# BIRMINGHAM CITY COUNCIL

# LICENSING SUB-COMMITTEE A

## MONDAY, 03 MARCH 2025 AT 10:00 HOURS
## IN ON-LINE MEETING, MICROSOFT TEAMS

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

# A G E N D A

1 **NOTICE OF RECORDING/WEBCAST**

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

2 **DECLARATIONS OF INTERESTS**

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

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

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

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

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

3 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

4 **MINUTES**

**4 - 32**

To note the public part of the Minutes of the meeting held on 6 January 2025 and to confirm and sign the Minutes as a whole.

To confirm and sign the Minutes of the meeting held on 13 January 2025 at 1000 hours.

To confirm and sign the Minutes of the meeting held on 13 January 2025 at 1200 hours.

5 **LICENSING ACT 2003 PREMISES LICENCE – GRANT BOOTH FARM LOCAL, 18 BOOTHS FARM ROAD, GREAT BARR, BIRMINGHAM, B42 2NH**

**33 - 57**

Report of the Director of Regulation and Enforcement.
N.B. Application scheduled to be heard at 10:00am.

6 **OTHER URGENT BUSINESS**

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

7 **EXCLUSION OF THE PUBLIC**

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

Exempt Paragraph 3

## P R I V A T E  A G E N D A

1 **MINUTES**

To note the private part of the Minutes of the meeting held on 6 January 2025 and to confirm and sign the Minutes as a whole.

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

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

# BIRMINGHAM CITY COUNCIL

**LICENSING SUB-COMMITTEE A 6 JANUARY 2025**

**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD ON MONDAY 6 JNAUARY 2025 AT 1000 HOURS AS AN ON-LINE MEETING.**

**PRESENT: -** Councillor Sam Forsyth in the Chair;

Councillors Ziaul Islam and Maureen Cornish

**ALSO PRESENT**

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

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

**********

1/60125 **NOTICE OF RECORDING/WEBCAST**

The Chair advised that the meeting would be webcast for live or subsequent broadcast via the Council's Public-I microsite (please click this link) and that members of the press/public may record and take photographs except where there were confidential or exempt items.

---

2/060125 **DECLARATION OF INTERESTS**

Members were reminded to declare all relevant pecuniary and other registerable interests arising from any business to be discussed at the meeting.

If a disclosable pecuniary interest was declared, a Member would not participate in any discussion or vote on the matter and would not remain in the room unless they had been granted a dispensation.

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

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

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

The Chair declared that he only knew Cllr David Barker professionally through Council business and had not discussed the application with Cllr Baker.

---

## APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/060125 No apologies were submitted.

---

## MINUTES

4/060125 The Minutes of the meeting held on 11 November 2024 at 1000 hours were confirmed and signed by the Chair.

The public section of the Minutes of the meeting held on 29 November 2024 at 1000 hours were noted and the Minutes as a whole were confirmed and signed by the Chair.

The public section of the Minutes of the meeting held on 29 November 2024 at 1200 hours were noted and the Minutes a whole were confirmed and signed by the Chair.

The Public section of the Minutes of the meeting held on 2 December 2024 at 1000 hours were noted and the Minutes as a whole were confirmed and signed by the Chair.

---

## LICENSING ACT 2003 PREMISES LICENCE – GRANT – SLR CONVENIENCE, 201 BURBURY STREET, LOZELLS, BIRMINGHAM, B19 1TL.

### On Behalf of the Applicant

Patrick Burke – Agent
Lavaraian Sangarapillai – Applicant

### On Behalf of Those Making Representations

Councillor Waseem Zaffar – Local Ward Councillor Lozells

* * *

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

Councillor Waseem Zaffar raised a preliminary point regarding a petition which was presented at full Council meeting and then subsequently deemed invalid by

the Licensing Section due to time scales for submitting documentation. The petition was submitted to Full Council within the consultation period.

The Chair advised the Local Ward Councillor that due to the timescales for the statutory consultation period and the petition being submitted to the Licensing Section outside of that window the Committee could not accept the document. The Chair did advise the Councillor that he would have an opportunity to make submissions at the hearing.

At this stage, the Chair outlined the procedure to be followed at the hearing and invited the Licensing Officer to present his report. Bhapinder Nandhra Licensing Section, outlined the report.

At this stage the Chair invited the applicant to make a presentation. Patrick Burke, on behalf of the applicant made the following points: -

a) The premises was an established general store and his client wanted to expand the business and sell alcohol as an addition to the products already on sale.

b) His client had a wealth of experience in the trade and had previously operated other premises throughout the Midlands for 15 years. His family had 3 other shops and none of which had ever caused issues or concerns.

c) That the agent had emailed Councillor Zaffar explaining the application and outlining the conditions including those agreed with West Midlands Police. Councillor Zaffar only responded to the email last night. The agent read out the objection from Councillor Zaffar.

d) The agent stressed that no responsible authority had made any objections to the application and the hours applied for were not particularly late for this type of premises.

e) The objection submitted by the Local Ward Councillor indicated that crime and disorder in Lozells was particularly high, however West Midlands Police had raised no objection and had agreed conditions with the applicant.

f) Much of the objection submitted by the Local Ward Councillor was in relation to public nuisance and/or the protection of children and vulnerable persons. However, there was no evidence that the grant of the licence would cause any such issues.

g) The consultation period requires the premises to advertise the application in the form of a blue notice and a newspaper notice – the agents contact details were issued on both of those notices and he would have been more than happy for the Local Ward Councillor to contact him directly to address any concerns.

h) With regards to the concerns raised by the Councillor, his client was an experienced operator who had never had any issues with underage sales or any such thing.

i) The consultant drew the attention of the Members to the relevant caselaw, namely R (on the application of Daniel Thwaites plc) v Wirral Borough Magistrates' Court [2008] EWHC 838 (Admin), which emphasised the principles laid down by the Licensing Act 2003 and its accompanying Guidance – namely that there should be light touch bureaucracy applied to applications for licences, and that restrictions should only be attached to premises licences where they were necessary to promote the licensing objectives.

j) The case also highlighted the fact that decisions on applications should be made on evidence, and not based on speculation. The consultant considered that the representation made by the Ward Councillor was speculative in content, and remarked that if the authority gave weight to a speculative opinion, it would in fact fail to follow the Guidance issued under section 182 of the Act, and the City Council's own Statement of Licensing Policy.

Questions were asked by Members and Patrick Burke gave the following responses: -

a) That the applicant had operated other businesses in similar areas to Lozells and worked in communities where English was not the first language.

b) His client was a good operator and should the application be granted there would not be any issues.

c) The children's centre was mentioned by Councillor Zaffar in his objection, however it was not something that would cause any problems for the premises.

The Chair invited the Local Ward Councillor to make their presentation. Councillor Zaffar made the following points: -

a) That there was only one commercial property on this street – the premises.

b) The premises had changed hands a few times but was previously operated by a family for decades. The family lived in Lozells.

c) The young centre was approximately 50 yards from the premises and there was also a purpose-built children's centre close to the premises which was well run and well attended.

d) That there had been issues with anti-social behaviour outside the premises and the local community had made complaints to the police.

e) The parking area outside the premises also caused nuisance.

f) That he accepted why the Committee had not accepted the petition but wanted to stress that over 300 people hang signed it.

g) The agent for the applicant stated that the closing hour of 2300 was not late, however the Councillor believed that 2300 hours was not late in a commercial setting, but the location of the premises is not in a commercial area.

h) That he was disappointed with West Midlands Police as he wondered if they had spoken with the neighbourhood officers.

i) A PSPO was agreed due to the challenges around the area. The grant of this application would add to the issues.

j) There were already issues around anti social behaviour and unwanted late night activity.

k) That Lozells was one of the youngest communities in Birmingham and therefore children's safety was important.

l) The youth centre was a hugely important facility across the community and the staff and volunteers were very concerned about the application.

m) There were multiple HMOs in the area which housed vulnerable persons who often had alcohol dependency issues. This premises would be a problem for those people and that was a particular concern.

n) That the agent, Mr Burke did contact the Councillor over the Christmas period but the Councillor advised that he was away otherwise he would have responded earlier.

Members asked questions and Councillor Zaffar gave the following responses: -

a) The youth centre was open on evenings and weekends, sometimes the activity would go on late into the night as they often had third parties doing workshops.

b) That the concern was that people would be queuing up to buy alcohol in the morning and especially around school drop off and pick up times.

c) There was also problems with gun and knife crime particularly amongst youths.

d) The Lozells area had received additional funding and there was a huge effort taking place within the community to improve the area.

e) The community felt strongly that a licence being granted until 2300 hours would have a detrimental impact to the issues the area already had in relation to anti-social behaviour, knife crime and drugs.

f) That he had been a local ward Councillor for 14 years and had lived in the Lozells ward until 4 years ago when he moved 30 yards outside the ward.

g) The Youth centre catered for groups up to 25 years of age and the childrens centre is purpose built for children.

h) The centres were extremely well supported and used. Parents would have to walk past the premises when dropping and picking their children up.

The Chair then invited Councillor Zaffar to make a closing submission. The Councillor made the following closing statements: -

- He pleaded with the Committee to refuse the application as the Community were working extremely hard to improve the area.

