

# **BIRMINGHAM CITY COUNCIL**

## **LICENSING SUB-COMMITTEE A**

**MONDAY, 22 JULY 2019 AT 09:30 HOURS**  
**IN ELLEN PINSENT ROOM, COUNCIL HOUSE, VICTORIA**  
**SQUARE, BIRMINGHAM, B1 1BB**

*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**

Chairman to advise meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 **DECLARATIONS OF INTERESTS**

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

3 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

**3 - 4**

4 **MINUTES**

To note the public part of the Minutes of the meeting held on 20 May 2019.

**5 - 40**

5 **LICENSING ACT 2003 PREMISES LICENCE – GRANT SAIGON PALACE, 2ND FLOOR KOTWALL HOUSE, WROTTESLEY STREET, BIRMINGHAM, B5 4RT**

Report of the Assistant Director of Regulation and Enforcement.  
N.B. Application scheduled to be heard at 09:30am.  
PLEASE NOTE THIS ITEM HAS BEEN WITHDRAWN

6 **OTHER URGENT BUSINESS**

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

6A **LICENSING ACT 2003 TEMPORARY EVENT NOTICE FRIENDS CAR  
WASH, PARK ROAD, BIRMINGHAM, B18 5ST**

Report of the Assistant Director of Regulation and Enforcement.  
N.B. Application scheduled to be heard at 11:00am.

PLEASE NOTE APPLICATION HAS BEEN WITHDRAWN

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 20 May 2019 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 Chairman are matters of urgency.

# BIRMINGHAM CITY COUNCIL

<p><b>LICENSING SUB - COMMITTEE A - 20 MAY 2019</b></p>
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**MINUTES OF A MEETING OF  
LICENSING SUB-COMMITTEE A HELD  
ON MONDAY 20 MAY 2019  
AT 0930 HOURS IN ELLEN PINSENT ROOM,  
COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:** - Councillor Mike Sharpe in the Chair;

Councillors Bob Beauchamp and Adam Higgs.

**ALSO PRESENT:**

Shaid Yasser – Licensing Section  
Joanne Swampillai – Legal Services  
Katy Townshend – Committee Services.

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**NOTICE OF RECORDING**

1/200519 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

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**DECLARATIONS OF INTERESTS**

2/200519 Members were reminded that they must declare all relevant pecuniary and non-pecuniary interests arising from any business discussed at the meeting. If a disclosable pecuniary interest are declared a Member must not speak or take part in that agenda item. Any declarations to be recorded in the minutes of meeting.

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**APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

3/200519 No apologies were submitted.

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4/200519 **ANY OTHER URGENT BUSINESS**

There were no matters of urgent business.

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5/200519      **EXCLUSION OF THE PUBLIC**  
                  **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:-  
(Paragraphs 3 & 4)

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## BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee A</b>
<b>Report of:</b>	<b>Assistant Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Monday 22<sup>nd</sup> July 2019</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>Saigon Palace, 2<sup>nd</sup> Floor Kotwall House, Wrottesley Street, Birmingham, B5 4RT</b>
<b>Ward affected:</b>	<b>Bordesley &amp; Highgate</b>
<b>Contact Officer:</b>	<b>Bhapinder Nandhra, Senior Licensing Officer, 0121 303 9896, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

**1. Purpose of report:**

To consider a representation that has been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption both on and off the premises) to operate from 12:00midday until 03:45am (Monday to Sunday).

The provision of Regulated Entertainment consisting of films, live music, recorded music, performances of dance and anything of a similar description, to operate indoors only, from 12:00midday until 04:00am (Monday to Sunday)

To permit the provision of Late Night Refreshment, to operate indoors only, from 11:00pm until 04:00am (Monday to Sunday).

Premises to remain open to the public from 12:00midday until 04:30am (Monday to Sunday).

**2. Recommendation:**

To consider the representation that has been made and to determine the application.

**3. Brief Summary of Report:**

An application for a Premises Licence was received on 29<sup>th</sup> May 2019 in respect of Saigon Palace, 2<sup>nd</sup> Floor Kotwall House, Wrottesley Street, Birmingham, B5 4RT.

A representation has been received from Environmental Health as a responsible authority.

