premises will be operated in line with the Health & Safety Act and any environmental health issues will be the responsibility of both the licence holder for the premises and the DPS.
d) The prevention of public nuisance
The DPS/Premises licence holder fully understands that it is their duty to prevent their business causing any nuisance to any local residents or businesses. They will monitor the external premises area in relation to any anti-social behaviour or public nuisance. The premises will only accept trade deliveries or rubbish collections during normal working hours. The DPS will also monitor the exterior of the premises to ensure litter is kept to a minimum. In the event of any anti-social behaviour both inside and outside of the premises, the DPS will contact the Police immediately. All deliveries shall be dealt with in a timely and prompt manner to minimise any risk of inconvenience to local business' and residents. The garden terrace seating area and external bar shall only be used between the hours of 09.00 and 21.00 hrs There shall be no amplified music in the outdoor areas An acoustic fence shall be erected to the rear of the garden area No tables/chairs or customer access shall be allowed within 20 metres of the rear boundary of the premises
e) The protection of children from harm
The DPS will be responsible for ensuring all staff working within the premises will be fully trained and aware of the Challenge 25 Rule. The premises will only accept valid forms of identification such as photo driving licence, passport and home office approved ID cards displaying the national proof of age standard scheme (PASS hologram). All customers who look under the age of 25 shall be challenged to prove their identity when purchasing alcohol. Any children on the premises must be accompanied by a responsible adult The premises will also have a refusals register, which will be kept at the premises at all times and all refusals by any member of staff shall be recorded. The register will be made available to Responsible Authorities on request.
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 <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

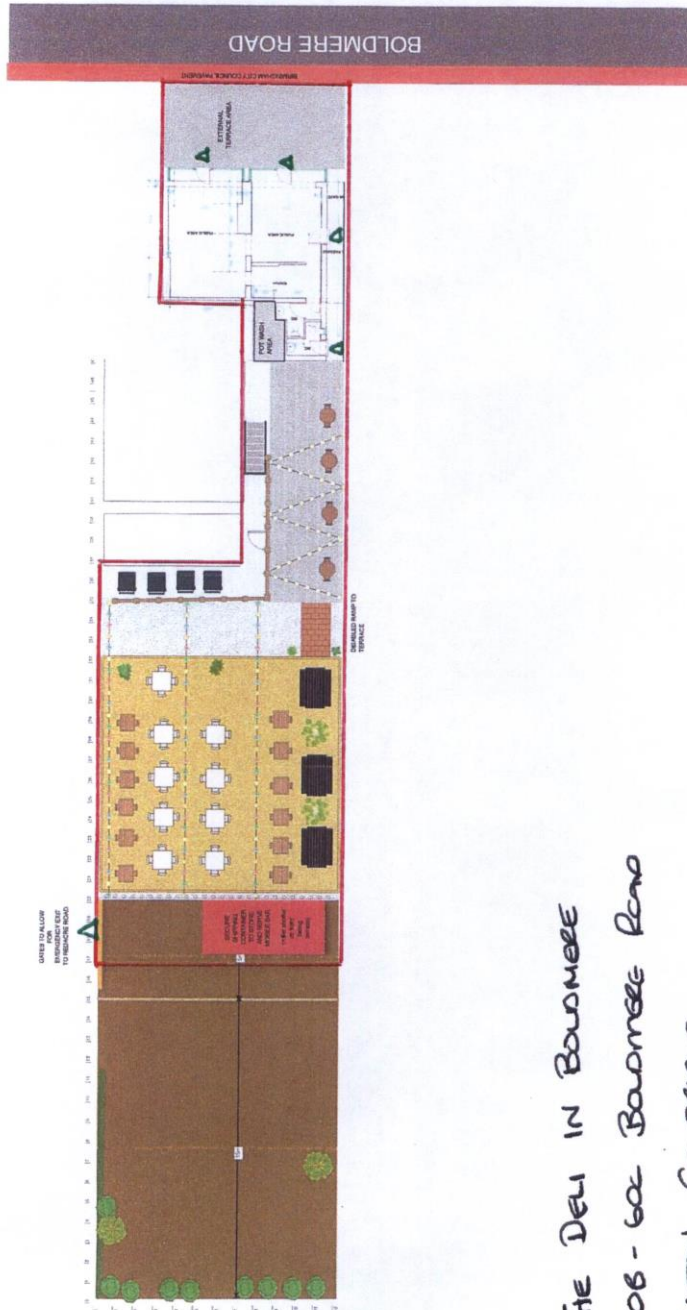
Once you're finished you need to do the following:

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



THE DELI IN Bournemouth
 606-602 Bournemouth Road
 Sutton Coldfield
 B73 5TJ

DRAWN BY P. GOODE

△ FIRE EXIT.

— AREA FOR LICENSABLE ACTIVITY.

Appendix 4

From: Martin Key
Sent: 26 June 2018 14:24
To: Licensing
Cc:
Subject: FW: Licensing Act 2003 - THE DELI IN BOLDMERE, 60B-60C BOLDMERE ROAD

Hi

I have been in discussion with the applicant regarding the above application. I have some concerns about potential noise impact and have accordingly agreed a set of conditions which have been accepted by the applicant (see email trail below). On the basis that these conditions have been agreed and will be attached to any licence issued I will not be submitting a representation. The conditions are:-

1. There shall be no regulated entertainment involving live or recorded music, sound or speech shall in the outdoor area to the front of the building on the Boldmere Road façade.
2. There shall be no regulated entertainment involving recorded music, sound or speech in the outdoor area to the rear of the building.
3. There shall be no live amplified music, sound or speech in the outdoor area to the rear of the building .
4. Live music in the outdoor area to the rear of the building shall be provided between after 21.00 and/or before 10.00.
5. There shall be no speakers used for amplified music, speech or sound outside the building.
6. The outside area to the rear of the building shall only be used between the hours of 09.00 and 21.00 hrs and the DPS or other nominated person/staff, shall monitor the external areas and ensure that all patrons vacate the area by 21.00.
7. The bar in the outside area to the rear of the building shall only be used for the sale of alcohol between the 09.00 and 20.30.
8. All external doors and windows shall be kept closed after 22.00 during regulated entertainment except as necessary for safe and effective access and egress.
9. No drinks shall be removed from the premises (as defined by the plan delineating the licensed area) in open containers.
10. No waste or recyclable material, including bottles, shall be moved, removed or placed in areas outside the premises building between the hours of 22.00 and 08.00.
11. There shall be no tables, chairs or customer access within 20 metres of the boundary with 1 Redacre Road.

Best Regards

Martin Key
Environmental Protection Officer

Environmental Health | Regulation & Enforcement Division

From: Martin Bostock
Sent: Tuesday, June 26, 2018 2:20 PM
To: Martin Key
Subject: Re: Licensing Act 2003 - THE DELI IN BOLDMERE, 60B-60C BOLDMERE ROAD

Hi Martin

Thanks for coming back to me...

If you can amend the number 8 condition as discussed we will accept of your proposed conditions assuming we don't have to go to a committee hearing.

Any problems please let me know.

Martin Bostock



Birmingham City Council

Map Created By:

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Notes



Scale:
1:4,000

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