- That whilst he wanted the business to be a success, he did not believe that not having an alcohol licence would negatively impact the business.

- He wanted to work with the community to improve the area.

The applicant was then invited to make a brief closing submission. Patrick Burke, on behalf of the applicant made the following closing statements: -

- That having spoken with his client, they were happy to reduce the closing hours to 2200 in order to ease the concerns raised by the Councillor.

- That his client had a wealth of experience in the licensing field.

- There were no objections from any of the responsible authorities.

- The Councillor informed the Committee that over 300 people had signed the petition, however Mr Burke asked the Committee to consider that thousands did not sign the petition, or raised objections to the application.

- The applicant had invested in the building and the shop would provide additional jobs in the local community.

- Mr Burke recited a previous application that was not granted and some years later the premises had been abandoned and was being used as a drug den. The purpose for raising it was to stress to the Committee the importance of having businesses open and trading and adding to the local community and economy.

- The sale of alcohol would not have a negative impact on the area. The premises was not operating as an off licence and alcohol would only make up 30% of the total sales.

- His client was experienced and it was a brave thing to open a new business in the current economic climate.

The Members, Committee Lawyer and Committee Manager conducted the deliberations in a separate private session and the full written decision was sent to all parties as follows;

5/060125 **RESOLVED**: -

That the application by Lavarajan Sangarapillai for a premises licence in respect of SLR Convenience, 201 Burbury Street, Lozells, Birmingham B19 1TL be granted with the hours amended as follows, and subject to the conditions agreed between the applicant and West Midlands Police in advance of the meeting.

1. The hours for the Sale of Alcohol (for consumption off the premises) shall operate from 08:00 until 22:00 (Monday to Sunday).

2. The premises shall remain open to the public from 07:00 until 23:00 (Monday to Sunday).

3. The conditions agreed between the applicant and West Midlands Police in advance of the meeting shall be adopted, namely:

- the premises will not sell beers, lagers, ciders, alcopops or premixed sprits above 6.5% ABV with the exception of Craft Products or Premium Ales and Stouts
- the premises will not sell or give away single cups with any purchase of alcohol

Those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will also form part of the licence issued.

The applicant attended the meeting in person, represented by a licensing consultant. Written representations against the application had been received from the local Ward Councillor; that document was in the Committee Report. The Ward Councillor also attended the meeting in person.

At the start of the meeting the Ward Councillor mentioned a petition. The Chair confirmed that the petition had been received after the expiry of the consultation period; as a result, the Sub-Committee had no power to consider the petition.

The consultant explained the background to the application. The premises was an established general store, and the applicant simply wished to add the sale of alcohol to the products currently available. The applicant had a wealth of experience within the convenience store type of business, having run shops throughout the West Midlands for the last 15 years. He and his family still had three shops. They had never had any issues in any of their shops, in the 15 years that they had been running these types of premises.

,

The consultant had noted that the Ward Councillor had submitted representations on the grounds of all four of the licensing objectives. However, the consultant did not accept that the application would have an adverse effect on any of the licensing objectives. Regarding public safety, he noted that there had been no objections from the Police or any of the other responsible authorities. He considered that the requested hours for alcohol sales, namely 07:00 to 23:00, were “not particularly early nor particularly late” for applications of this type.

Regarding crime and disorder, the Ward Councillor had referred to statistics published by West Midlands Police, but the consultant observed that West Midlands Police themselves had raised no objections to the application.

Regarding public nuisance, the consultant noted that there was no evidence that the premises could attract unwanted late night activity in the heart of a residential community, and reiterated that there had been no objection from any responsible authority.

The Ward Councillor had also mentioned the protection of children from harm, and had drawn attention to a youth centre next door to the premises as well as a children's pre-school centre less than 50 yards away. Regarding children's safety, the consultant reminded the Sub-Committee that the applicant and his family had 15 years' experience of running shop premises, and had never had any issues in operating safely. The consultant assured the Sub-Committee that this included safe sales of alcohol (no underage sales).

The consultant drew the attention of the Members to the relevant caselaw, namely *R (on the application of Daniel Thwaites plc) v Wirral Borough Magistrates' Court [2008] EWHC 838 (Admin)*, which emphasised the principles laid down by the Licensing Act 2003 and its accompanying Guidance – namely that there should be light touch bureaucracy applied to applications for licences, and that restrictions should only be attached to premises licences where they were necessary to promote the licensing objectives.

The case also highlighted the fact that decisions on applications should be made on evidence, and not based on speculation. The consultant considered that the representation made by the Ward Councillor was speculative in content, and remarked that if the authority gave weight to a speculative opinion, it would in fact fail to follow the Guidance issued under section 182 of the Act, and the City Council's own Statement of Licensing Policy.

The consultant also noted that the applicant's business in West Bromwich was in a very similar area to the instant premises, and the applicant was therefore accustomed to working within communities where many in the community did not have English as their first language, and were of various religions. The applicant's other shops in Sandwell and Walsall, as well as in Birmingham, all had youth facilities close by, but there had not been any issues relating to children or young people.

The Ward Councillor then addressed the Sub-Committee to confirm that there was only one commercial property on Burbury St – the instant premises. It had been run as a family business, but had changed management/ownership a number of times. He said that the council-run youth centre had also been there for "many decades". The purpose-built children's centre had originally been a Sure Start building. More recently, it had become a pre-school facility for young children.

He had observed that the area had faced "substantial challenges with antisocial behaviour"; the particular location of the premises and the parking area outside the shop meant that people from elsewhere came and parked there, and caused problems.

Regarding the requested times for the sale of alcohol, the Ward Councillor considered that in a residential area like Burbury Street, 23:00 was in fact a late hour. He felt that there would be an increase in footfall if a licence were to be granted, which could create other issues detrimental to public safety.

He said that he was disappointed that the Police had agreed the conditions they had. He felt that the number of licensed premises across the neighbourhood were contributing to the challenges around antisocial behaviour, and was worried that the instant application would also add to this, particularly in terms of the effect on children.

Public nuisance was a particular concern of his and he felt that the application could attract “unwanted late night activity in the heart of a residential community”. He felt that the sale of alcohol close to a youth and children's centre could potentially attract individuals “who need specific help around alcohol”. He said that the youth centre was open in the evenings and at weekends. He had known activity at the youth centre in the summer months to go on until 22:00 or 23:00 hours at times.

He mentioned another off-licence premises in Lozells where people would queue up from 08:00 hours to buy alcohol. His concern was people accessing alcohol and being outside the pre-school building when children were being dropped off or picked up. The Sub-Committee noted this.

He discussed the Youth Endowment fund and the efforts to try and address some of the challenges in the area. He considered that an off-licence premises in a residential community on Burbury Street, licensed to sell alcohol until 23:00 hours, would have a detrimental impact to the many challenges that the area was already seeing, such as antisocial behaviour and the use of drugs. He said that the pre-school centre was “extremely well used” by parents, and remarked that all parents had to walk past this shop with their children. The Sub-Committee noted this.

The Sub-Committee was aware that, under paragraph 9.43 – 9.44 of the Guidance issued under s182 of the Act, there was a presumption to grant such applications unless there was good evidence of a risk to the promotion of the licensing objectives. The Sub-Committee therefore looked carefully at whether there was evidence that the proposed operation would in fact have an adverse effect on the licensing objectives when considering the written representation made against the application.

The consultant had confirmed that the applicant planned to invest in the building and in doing so would improve the area; he also planned to create additional jobs in the area. The consultant said that the sale of alcohol at the location would not have a negative effect on the area, and stated that alcohol would only be about 30% of the business. The applicant was very experienced in the style of operation and there had been no representations from any responsible authority.

However, the Members shared the worries of the Ward Councillor about the risks to the protection of children from harm objective, given the two facilities for children/young people which were situated nearby. Their concerns were not

based on speculation, but on the direct evidence given by the Ward Councillor who had detailed knowledge of day to day life in the immediate vicinity.

The consultant confirmed that having heard the submissions of the Ward Councillor, the applicant was happy to reduce the closing hour to 22:00 hours. The Members were reassured by this, but had concerns at the mention of problem drinkers who were keen to buy alcohol at other premises from 08:00 hours onwards.

The Members therefore considered it proportionate and reasonable to shorten the hours for the sale of alcohol to 08:00 hours to 22:00 hours, to address the concerns which had been raised by the Ward Councillor relating to the protection of children from harm objective.

The shortened hours for alcohol, together with the conditions agreed with Police, were sufficient to allay the fears expressed by the Ward Councillor. It was further noted by the Members that the applicant was an experienced person who had been operating at other locations for many years. This inspired confidence.

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

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

---

**EXCLUSION OF THE PUBLIC**

6/060125 **RESOLVED**

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

Exempt Paragraph 3

---

**Chair**……..

# BIRMINGHAM CITY COUNCIL

**LICENSING SUB-COMMITTEE A 13 JANUARY 2025**

**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD ON MONDAY 13 JANUARY 2025 AT 1000 HOURS AS AN ON-LINE MEETING.**

**PRESENT: -** Councillor Sam Forsyth in the Chair;

Councillors Ziaul Islam and Maureen Cornish

**ALSO PRESENT**

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

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

**********

1/130125 **NOTICE OF RECORDING/WEBCAST**

The Chair advised that the meeting would be webcast for live or subsequent broadcast via the Council's Public-I microsite (please click this link) and that members of the press/public may record and take photographs except where there were confidential or exempt items.