**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.

<p><b>5. Relevant background/chronology of key events:</b></p> <p>Siamak Nejad applied on 29<sup>th</sup> May 2019 for the grant of a Premises Licence for Saigon Palace, 2<sup>nd</sup> Floor Kotwall House, Wrotesley Street, Birmingham, B5 4RT.</p> <p>A representation has been received from Environmental Health, as a responsible authority. See Appendix 1.</p> <p>The application is attached at Appendix 2.</p> <p>Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 3.</p> <p>Conditions have been agreed with Birmingham City Council Licensing Enforcement and the applicant, which are attached at Appendix 4.</p> <p>Site Location Plans at Appendix 5.</p> <p>It should be noted that there is a special policy in force for the Hurst Street/Arcadian area. The effect of a special policy is to create a rebuttable presumption that applications for new licences or material variations to existing licences will normally be refused unless it can be shown that the premises concerned will not add to the cumulative impact on the licensing objectives being experienced.</p> <p>The Council will expect the applicant to demonstrate the steps it will take to promote the licensing objectives. Where relevant representations are made, the Council will consider the application on its individual merits and decide whether to apply the special policy.</p> <p>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:-</p> <ol style="list-style-type: none"> <li>The prevention of crime and disorder;</li> <li>Public safety;</li> <li>The prevention of public nuisance; and</li> <li>The protection of children from harm.</li> </ol>
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<p><b>6. List of background documents:</b></p> <p>Copy of the representation as detailed in Appendix 1</p> <p>Application Form, Appendix 2</p> <p>Conditions agreed with West Midlands Police, Appendix 3</p> <p>Conditions agreed with Birmingham City Council Licensing Enforcement, Appendix 4</p> <p>Site Location Plans, Appendix 5</p>
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<p><b>7. Options available</b></p> <p>To Grant the licence in accordance with the application.</p> <p>To Reject the application.</p> <p>To Grant the licence subject to conditions modified to such an extent as considered appropriate.</p> <p>Exclude from the licence any of the licensable activities to which the application relates.</p> <p>Refuse to specify a person in the licence as the premises supervisor.</p>
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ENTERED

b2

**From:** Martin Key  
**Sent:** 26 June 2019 11:04  
**To:** Licensing  
**Cc:**  
**Subject:** SAIGON PALACE, KOTWALL HOUSE, 2ND FLOOR, WROTTESLEY STREET, BIRMINGHAM, B5 4RT

**Importance:** High

Hi

I, Martin Key, as a representative of Environmental Health, formally raise a representation on the above premises licence application. My representation(s) concern the likely effect of the grant of the licence on the promotion of the licensing objectives relating to the prevention of public nuisance.

I am concerned that the grant of the licence would potentially result in noise nuisance to neighbouring properties due to noise breakout from the building, noise escape from live and recorded music and noise from patrons accessing and egressing the premises.

The application describes the premises as an oriental themed restaurant and is for:-

- Live and recorded indoor music between 12.00 – 04.00
- Dance indoors between 12.00 – 04.00
- Similar activities to live music, recorded music and dance indoors between 12.00 – 04.00
- Late night refreshment indoors from 23.00 04.00
- Alcohol for on and off sales from 12.00 – 03.45

The application does not include any significant details on intended regulated entertainment lacks any effective controls to mitigate potential impacts – indeed there is no reference at all to smoking areas and dispersal management. The application also lies within the Hurst Street/Arcadian Special Policy area which creates a rebuttable presumption that applications for new licences will normally be refused unless it can be shown that the premises concerned will not add to the cumulative impact on the licensing objectives – there is no such assessment supporting this application.

Given the location and design of the premises, the lack of effective controls to address the public nuisance licensing objective and the requested scope and hours of this application I would recommend refusal of the application. I do not believe that this concern can be dealt with solely by the use of appropriate conditions.

Best Regards

Martin Key  
 Environmental Protection Officer

Environmental Health | Regulation & Enforcement Division

✉: Environmental Health, Manor House, PO Box 16977, Birmingham, B2 2AE  
 (Office Site: Environmental Protection, 1st Floor, 40 Moat Lane, Birmingham, B5 5BD)  
 🌐: [www.birmingham.gov.uk/eh](http://www.birmingham.gov.uk/eh) | Facebook: ehbbham | Twitter: @ehbbham

*locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors*

🖨 Please consider the environment before printing this email



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

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

\* required information

**Section 1 of 21**

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Is the applicant:

- ☐ Applying as a business or organisation, including as a sole trader
- ☒ Applying as an individual

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

Continued from previous page...

**Address**

\* Building number or name SAIGON PALACE, Kotwall House, 2nd Floor  
\* Street Wrotesley Street  
District  
\* City or town Birmingham  
County or administrative area West Midlands  
\* Postcode B5 4RT  
\* Country United Kingdom

**Agent Details**

\* First name Carl  
\* Family name Moore  
\* E-mail carl@cnariskmanagementltd.co.uk  
Main telephone number  
Other telephone number

Include country code.