---

2/130125 **DECLARATION OF INTERESTS**

Members were reminded to declare all relevant pecuniary and other registerable interests arising from any business to be discussed at the meeting.

If a disclosable pecuniary interest was declared, a Member would not participate in any discussion or vote on the matter and would not remain in the room unless they had been granted a dispensation.

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

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

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

The Chair declared that he only knew Cllr David Barker professionally through Council business and had not discussed the application with Cllr Baker.

---

## APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/130125 No apologies were submitted.

---

## GAMBLING ACT 2005 – PREMISES LICENCE – GRANT – SHIPLEY'S, 90-92 ERDINGTON HIGH STREET, ERDINGTON, BIRMINGHAM. B23 6RS.

### On Behalf of the Applicant

Sarah Le Fevre – Barrister
William Shipley – Director
Rod Stone – Area Manager
Harry Shipley
Harry Shipley Snr
Elizabeth Varley – Instructing Solicitor
Nick Arron – Instructing Solicitor

### On Behalf of Those Making Representations

Councillor Gareth Moore – Local Ward Councillor

* * *

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

At this stage, the Chair outlined the procedure to be followed at the hearing and invited the Licensing Officer to present his report. David Kennedy Licensing Section, outlined the report.

At this stage the Chair invited the applicant to make a presentation. Sarah Le Fevre, on behalf of the applicant made the following points: -

a) That Shipley's had always been a family business and was based in the Midlands, with the Head Office being only 12 miles from the Erdington High Street.

b) The family was deeply committed and careful about the operation and management of their premises.

c) William Shipley was responsible for the group compliance manual.

d) The company was extremely expert in its operation of Bingo and gaming centres.

e) The company owned nearly all of the freeholds which was indicative of their long-term commitment to the success of venues and premises.

f) They were fully licensed by the gambling commission, a very thorough regulatory regime.

g) That none of their premises had ever been subject to a review or enforcement action.

h) There was a reference submitted in the document pack from Robert Fusco regarding the One Stop Shopping Centre – it stated that the Shipleys premises had improved and positively contributed to the shopping centre and he recommended the business.

i) No responsible authorities had raised any concern or objection to the application.

j) There were no concerns with any of Shipleys existing premises.

k) The application was effectively a to move a few minutes along the High Street from the other premises to the new proposed location.

l) The other licence would be surrendered once the new premises was up and running and ready to trade. Therefore, it was effectively a transfer.

m) The other premises had been operating for 25 years without incident or complaint.

n) The new premises was a better shape and larger.

o) The purpose was to offer high street Bingo in a small scale premises. Much of the Bingo venues had become mega halls and that style of venue was beginning to fail. A high street offering provided a more personal experience, with local people much like a coffee shop experience.

p) Shipleys were investing half a million pounds into the premises.

q) There was a noise plan submitted within the documentation indicating all the steps the premises was taking in order to ensure that the premises was properly managed.

r) The new premises would allow for disabled toilets – something that the old premises did not have space for.

s) The other premises had no issues or complaints and RAs were happy with the new application.

t) The existing staff would transfer to the new premises.

u) They had submitted all manuals and training packages covering all aspects of the operation.

v) The premises subjected itself to age verification tests by other companies.

w) That the statutory framework for these types of applications was to aim to permit applications subject to compliance with the Council's statement of licensing policy, commissioners guidance and the Licensing Objectives. The guidance also gave clear instructions to matters which are not relevant to decision making, in particular a 'dislike for gambling' or objections to gambling on moral, ethical or similar principles. There was reference to similar matters in the objection.

x) Further, need or demand were also not relevant to decision making. There was a suggestion in the representations that granting the application would result in a cluster of premises at that end of the high street.

y) The representations also raised concerns about an increase in crime and disorder, yet the police had been 'utterly silent' throughout the application process and there is no evidence of a risk of crime.

z) That a key consideration was the protection of children from harm, but there was no evidence of actual harm, risk of harm and the premises had provided policies which were already effective in that location at other premises.

aa) The other premises was in close proximity to the new venue and if there had been issues or concerns that would have been brought to the Committees attention.

Questions were asked by Members and William Shipley gave the following responses: -

a) That the document bundle included a large training package for staff – there were always two members of staff on duty, and they would circulate the floor.

b) They operated a challenge 25 policy and any issues were highlighted with management and the patrons would be asked to leave. They would also contact the relevant authorities if necessary.

c) CCTV was in operation and kept for 30 days.

d) There was a two way connection call fob for staff safety which went through to a call centre and the authorities could be called if required.

e) They had no alcohol on sale at the premises therefore they did not anticipate there being any nuisance.

f) The main demographic was middle aged women.

g) They worked very hard every day to ensure the right atmosphere for customers.

h) All the staff from the other premises would move to the new one, but they would employ some extra staff who would go through the same training.

The Chair invited the Local Ward Councillor to make their presentation. Councillor Gareth Moore made the following points: -

a) That the objection was not based on ethical concerns about gambling or bingo. He was aware that moral and ethical concerns could not be considered.

b) They also had no concerns about Shipleys as an operator.

c) That Erdington High Street had significant challenges with crime, anti-social behaviour and street drinking. The bench outside Ladbrokes was popular for street drinkers.

d) There were also issues with drug dealing in the area.

e) The issues were creating the perception that the area was no longer a safe place and therefore they were losing businesses in the local area.

f) A new concept had been launched called ‘Operation Fearless’.

g) The Councillor raised concerns about the number of gambling premises in the area.

h) That the concentration of gambling premises did cause issues.

i) That a new gambling premises at the other end of the high street sparked concern that it would attract similar issues to that end of the high street – increase in street drinking.

j) The new premises is larger and would attract crime and disorder.

k) That a lot of the problems on the high street were potentially because of the high concentration of these types of venues.

Members asked questions and Councillor Gareth Moore gave the following responses: -

a) That he had been a local ward Councillor for 14 years and Councillor Alden had been one for 17-18 years.

b) That he knew the area very well as it was the heart of his ward.

c) That crime related high street issues took up much of his time.

d) The PSPO had been renewed and operation Fearless initiative was going ahead.

e) That the concern was that an increase in gambling premises would increase crime and anti-social behaviour.

The Chair then invited Councillor Gareth Moore to make a closing submission. The Councillor made the following closing statements: -

- The premises would have an impact om crime and people loitering outside.
- If the Committee was minded to grant the application then there would need to be reassurances from the operator that they would surrender the other licence.
- That the Councillor was still recommending that the licence be refused but would welcome conditions if the Committee were minded to grant the application.

The applicant was then invited to make a brief closing submission. Sarah Le Fevre, on behalf of the applicant made the following closing statements: -

- That the existing licence would be surrendered if this application was granted and as soon as the new premises was able to open.
- That it was not in the interest of the operator for issues or problems to occur.
- The premises was currently vacant and therefore granting the application would ensure that there was a higher level of supervision in and around the premises.
- The target audience is middle aged women which is not the same as other premises such as betting shops.
- There were no objections from responsible authorities despite to concerns raised by Councillor Moore and that should be a key part of the Committees decision.

William Shipley added that the company worked very hard to ensure they operated properly. The application was for a traditional style Bingo premises aimed at middle aged women. He was keen to work with the Councillor to ensure the High Street was a safe environment as that's how they operated their facility.

The Members, Committee Lawyer and Committee Manager conducted the deliberations in a separate private session and the full written decision was sent to all parties as follows;

4/130125 **RESOLVED**: -

That the application by Shipley Estates Limited for a Bingo Premises Licence in respect of Shipley's, 90-92 High Street, Erdington, Birmingham B23 6RS, be granted.

Counsel for the applicant company assured the Sub-Committee that, if the application were to be granted, the company's existing licence for the premises at 243 High Street Erdington would be surrendered once the new site opened at 90-92 High Street Erdington. The Sub-Committee accepted this offer.

The relevant mandatory conditions under the Gambling Act 2005, and the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007, will form part of the licence issued.

Counsel for the applicant company made detailed submissions about the company's trading history as a highly experienced operator of bingo premises and adult gaming centres. The company was a family business, with a very long history of successful operation. The company had operated at 243 High Street Erdington for 25 years without any problems; indeed, none of the company's premises, at any location, had ever been the subject of any licence review or enforcement action.

A comprehensive bundle of documents had been submitted by the applicant company (in the Committee Report); the Sub-Committee noted all of these documents.

No responsible authority had raised any concern about, or objection to, the application. Both West Midlands Police and the licensing authority had been involved in the pre-application consultation. Counsel observed that no responsible authority had identified any actual concern with any of the company's existing premises, or any risk of interference with any of the gambling objectives through the application. The Sub-Committee noted this.

Counsel remarked that the collective silence of the responsible authorities was important, as it was these bodies which were the most informed source of expertise, particularly in relation to matters relating to the risks of crime and disorder, and the protection of children. The Sub-Committee accepted this.

Counsel assured the Sub-Committee that upon the grant of the application, and once the new site was ready to commence trading, the existing adult gaming centre licence (for 243 High Street Erdington) would be surrendered. The grant would therefore effectively be a move, or transfer of location. The Sub-Committee noted this.

The company proposed to offer bingo as a traditional pastime provided in a social atmosphere where people would play at tables, on paper or on a tablet, in a comfortable safe coffee shop. The premises would be an entirely alcohol-free environment. The company would be investing around £500,000 into the premises.

The company's documents in the Committee Report showed the proposed layout - a square-shaped room, which would be easy for staff to supervise. There were

bespoke operational and noise management plans. The venue would have a double lobby which could be secured, and the premises would have CCTV throughout. The existing staff from 243 High Street Erdington, who knew the area very well, will move from the existing premises to the new premises; the staff expertise and knowledge of the local area would therefore remain.

Counsel stated that the operation at 243 High Street Erdington had presented no issue at all to the responsible authorities, despite its location at the more challenging end of the High Street. The company manual covered all aspects of careful operation, especially training. The training would include age verification, managing the vulnerable, responding to the vulnerable, and the potential risks in young persons looking to access the venue. The Sub-Committee noted this.

Counsel reminded the Members that the gambling regime was a permissive framework which enjoined authorities to aim to permit applications, subject to compliance with the City Council's policy and with the Gambling Commission's regulations and Guidance, and the gambling objectives. She also pointed out that a dislike or a distaste for gambling, or an objection to gambling on moral or ethical grounds, were irrelevant considerations. Need or demand were also irrelevant.

Whilst some of the representations in the Report had suggested that the premises could become a source of crime or disorder, the Police had not had any such concerns. Indeed, counsel observed that there was no evidence at all of any risk to any of the gambling objectives. The Sub-Committee noted this.

Those from the company then addressed the Members on the proposed operating style, and the staffing arrangements for the new venue. The Sub-Committee found all of this to be satisfactory.

A number of persons had made representations; these were in the Committee Report. The Sub-Committee considered all of these carefully. One of the two local Ward Councillors for Erdington also attended the meeting in person, to address the Sub-Committee on behalf of both ward Councillors. Both of the Ward Councillors had represented Erdington for many years – for 14 years and 17 years respectively. Accordingly, they had very wide local knowledge.

The Ward Councillor confirmed that the councillors' objection had not been based on any ethical concerns about gambling or bingo, and they were both fully aware that moral and ethical concerns could not be taken into account in the decision making. He also accepted that he did not have any specific concerns about the company or its operation. He was aware that the application would not increase the number of gambling units on the High Street, as the company's existing licence for the venue at number 243 would be surrendered.

His concern was the significant challenges on the High Street relating to crime and antisocial behaviour. Street drinking was a particular worry, especially around the nearby branch of Ladbrokes; drug dealing was known to be taking place as well. All in all, these problems were creating a perception that the High Street was no longer a safe place for people to visit.

A related concern was the knock on effect of local businesses pulling out of the High Street, as they were unhappy with the level of action being taken to tackle the problems. Operation Fearless had been launched the previous week, to try to crack down on some of the antisocial behaviour.

The number of gambling premises on the High Street currently numbered 10; the Ward Councillor was concerned about the cumulative impact of having so many such premises within a small area, and felt that there was a risk that new gambling premises up at the top end of the High Street would attract crime and antisocial behaviour. He had noted an increase in street drinking and groups of people hanging around following the opening of the Boyle Sports' second premises last year.

He had noted that the applicant company was proposing to move to a much larger double-fronted premises in a very prominent location in the High Street; he felt that this could be an attraction, and would draw antisocial behaviour up to the top end of the High Street.

He felt that there was a correlation between the presence of gambling premises and antisocial behaviour. He had noted that when a nearby gambling premises had closed down, problem behaviours in the vicinity were seen to reduce. He felt that "the sheer number" of gambling premises was an issue, although he acknowledged that the applicant company seemed very committed in terms of training and new investment in the High Street.

His worry was that a large double-fronted gambling premises in a very prominent location on the High Street would exacerbate the existing crime and antisocial behaviour; this would undermine the gambling objectives and would significantly contribute to the deterioration of the top end of the High Street. He confirmed that he knew the High Street especially well, as it was the heart of the constituency, and the vast majority of his time and casework related to issues on the High Street.

He was concerned about an increase in the number of gambling premises on the High Street at a time when crime and antisocial behaviour were taking place, and he felt that there was a strong correlation between the two, although he accepted that he could not evidence this in a statistical way.

No objections had been submitted by any of the responsible authorities. The Members carefully considered the representations made by all of those who objected to the application, but were not convinced that there was an evidential and causal link between the issues raised and the effect on the three objectives.

The objectors were both of the local Ward Councillors and a number of local residents. The focus of their representations was the proliferation of gambling premises; however, even taking into account the backdrop of the Erdington High Street area, there was no reason to suppose that a very highly experienced and responsible operator like the applicant company would be unable to promote the objectives properly.

The Members were impressed by the company's track record, and felt reassured by the documents submitted that the company would act responsibly in all aspects of its operation. It was notable that none of the company's premises had ever had its licence reviewed; nor had any of its premises faced enforcement action of any kind. The company was known to be a careful and safe operator.

The Sub-Committee understood the fears expressed by the Ward Councillor in the meeting; he and his fellow Ward Councillor were very experienced elected representatives and knew the Erdington area inside out. However, during the meeting the Ward Councillor had accepted that there was no direct evidence, or statistical evidence, that this particular operator was associated with any kind of problem trading which could potentially undermine the gambling objectives.

The Sub Committee deliberated the application and supporting documents put forward by the applicant and the likely impact of the application, and concluded that by granting this application, the three licensing objectives contained in the Gambling Act 2005 will be properly promoted.

The application was granted as counsel had confirmed that the licence for the existing adult gaming centre at number 243 would be surrendered once the new site was opened.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Principles Gambling Act 2005, the Guidance issued to Local Authorities by the Gambling Commission, the application for a Gambling Act Premises Licence, the written representations received, and the submissions made at the hearing by the applicant company via its counsel and officers, and by the Ward Councillor making representations.

All parties are reminded that under the provisions contained within Schedule 10 to the Gambling Act 2005, the applicant has a right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

---

**The meeting ended at 1059 hours.**

**Chair**……..

# BIRMINGHAM CITY COUNCIL

**LICENSING SUB-COMMITTEE A 13 JANUARY 2025**

**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD ON MONDAY 13 JANUARY 2025 AT 1200 HOURS AS AN ON-LINE MEETING.**

**PRESENT: -** Councillor Diane Donaldson in the Chair.

Councillors Maureen Cornish and Ziaul Islam.

**ALSO PRESENT**

David Kennedy – Licensing Section
Joanne Swampillai – Legal Services
Shilpa Manek – Committee Services

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

**********

1/070125 **NOTICE OF RECORDING/WEBCAST**

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

---

2/070125 **DECLARATION OF INTERESTS**

Members were reminded that they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at the meeting.
If a disclosable pecuniary interest was declared, a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they had been granted a dispensation.
If other registerable interests were declared, a Member may speak on the matter only if members of the public were allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.
If it was a 'sensitive interest', Members did not have to disclose the nature of the interest, just that they have an interest.
Information on the Local Government Association's Model Councillor Code of Conduct was set out via http://bit.ly/3WtGQnN. This included, at Appendix 1, an

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

---

3/070125 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

Apologies had been received from Councillor Sam Forsyth and Councillor Diane Donaldson was the nominated substitute.

---

**LICENSING ACT 2003 – PREMISES LICENCE – REVIEW – 1 REA COURT, 40 TRENT STREET, BIRMINGHAM, B5 5NL**

**On Behalf of the Applicant**

Duncan Craig – Applicant's Agent
Mihaly Iveszics – Applicant
Kerry Cotes – Agent's assistant

**On Behalf of Those Making Representations**

Lisa Woodward – Licensing Enforcement

**On Behalf of Licence Holder**

Chris Turner – Licence Holder
Danny McShane
Giles Halton
Michael Younis

* * *

The Chair introduced the Members and Officers present and asked if there were any preliminary points for the Sub-Committee to consider. No preliminary points were made.

The Chair outlined the procedure to be followed at the hearing and invited the Licensing Officer to present his report. David Kennedy, Licensing Section, outlined the report.

At this stage the Chair invited the applicant and his agent to make their presentation. The following points were made: -

a) The Agent informed the Sub-Committee that due to the increase in noise levels, he had advised the applicant to apply for the review licence option. The applicant did not want the licence revoked.

b) Over the last 12 months, the style of operation had changed, and the entertainment was very loud causing vibration of building. The agent advised that they were seeking to remove the regulated entertainment in line with live and recorded music. It was stated that the building was not suitable for music.

c) The Sub-Committee were shown a clip of the loud noise levels but this was not very clear.

d) The agent commented that the applicant was absolutely sure that the noise was from the premises and not any other near-by clubs. The applicant was aware that there would be noise but it was now the level of noise that was the concern.

The Sub-Committee were informed that the applicant resided at the premises next door to the club.