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

Are you:

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

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

**Agent Business**

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

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

Registration number  
Business name  
VAT number -  
Legal status Please select...  
Your position in the business  
Home country United Kingdom

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Registered Address**

Address registered with Companies House.

Building number or name	C.N.A. Risk Management Limited
Street	P.O. Box 13293
District	Great Barr
City or town	Birmingham
County or administrative area	West Midlands
Postcode	B42 9BP
Country	United Kingdom

**Section 2 of 21**

**PREMISES DETAILS**

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

**Premises Address**

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

☒ Address    ☐ OS map reference    ☐ Description

**Postal Address Of Premises**

Building number or name	SAIGON PALACE, Kotwall House, 2nd Floor,
Street	Wrottesley Street
District	
City or town	Birmingham
County or administrative area	West Midlands
Postcode	B5 4RT
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	54,000

**Section 3 of 21****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

**Confirm The Following**

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

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

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

☒ Yes ☐ No

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

First name

Siamak Zohrab

Family name

NEJAD

Is the applicant 18 years of age or older?

☒ Yes ☐ No

Continued from previous page...

### Current Residential Address

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

☐ Yes

☒ No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### Applicant Contact Details

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

☒ Yes

☐ No

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

E-mail

Telephone number

Other telephone number

\* Date of birth

-  -   
dd mm yyyy

\* Nationality

Right to work share code

Documents that demonstrate entitlement to work in the UK

Right to work share code if not submitting scanned documents

Add another applicant

### Section 5 of 21

#### OPERATING SCHEDULE

When do you want the premises licence to start?

/  /   
dd mm yyyy

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

/  /   
dd mm yyyy

Provide a general description of the premises

**Continued from previous page...**

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

The Premises is located on the second floor of an old large building which also houses a number of night time economy units. The premises were once licensed for a nightclub, however it ceased trading and has lay empty for a number of years. The applicant is proposing to operate the premises as an Oriental themed licensed restaurant with individual dining rooms with function facilities. It will be known as SAIGON PALACE

The premises will consist of a small bar, a main restaurant with tables and chairs. There will also be ladies and gents toilets with disabled facilities.

A fully functional kitchen will be in place with all correct extraction fitted.

Besides the main restaurant area there will be 6 Function rooms, all with extra large screens & private dining facilities, customers will be able to watch sports, listen to music & have private parties with food, including families, business lunches and networking events,

Rooms will be rented by the hour for a price, fully monitored by CCTV and serviced by waiters.

Private rooms for parties/functions are the norm in oriental society and this is the theme the applicant is looking to create

With regards to the smoking area customers will have to leave the entrance and step outside to smoke

There will be a booking system in place, customers will be required to book a room or eat in restaurant. There will be no vertical drinking at the bars.

There will be no club events or promoters , external DJ's or P.A's

SJA registered door supervisors will be employed for the evening hours.

A newly installed CCTV will be in place, to be working and down-loadable

The applicant is believes the capacity for the premises once furniture and fittings are in place to be around 255.

The capacity will be confirmed by the Fire risk assessor and agreed with West Midlands Fire Department. Previous capacities have been in excess of 480.

The business will be food driven, so less impact on crime and disorder.

The applicant believes that the type of operation being proposed, and with a reduction of the capacity, that the application for a New Premises License that it will not have an adverse impact on the promotion of the Four licensing objectives.

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

#### **Section 6 of 21**

##### **PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

#### **Section 7 of 21**

##### **PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

☒ Yes

☐ No

##### **Standard Days And Timings**

Continued from previous page...

MONDAY

Start 12:00

End 04:00

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

Start

End

TUESDAY

Start 12:00

End 04:00

Start

End

WEDNESDAY

Start 12:00

End 04:00

Start

End

THURSDAY

Start 12:00

End 04:00

Start

End

FRIDAY

Start 12:00

End 04:00

Start

End

SATURDAY

Start 12:00

End 04:00

Start

End

SUNDAY

Start 12:00

End 04:00

Start

End

Will the exhibition of films take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

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

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

State any seasonal variations for the exhibition of film

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

Continued from previous page...

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

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

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

☒ Yes

☐ No

**Standard Days And Timings**

**MONDAY**

Start 12:00

End 04:00

Start

End

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

**TUESDAY**

Start 12:00

End 04:00

Start

End

**WEDNESDAY**

Start 12:00

End 04:00

Start

End

**THURSDAY**

Start 12:00

End 04:00

Start

End

Continued from previous page...