At this stage the Chair invited the Licensing Enforcement Officer to make their presentation. The following points were made: -

- An inspection had been carried out at the Premises.
- There was no DPS for the premises since 30 November 2024.
- They had met with Mr Turner (licence holder) and Mr Whittle (suggestive DPS) to discuss a number of breaches. These included no DPS in place, no CCTV and alteration of layout as in licence.
- Since the was no named DPS, alcohol could not be sold at premises.
- The premises on the licence was supposed to be a micro-brewery and was now trading as a music venue.
- Mr David Whittle had made an application to be the DPS in 2023, this had been returned unprocessed as he had nominated himself as the DPS. Mr Whittle was very experienced but was never the named DPS.

The Licensing Enforcement Officer made the recommendations that the DPS be removed and the premises licence be revoked as there was no confidence that the licence holder was capable of following the licensing objectives.

At this stage the Chair invited the Licence Holder to make their presentation.

The following points were made: -

- The premises had been going since 2018.
- The licence holder was unaware the Mr Whittle was not the named DPS, his contract had now been terminated.
- A week after the meeting, all conditions had been adhered to.
- There were failings but when these came to light, actions were taken and the licence holder directly engaged with the applicant and the noise was kept to a limit at subsequent events.
- A short presentation was shown about the premises and all the events available.
- The building was suitable for music as it was tin but had three layers of insulation and brick built on roof.
- There had been no complaints to date.

- The licence holder would have made sensible solutions if the applicant had discussed with them first.

The Chair invited all parties to make brief closing submissions.

The Licensing Enforcement Officer had no further closing submissions.

The Agent commented that the applicant had approached Mr Whittle but had been dismissed. The applicant had never had any issues except for over the last 12 months. The applicant was sure that the noise was not from any other club and no weight could be given to the noise readings shown by the licence holder. There was a clear lack of compliance. No steps had been suggested by the licence holder.

The licence holder commented that he had removed Mr Whittle and the large sound equipment and suggested to engage with environmental health to set volume limits but the space was a community space.

The Members, Committee Lawyer and Committee Manager conducted the deliberations in a separate private session and a full written decision was sent to all parties as follows;

4/070125 **RESOLVED**

That, having reviewed the premises licence held under the Licensing Act 2003 by Halton Turner Brewing Company Limited, in respect of premises at 1 Rea Court, 40 Trent Street, Birmingham B5 5NL, upon the application of Mr Mihaly Iveszics of Birmingham Central Backpackers, this Sub-Committee hereby determines that:

1. The licence be revoked, and
2. David Whittall be removed as the designated premises supervisor

in order to promote the licensing objectives in the Act of the prevention of crime and disorder and the prevention of public nuisance.

The licence holder company, being Halton Turner Brewing Company Ltd, was represented in the meeting by the company director and others from the premises. Mr Iveszics of Birmingham Central Backpackers had brought the Review before the Sub-Committee. He attended the meeting in person, represented by counsel. Counsel explained that in bringing the Review, it was not the applicant's intention that the licence should be revoked. The Sub-Committee noted this.

The Sub-Committee's reasons for revoking the licence were due to the concerns expressed by Licensing Enforcement of Birmingham City Council, who had made written representations following the submission of the application by Mr Iveszics. Licensing Enforcement also attended the meeting.

All three persons who attended made their submissions, as outlined fully in the Committee Report. The Sub-Committee heard from counsel for the applicant

first. The applicant had been having significant problems with the premises at 1 Rea Court, namely the emanation of noise from that building, especially at night.

The applicant was not looking for revocation of the licence. However, his position was simply that the 1 Rea Court building, when it was licensed, had originally been licensed as a micro-brewery, yet in the last 12 months the style of operation had changed significantly.

The applicant considered that the building was not fit for the provision of regulated entertainment; to use it for this style of activity created a significant nuisance to his property (Birmingham Central Backpackers), and to the people staying there. He himself lived there as well.

Counsel observed that the only way that the Sub-Committee could disallow regulated entertainment from a premises licence would be following a Review of the licence. The applicant wanted to see live and recorded music removed from the scope of the licence. Counsel had suggested a condition that would deal with that.

This suggestion had been made by counsel on the basis that the building was not of a suitable design to properly contain any form of amplified music. Some video clips were played to the Sub-Committee of a view from the applicant's premises, looking out onto the 1 Rea Court building, and the noise of amplified music emanating from 1 Rea Court. Counsel confirmed that the noise was interfering with the applicant’s right to enjoy his own premises.
Counsel again remarked that the premises was not suitable for the provision of regulated entertainment. He reiterated that the applicant was not looking for revocation of the licence; he simply wanted the nuisance to stop, and considered that the only way that that could happen was by removing regulated entertainment from the scope of the licence.

Counsel had noted that the licence holder had made reference to the nearby Lab 11 nightclub premises as a possible source of the noise nuisance. However, counsel confirmed that the applicant was certain that the noise was “absolutely not” emanating from Lab 11. He also pointed out that Lab 11 had doors and a lobby which acted as sound attenuation, whereas 1 Rea Court was an entirely different style of building.

Counsel had suggested to the company director that the licence holder could adopt noise attenuation measures, and thereafter could apply to vary the licence; provided the measures were done satisfactorily, then Mr Iveszics would not object. Counsel said that the objection related solely to the noise, which was “making the windows and walls shake and resonate”.

Counsel had met the director of the licence holder company and noted that the director had been content to allow somebody else to essentially operate the venue, even though his company was the licence holder, and it was ultimately his responsibility as the company director to ensure that the licence was operated responsibly. The Sub-Committee noted this and was concerned that this style of management placed the licensing objectives at risk.

Counsel considered that the only way that the noise nuisance could be controlled was by removing regulated entertainment from the scope of the licence under section 177A of the Licensing Act 2003. The applicant was happy for the premises to operate as a micro-brewery as per the terms of the licence as it had originally been granted, and to sell alcohol by retail, but felt that the building was "just not suitable" to provide regulated entertainment and that this should be removed from the scope of the licence.

The Sub-Committee then heard from the Licensing Enforcement officer. The officer made submissions as per her document in the Committee Report. She confirmed that when the premises licence was first granted it had been on the basis that the premises would be a micro-brewery venue. Since the premises had been operated by David Whittall, it appeared that the main use of the premises had become as a music venue, whether that be live or recorded music. This was in complete contrast to when it was first licensed. The conditions which formed part of the licence had been suitable for micro-brewery use, not music venue use. The Sub-Committee agreed that the new use was not a satisfactory style of trading and considered that the change in the operating style placed the licensing objectives at risk.

An inspection at the premises had been conducted by Licensing Enforcement, and numerous failings had been found. All of the matters identified had constituted offences under the Licensing Act 2003 due to non-compliance with the conditions attached to the premises licence. The Sub-Committee found this completely unacceptable.

There had been "virtually non-existent" management of the premises by the director of the licence holder company, and the premises had failed to comply with the majority of its conditions of licence. Most worryingly of all, it appeared that the premises had been carrying on licensable activities for over 12 months without a designated premises supervisor. The Sub-Committee took a dim view of this and considered that it created a significant risk to the upholding of the licensing objectives.

Licensing Enforcement confirmed that they did not have any confidence that the licence holder was capable of promoting the licensing objectives at 1 Rea Court, in particular the prevention of crime and disorder and the prevention of public nuisance. Accordingly, the recommendation of Licensing Enforcement was that the premises licence should be revoked and the designated premises supervisor removed. The Sub-Committee noted this.

The Sub-Committee then heard from those representing the licence holder company – principally the company director. He accepted that he was "fairly hands off", but did not accept that he was not in charge or not in control.
He said that he had always employed designated premises supervisors who were responsible and competent; however, he had come to realise that a recent recruit had not fitted this description, and as a result, the company had terminated its arrangement with that individual. The last event run by that person had been on New Year's Eve 2024, and the person had already removed the sound equipment that he had installed at the venue.

The director accepted that failings had been found in the inspection, but assured the Sub-Committee that the appropriate steps to remedy matters had been taken. He was also engaged directly with the applicant Mr Iveszics, and had made sure that during the subsequent events held at the venue (ie after the complaint was submitted), that “the noise was kept to a minimum, although it was still loud”. The Sub-Committee was not reassured by this remark.

The director had noted that counsel for the applicant had felt that a variation of the licence was the way forward, but the director disagreed, saying that this was not the case. He said that the premises had “always had events even when it was running as a brewery”, and some of those had been “large amplified sound events”. He felt that it was important to retain the licence for the community as the premises showcased lots of businesses.

He and the others from the premises then outlined the style of operation and events put on, including the community events. One person from the premises accepted that “some of the things have probably been way too loud”. The Sub-Committee noted this.

The director and associates felt that much of the nuisance was noise emanating from the Lab 11 nightclub premises. They stated that they had attempted to adopt some soundproofing measures at 1 Rea Court and stated that there were three layers of noise insulation in the roof. They had taken some decibel readings, and considered that the readings from Lab 11 were higher. They thought that Environmental Health ought to come and set some sound levels.

They pointed out that other venues in the neighbourhood were operating to late hours and in a manner which created noise emanation. They asked the Sub-Committee to note their concern that revocation, or even variation, of the licence, would be “a detriment to any business that opens up in the future in Birmingham”. They considered that the noise issue was created by the other venues which were “just as loud, if not louder” than 1 Rea Court.
When deliberating, the Sub-Committee noted that the applicant had brought the Review on the grounds of public nuisance (noise disturbing all those at his building, late at night).

The Sub-Committee considered that the starting point was that the premises had been granted a licence as a micro-brewery, and the licence conditions reflected a micro-brewery style of operation. It appeared that the premises had instead begun operating as a music venue. This was an entirely different style of operation, which the licence conditions had not been designed to cover. This style of operation was not acceptable.

The Sub-Committee agreed with all the points made by the Licensing Enforcement officer. The inspection had found numerous unacceptable failings. The Sub-Committee considered that for any licensed premises to operate without a designated premises supervisor for 12 months had put the licensing objectives at very grave risk; as such, the Sub-Committee took a very dim view of it.

The Members agreed with the Licensing Enforcement officer’s assessment that it was quite clear that there were management issues at the premises such that it

was impossible to have any confidence in the licence holder company or the staff at the premises.

The Sub-Committee looked at all options when making its decision, and placed particular emphasis on the need to ensure that it had confidence that the premises would not undermine the licensing objectives.

Counsel had suggested that the way forward was simply to adopt measures to disallow live and recorded music. However, the Sub-Committee was not at all confident that this type of action would be sufficient. The Members had noted that the director himself had admitted that his style was “hands off”. Numerous breaches of condition had been found during the inspection, and the Licensing Enforcement officer had confirmed that she had no confidence in the licence holder to operate responsibly.

After scrutinising the evidence carefully, and hearing the submissions in the meeting, the Members shared the concerns of Licensing Enforcement. The evidence presented by Licensing Enforcement in the Report and during the meeting had been more than sufficient to confirm that the premises was operating in a manner which undermined the licensing objectives. Nothing in the operating style described in the meeting had inspired confidence. The failings noted by Licensing Enforcement had been numerous.

The Members gave consideration to modifying the conditions and/or imposing a suspension of the licence. However, the Members were not at all satisfied, given the evidence submitted, that the licensing objectives would be properly promoted following any such determination, or that the premises would operate responsibly if these sanctions were to be imposed.

The evidence had shown a complete disregard for the law by the licence holder. The findings had shown a lack of professional supervision and control by the licence holder and its director, and in short the licence holder had demonstrated that it was incapable of upholding the licensing objectives.
All in all, the Members had no confidence in the licence holder to meet the standard expected of licence holders in Birmingham. The premises had been licensed as a micro-brewery, not a music venue. A cavalier attitude to the licensing objectives had been taken. The Members felt it was important for the Sub-Committee to reassure the local community that there would be consequences for licence holders whose premises were found to be trading irresponsibly and not in accordance with the conditions on the premises licence.

After scrutinising all the evidence, the Sub-Committee determined that the breaches discovered by Licensing Enforcement were indeed so serious that they could not be tolerated. A determination to revoke and to remove the designated premises supervisor would follow the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003, and was an entirely proportionate sanction given that the premises’ style of operation seriously undermined the prevention of crime and disorder, and the prevention of public nuisance, objectives in Birmingham.

There were no compelling reasons to depart from the Guidance on this occasion. To take some other course (other than revocation and removal of the designated premises supervisor) ran the risk of sending a message that breach of licence conditions was not a serious matter, or that there would be no consequences for doing so, which the Sub-Committee was not prepared to do.

The business was not being run in accordance with the licence. The licence had been granted to cover use as a micro-brewery premises. All parties, including the company director himself, had agreed that the current style of operation was not that of a micro-brewery, but of a music venue – indeed, those from the premises had remarked that the events offered by the premises had been "large amplified sound events" and "some of the things have probably been way too loud".

This style of operation was not covered by the licence conditions. The Sub-Committee therefore resolved to revoke the licence and to remove the designated premises supervisor.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under section 182 of the Licensing Act 2003 by the Secretary of State, the application for Review, the written representations received and the submissions made at the hearing by the applicant via his counsel, by Licensing Enforcement, and by the company director and others representing the licence holder company.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.
The determination of the Sub-Committee does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the appeal is determined.

**The Meeting ended at 1132 hours.**

*Chair……..*

# BIRMINGHAM CITY COUNCIL

**PUBLIC REPORT**

| | |
|---|---|
| **Report to:** | **Licensing Sub Committee A** |
| **Report of:** | **Director of Regulation & Enforcement** |
| **Date of Meeting:** | **Monday 3rd March 2025** |
| **Subject:** | **Licensing Act 2003**<br>**Premises Licence – Grant** |
| **Premises:** | **Booth Farm Local, 18 Booths Farm Road, Great Barr, Birmingham, B42 2NH** |
| **Ward affected:** | **Perry Barr** |
| **Contact Officer:** | **Bhapinder Nandhra, Senior Licensing Officer, licensing@birmingham.gov.uk** |

## 1. Purpose of report:

To consider the representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption off the premises) to operate from 08:00am until 11:00pm (Monday to Saturday) and 08:00am until 10:30pm (Sunday).

Premises to remain open to the public from 08:00am until 12:00midnight (Monday to Saturday) and 08:00am until 11:00pm (Sunday).

## 2. Recommendation:

To consider the representations that have been made and to determine the application, having regard to:

- The submissions made by all parties
- The Statement of Licensing Policy
- The Public Sector Equality Duty
- The s182 Guidance

## 3. Brief Summary of Report:

An application for a Premises Licence was received on 13th January 2025 in respect of Booth Farm Local, 18 Booths Farm Road, Great Barr, Birmingham, B42 2NH.

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:

Manmeet Singh applied on 13th January 2025 for the grant of a Premises Licence for Booth Farm Local, 18 Booths Farm Road, Great Barr, Birmingham, B42 2NH.

Representations have been received from other persons, which are attached at Appendices 1 - 4.

The application is 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:

Copies of the representations as detailed in Appendices 1 – 4.
Application Form, 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:** 02 February 2025 13:57
**To:** Licensing
**Subject:** 18 booths farm road, Birmingham

I have recently found out that the above property has put in for a license to sell alcohol, I didn't even realise that the property had put in to become a shop. I live opposite this property and cannot believe we need another shop in the area with the shop at the bottom of the road the co op on the walsall road and the shops at the scott arms all within walking distance and all selling goods and alcohol. The traffic is very congested on weekends what with both hairdressers trading and visitors to neighbours. The rubbish that gathers at the moment is bad enough with cars throwing things out when they pull up I've no idea what this will be like if the shop is given the go ahead. This is very much a residential street especially with all the houses opposite. I'm worried about the anti social behaviour with groups of teens gathering outside at night cars pulling up and revving of engines and with such late opening hours. If this is given a green light, I pray not can the trading hours be some what reduced to say 9pm latest.

**From:**
**Sent:** 06 February 2025 10:08
**To:** Licensing
**Subject:** Licensing of Alchol

To whom ever it may concern

I am emailing you regarding the permission for the building at number 18 Booths Farm Road to become a place to sell Alchol.

I have massive concerns about this going ahead in a residential area. This will generate anti social behaviour.

we already have cars that sit outside the shop , playing music and will be even worse knowing that they can buy alchol from here. Also the empty bottles being dumped outside .Who will be picking up the broken bottles??

The times that the shop has plans to stay open to 11.00pm I don't feel are appropriate for a residential area.

We already have a shop down the bottom of Booths Farm Road that provides this service as well as the Co-op .

I don't feel we need this service, especially having to live right opposite it.

Kind Regards

**From:**
**Sent:** 07 February 2025 02:25
**To:** Licensing < >
**Subject:** Subject: Objection to Proposed Alcohol Licence – Booths Farm Rd, Great Barr B42

Dear Licensing Department,

I am writing on behalf of concerned residents in the local community to formally object to the proposed licensing of a new shop selling alcohol on [Exact Location] in our residential area.
This proposal is deeply concerning, as it would only exacerbate existing issues within the community. Our area is already served by multiple nearby establishments selling alcohol, including:

- A **pub on Booths Farm Road**
- Licensed shops on **Turnberry Road**
- Additional alcohol retailers on **Beeches Road**
- The **Co-op on Walsall Road**

All of these locations are within a **five-minute walking distance**, making another alcohol vendor entirely unnecessary.

Moreover, our community is already struggling with issues related to anti-social behaviour. There is a **local HMO on Perry Wood Road** that has contributed to ongoing disturbances, and we frequently experience incidents of public intoxication, noise disturbances, and groups congregating late into the night, disrupting the peace of this **residential area**. The presence of yet another shop selling alcohol would only worsen these problems, making the neighbourhood less safe for families and residents.
It is **completely unacceptable** to introduce another alcohol outlet in an area already suffering from these challenges. As a united community, we **strongly oppose** this application and urge the Licensing Department to **reject this proposal** in order to maintain the safety and well-being of local residents.

Please confirm receipt of this objection and advise on the next steps regarding this licensing application.

Yours sincerely,

**From:**
**Sent:** 10 February 2025 17:29
**To:** Licensing
**Subject:** Off licence at 18 Booths Farm rd B42 2NH

Hello,

I live at Booths Farm rd and I would like you to re consider the proposal for the off licence on our road.

I am very concerned about there potentially being an off-licence as I think it would bring a lot of antisocial behaviour: rubbish/litter, car noise & music, parking issues, people crowding, alcohol etc.