FRIDAY

Start 12:00

End 04:00

Start

End

SATURDAY

Start 12:00

End 04:00

Start

End

SUNDAY

Start 12:00

End 04:00

Start

End

Will the performance of live music take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

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

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

State any seasonal variations for the performance of live music

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

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

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

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☒ Yes

☐ No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 12:00

End 04:00

Start

End

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

TUESDAY

Start 12:00

End 04:00

Start

End

WEDNESDAY

Start 12:00

End 04:00

Start

End

THURSDAY

Start 12:00

End 04:00

Start

End

FRIDAY

Start 12:00

End 04:00

Start

End

SATURDAY

Start 12:00

End 04:00

Start

End

SUNDAY

Start 12:00

End 04:00

Start

End

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

☒ Indoors

☐ Outdoors

☐ Both

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

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

State any seasonal variations for playing recorded music

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

Continued from previous page...

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

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

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

☒ Yes

☐ No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

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

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

**SATURDAY**

Start

End

Start

End

Continued from previous page...

SUNDAY

Start 12:00

End 04:00

Start

End

Will the performance of dance take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

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

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

State any seasonal variations for the performance of dance

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

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

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

### Section 13 of 21

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

See guidance on regulated entertainment

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

☒ Yes

☐ No

#### Standard Days And Timings

MONDAY

Start 12:00

End 04:00

Start

End

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

TUESDAY

Start 12:00

End 04:00

Start

End

Continued from previous page...

WEDNESDAY

Start 12:00

End 04:00

Start

End

THURSDAY

Start 12:00

End 04:00

Start

End

FRIDAY

Start 12:00

End 04:00

Start

End

SATURDAY

Start 12:00

End 04:00

Start

End

SUNDAY

Start 12:00

End 04:00

Start

End

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

Will this entertainment take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

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

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

State any seasonal variations for entertainment

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

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

Continued from previous page...

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

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

☒ Yes

☐ No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

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

☒ Indoors

☐ Outdoors

☐ Both

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

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

State any seasonal variations

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

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

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

## Section 15 of 21

### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

#### Standard Days And Timings

MONDAY

Start 12:00

End 03:45

Start

End

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

TUESDAY

Start 12:00

End 03:45

Start

End

Continued from previous page...

WEDNESDAY

Start 12:00

End 03:45

Start

End

THURSDAY

Start 12:00

End 03:45

Start

End

FRIDAY

Start 12:00

End 03:45

Start

End

SATURDAY

Start 12:00

End 03:45

Start

End

SUNDAY

Start 12:00

End 03:45

Start

End

Will the sale of alcohol be for consumption:

- ☐ On the premises ☐ Off the premises ☒ Both

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

State any seasonal variations

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

--

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

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

--

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

Continued from previous page...

**Name**

First name

Family name

Date of birth   
dd mm yyyy

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 21**

**ADULT ENTERTAINMENT**

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

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

None

Continued from previous page...

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

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

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

**SATURDAY**

Start

End

Start

End

**SUNDAY**

Start

End

Start

End

State any seasonal variations

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

--

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

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

--

Continued from previous page...

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

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

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

- The applicant has put in place a very strong and experienced management team to ensure all staff receive adequate training on a regular basis, relating to the four Licensing objectives, general licensing regulations/Conditions including Fire regulations.
- A record of the training will be kept by the management.
- Security Staff will be SIA Registered.

b) The prevention of crime and disorder

- CCTV system to be installed fit for the purpose and satisfaction of West Midlands Police.
- Images to be retained for at least 31 Days and shall be made available upon request to officers of the responsible authorities.
- Staff will be given ongoing training including identification of anti-social or unusual behaviour.
- The premises will operate a zero tolerance drugs policy at all times. Signage will be posted in appropriate areas.
- Premises to operate a drugs policy, and lost/found property policy. Copies of both to be supplied to Licensing Department Lloyd House Police Headquarters.
- The Premises License holder will maintain door staff profiles for all door staff working at the premises, and for any door staff that have worked on the premises in the last three months. The door staff profile will consist of identification for the member of staff a copy of his/her SIA badge, Passport or driving License. If the proof of identification is anything other than the photo driving License, then the member of staff will need proof of address, which must be a copy of a utility bill and be dated within the last six months.