Most importantly, I don't want to have alcohol, vapes, etc sold directly outside of my house. Especially as the owners plan to have an 11pm closing time which is too late for a neighbourhood with families and children.

As well as this there is already a shop at the bottom of the road it seems unnecessary to open one here.

Me and many of my neighbours do not want an off licence to open here.

I hope you will take this into consideration.

## Application for a premises licence to be granted under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Manmeet Singh

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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**

**Part 1 – Premises details**

| Postal address of premises or, if none, ordnance survey map reference or description<br>**Booth Farm Local, 18 Booths Farm Road** | | | |
|---|---|---|---|
| **Post town** | Birmingham | **Postcode** | B422NH |

| | |
|---|---|
| Telephone number at premises (if any) | |
| Non-domestic rateable value of premises | £8,500 |

**Part 2 - Applicant details**

| Please state whether you are applying for a premises licence as | | **Please tick as appropriate** |
|---|---|---|
| **a)** | an individual or individuals * | please complete section (A) |
| b) | a person other than an individual * | |

| | | | |
|---|---|---|---|
| | i | as a limited company/limited liability partnership | please complete section (B) |
| | ii | as a partnership (other than limited liability) | please complete section (B) |
| | iii | as an unincorporated association or | please complete section (B) |
| | iv | other (for example a statutory corporation) | please complete section (B) |
| c) | | a recognised club | please complete section (B) |
| d) | | a charity | please complete section (B) |
| e) | | the proprietor of an educational establishment | please complete section (B) |
| f) | | a health service body | please complete section (B) |
| g) | | a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales | please complete section (B) |
| ga) | | a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | please complete section (B) |
| h) | | the chief officer of police of a police force in England and Wales | please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

(A) **INDIVIDUAL APPLICANTS** (fill in as applicable)

| | | | |
|---|---|---|---|
| **Mr** | | Other Title (for example, Rev) | |
| **Surname**<br>**Singh** | | **First names**<br>**Manmeet** | |
| **Date of birth** | I am 18 years old or over | yes | |
| **Nationality** | | | |
| Current residential address if different from premises address | | | |
| Post town | | Postcode | |
| **Daytime contact telephone number** | | | |
| **E-mail address (optional)** | | | |
| Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information) | | | |

**SECOND INDIVIDUAL APPLICANT** (if applicable)

| | | | |
|---|---|---|---|
| Mr Mrs Miss Ms | | Other Title (for example, Rev) | |
| **Surname** | | **First names** | |
| **Date of birth** | I am 18 years old or over | Please tick yes | |
| **Nationality** | | | |
| Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information) | | | |
| Current residential address if different from premises address | | | |
| Post town | | Postcode | |

| | |
|---|---|
| **Daytime contact telephone number** | |
| **E-mail address (optional)** | |

(B) OTHER APPLICANTS

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

| |
|---|
| Name |
| Address |
| Registered number (where applicable) |
| Description of applicant (for example, partnership, company, unincorporated association etc.) |
| Telephone number (if any) |
| E-mail address (optional) |

**Part 3 Operating Schedule**

| | | | |
|---|---|---|---|
| When do you want the premises licence to start? | DD<br>ASAP | 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 |

| |
|---|
| Please give a general description of the premises (please read guidance note 1)<br><br>Off licence selling alcohol and groceries. Shop will also sell daily life essentails. |

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

| Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
|---|---|
| a) plays (if ticking yes, fill in box A) | |
| b) films (if ticking yes, fill in box B) | |
| c) indoor sporting events (if ticking yes, fill in box C) | |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | |
| e) live music (if ticking yes, fill in box E) | |
| f) recorded music (if ticking yes, fill in box F) | |
| g) performances of dance (if ticking yes, fill in box G) | |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | |

| | |
|---|---|
| **Provision of late night refreshment** (if ticking yes, fill in box I) | |
| **Supply of alcohol** (if ticking yes, fill in box J) | ✓ |

**In all cases complete boxes K, L and M**

**A**

| **Plays** Standard days and timings (please read guidance note 7) | | | **Will the performance of a play take place indoors or outdoors or both – please tick** (please read guidance note 3) | Indoors | |
|---|---|---|---|---|---|
| | | | | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | **Please give further details here** (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | **State any seasonal variations for performing plays** (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | **Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list** (please read guidance note 6) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

**B**

| **Films** Standard days and timings (please read guidance note 7) | | | **Will the exhibition of films take place indoors or outdoors or both – please tick** (please read guidance note 3) | Indoors | |
|---|---|---|---|---|---|
| | | | | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | **Please give further details here** (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | **State any seasonal variations for the exhibition of films** (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | **Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list** (please read guidance note 6) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

**C**

| **Indoor sporting events** Standard days and timings (please read guidance note 7) | | | **Please give further details** (please read guidance note 4) |
|---|---|---|---|
| Day | Start | Finish | |
| Mon | | | |
| | | | |
| Tue | | | **State any seasonal variations for indoor sporting events** (please read guidance note 5) |
| | | | |
| Wed | | | |
| | | | |
| Thur | | | **Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list** (please read guidance note 6) |
| | | | |
| Fri | | | |
| | | | |
| Sat | | | |
| | | | |
| Sun | | | |
| | | | |

**D**

| **Boxing or wrestling entertainments** Standard days and timings (please read guidance note 7) | | | **Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick** (please read guidance note 3) | | |
|---|---|---|---|---|---|
| Day | Start | Finish | | Indoors | |
| | | | | Outdoors | |
| | | | | Both | |
| Mon | | | **Please give further details here** (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | **State any seasonal variations for boxing or wrestling entertainment** (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | **Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list** (please read guidance note 6) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

**E**

| **Live music** Standard days and timings (please read guidance note 7) | | | **Will the performance of live music take place indoors or outdoors or both – please tick** (please read guidance note 3) | Indoors | |
|---|---|---|---|---|---|
| | | | | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | **Please give further details here** (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | **State any seasonal variations for the performance of live music** (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | **Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list** (please read guidance note 6) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

**F**

| **Recorded music** Standard days and timings (please read guidance note 7) | | | **Will the playing of recorded music take place indoors or outdoors or both – please tick** (please read guidance note 3) | Indoors | |
|---|---|---|---|---|---|
| | | | | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | **Please give further details here** (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | **State any seasonal variations for the playing of recorded music** (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | **Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list** (please read guidance note 6) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

G

| **Performances of dance** Standard days and timings (please read guidance note 7) | | | **Will the performance of dance take place indoors or outdoors or both – please tick** (please read guidance note 3) | Indoors | |
|---|---|---|---|---|---|
| | | | | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | **Please give further details here** (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | **State any seasonal variations for the performance of dance** (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | **Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list** (please read guidance note 6) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

**H**

| **Anything of a similar description to that falling within (e), (f) or (g)**<br>Standard days and timings (please read guidance note 7) | | | Please give a description of the type of entertainment you will be providing | | |
|---|---|---|---|---|---|
| Day | Start | Finish | **Will this entertainment take place indoors or outdoors or both – please tick** (please read guidance note 3) | Indoors | |
| Mon | | | | Outdoors | |
| | | | | Both | |
| Tue | | | **Please give further details here** (please read guidance note 4) | | |
| | | | | | |
| Wed | | | | | |
| | | | | | |
| Thur | | | **State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)** (please read guidance note 5) | | |
| | | | | | |
| Fri | | | | | |
| | | | | | |
| Sat | | | **Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list** (please read guidance note 6) | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

I

| **Late night refreshment** Standard days and timings (please read guidance note 7) | | | **Will the provision of late night refreshment take place indoors or outdoors or both – please tick** (please read guidance note 3) | | |
|---|---|---|---|---|---|
| | | | | Indoors | |
| | | | | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | **Please give further details here** (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | **State any seasonal variations for the provision of late night refreshment** (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | **Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list** (please read guidance note 6) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

**J**

| **Supply of alcohol** Standard days and timings (please read guidance note 7) | | | **Will the supply of alcohol be for consumption – please tick** (please read guidance note 8) | | |
|---|---|---|---|---|---|
| | | | | On the premises | |
| | | | | Off the premises | X |
| Day | Start | Finish | | Both | |
| Mon | 0800 | 2300 | **State any seasonal variations for the supply of alcohol** (please read guidance note 5) | | |
| | | | | | |
| Tue | 0800 | 2300 | | | |
| | | | | | |
| Wed | 0800 | 2300 | | | |
| | | | | | |
| Thur | 0800 | 2300 | **Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list** (please read guidance note 6) | | |
| | | | | | |
| Fri | 0800 | 2300 | | | |
| | | | | | |
| Sat | 0800 | 2300 | | | |
| | | | | | |
| Sun | 0800 | 2230 | | | |
| | | | | | |

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

| | |
|---|---|
| **Name- Manmeet Singh** | |
| **Date of birth –** | |
| **Address:** . | |
| **Postcode** | |
| **Personal licence number (if known)** 11878/1 | |
| **Issuing licensing authority (if known). Birmingham City Council** | |

**K**

| **Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 9). |
|---|
| |

**L**

| **Hours premises are open to the public** Standard days and timings (please read guidance note 7) | | | **State any seasonal variations** (please read guidance note 5) |
|---|---|---|---|
| Day | Start | Finish | |
| Mon | 0800 | 0000 | |
| | | | |
| Tue | 0800 | 0000 | |
| | | | |
| Wed | 0800 | 0000 | |
| | | | **Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list** (please read guidance note 6) |
| Thur | 0800 | 0000 | |
| | | | |
| Fri | 0800 | 0000 | |
| | | | |
| Sat | 0800 | 0000 | |
| | | | |
| Sun | 0800 | 2300 | |
| | | | |

## M

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

**a) General – all four licensing objectives (b, c, d and e)** (please read guidance note 10)

Staff would be given training on retail sale of alcohol and licensing objectives.

CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police

and authorised Officers from Council upon request.

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

CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Council upon request.

An incident and refusals log shall be kept at the premises and made available for inspection on request to police or the council
a) Any complaints received.
b) Any incidents of disorder.
c) Any faults in the CCTV system.
d) Any refusal of the sale of alcohol.
e) Any visit by a relevant authority or emergency service.

Staff training shall take place on the Licensing Act and Licensing objectives upon commencement of employment and every 12 months thereafter, a written record of this training is to be maintained and made available to the police and any authorised officer of the Council for inspection on request.

**c) Public safety**

A Risk assessment will be in place and updated annually.

**d) The prevention of public nuisance**

Management and staff are to use their best endeavours to prevent persons loitering outside the premises. Staff will monitor the area immediately outside the premises on a regular basis to check for, and to properly dispose of any litter from the premises.

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

The premises will operate a "Challenge 25" proof of age policy, and signage to this effect is to be prominently displayed within the premises. Persons who appear to be under the age of 25 must produce identification for scrutiny by staff that provides proof of age before being sold/supplied alcohol. Only a passport or photo-card driving licence or a proof of age card bearing the official 'PASS' accreditation hologram will be accepted as proof of age. The premises is to maintain a refusals register to record the details of incidents / descriptions of individuals, where a member of staff has refused to sell alcohol to a person suspected of being under the age of 18. The register must be made available to the police / authorised officers of the Licensing Authority on request.

**Checklist:**

| | Please tick to indicate agreement |
|---|---|
| I have made or enclosed payment of the fee. | X |
| I have enclosed the plan of the premises. | X |
| I have sent copies of this application and the plan to responsible authorities and others where applicable. | X |
| I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. | X |
| I understand that I must now advertise my application. | X |
| I understand that if I do not comply with the above requirements my application will be rejected.<br>[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). | X |

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

**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.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

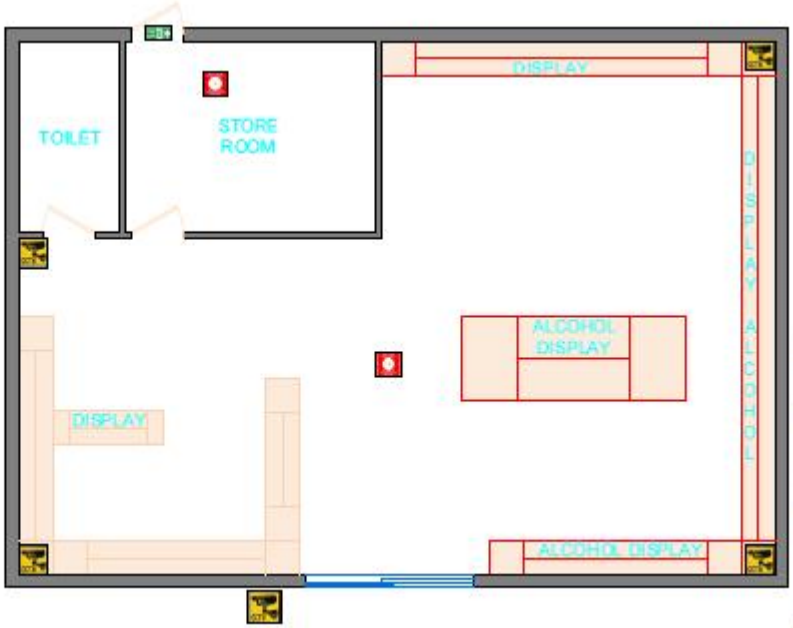
| | |
|---|---|
| **Declaration** | • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).<br>• 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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15) |
| Signature | |
| Date | 13/01/2025 |
| Capacity | Owner |

**For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

| | |
|---|---|
| Signature | |
| Date | |
| Capacity | |

| | | | |
|---|---|---|---|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) | | | |
| Post town | | Postcode | |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |



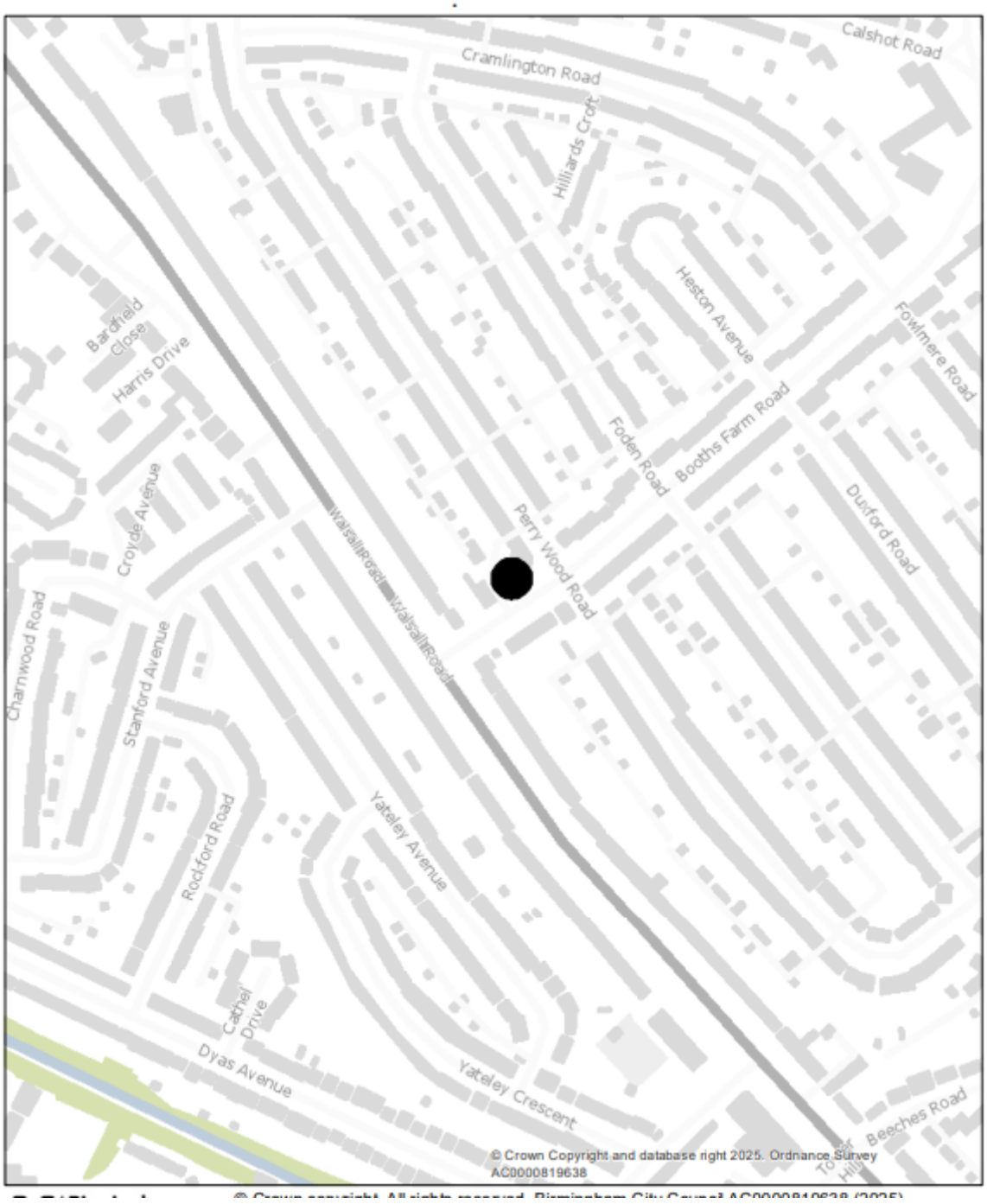



**Client:**
---

**Project:**
PROPOSED GROUND FLOOR

**Project Address:**
18 Booths farm B422NH

Scale: 1:100 Date:1/13/2025


Cramlington Road
Calshot Road
Hillards Croft
Heston Avenue
Fowlmere Road
Bardfield Close
Harris Drive
Foden Road
Booths Farm Road
Croyde Avenue
Walsall Road
Perry Wood Road
Dunford Road
Charnwood Road
Stanford Avenue
Rockford Road
Yateley Avenue
Cathal Drive
Dyas Avenue
Yateley Crescent
Beeches Road
© Crown Copyright and database right 2025. Ordnance Survey
AC0000819638


Foden Road
Perry Wood Road
Booths Farm Road
Walsall Road
Shelter
Shelter
Shelter
El Sub Sta
139.6m
144.1m
141.1m
134.0m
© Crown copyright and database right 2025. Ordnance Survey