c) Public safety

- Management to provide suitable and sufficient written Health & safety and Fire Risk Assessments.
- A member of staff will be trained in First aid.
- Electric, Gas and relevant equipment are to be checked and maintained in working order and tested annually.
- Adequate lighting will be provided in all public areas and outside
- Capacity limits will be set and agreed with West Midlands Fire Service.

d) The prevention of public nuisance

- SIA Registered Security staff will oversee patrons arriving or departing the premises and not allow antisocial behaviour by individuals or groups. When necessary advice will be given to such patrons not to do anything which may cause annoyance or disturbance to local community.
- A zero tolerance policy towards drunken or anti-social behaviour is to be in operation on the premises at all times
- The License Holder and Designated Premises Supervisor will provide responsible management at all times
- The Noise from the premises will be monitored so as not to become a public nuisance.
- An incident register will be kept on the premises and made available at all times.
- The disposal of empties and bottles will not be done after 23:00 Hours or before 07:00 Hours.

e) The protection of children from harm

- The premises will adopt the 'challenge 25' or similar policy as proof of age scheme to be in operation during licensed hours.
- Their will be a provision of sufficient staff to protect children from harm with training on appropriate behaviour.

*Continued from previous page...*

- No under 18's allowed into the venue for separate under 18's events without the approval of West Midlands Police. All under 18 events are classified as high risk for purposes of notification.

## Section 19 of 21

### NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

#### Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

#### Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

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

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

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

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

*Continued from previous page...*

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

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

#### **Home Office online right to work checking service**

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

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

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

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

#### **Section 20 of 21**

#### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

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

## Section 21 of 21

### PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00\*

Band E - £125001 and over - £635.00\*

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

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

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

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

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

Capacity 5000-9999 - £1,000.00

Capacity 10000-14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

\* Fee amount (£)

315.00

### DECLARATION

Continued from previous page...

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

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

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

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

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

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

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

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

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

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

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

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





ing no. 2  
**221-LIC-01**

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## GROUND FLOOR LICENSING PLAN

**Legend:**

- [illegible]

project >	2nd floor, Kowalew House Birmingham
title >	GROUND FLOOR LIFTING PLAN
drawn by	revision
date	score
20/05/19	1:1000 A3

```
client >
#Client Full Name
```

[illegible]

---

**From:** bw licensing  
**Sent:** 28 June 2019 09:56  
**To:** Licensing  
**Cc:** Carl Moore Deano Walker  
**Subject:** Grant Saigon Palace, Wrottesley Street - Removal of representation.  
**Importance:** High

Good Morning Licensing,

West Midlands Police have been liaising with the application together with their agent and have agreed the below conditions which we believe will meet and promote the licensing objective taking into account the cumulative impact zone, as per below email chain.  
 The applicant's agent has been copied into this email as acceptance.

If the below conditions are imposed onto the premises licence together with the conditions already offered by the applicant then West Midlands Police wish to remove their representation to the granting of this licence.

1. There will be a last admission of 1am, to the premises for persons who have not pre-booked. No bookings will be taken after 1am for the rest of that trading day.
2. The bar will only be available to persons booked into the restaurant or private function rooms.
3. Premises not to be used as a vertical drinking establishment.
4. There will be waiter/waitress service throughout the premises. Alcohol will only be served to customers by waiting staff at their table.
5. The supply of alcohol shall only be to a person seated taking a substantive meal there and for consumption by such a person as ancillary to their meal.
6. In accordance with a security risk assessment, to be carried out by the DPS or their nominated person which is to be agreed to and signed off by the premises licence holder, SIA registered door staff shall be employed at the premises.
7. If/When employed, door staff will wear high visibility armbands. A register of those door staff employed shall be maintained at the premises and shall include: (i) the number of door staff on duty; (ii) the identity of each member of door staff – which will include a copy of their SIA licence, and photographic ID (iii) the times the door staff are on duty. Door staff will sign on and off duty. Signing in sheets and door staff profiles will be retained by the premises for a minimum of 3 months and made immediately available to any of the responsible authorities on request.

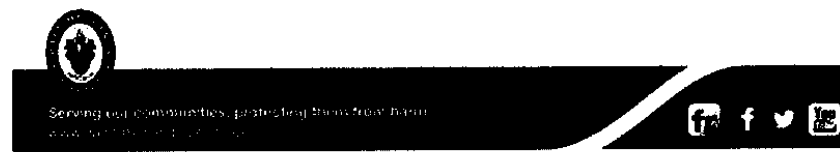
**If the above conditions are imposed onto the licence then West Midlands wish to remove their representation against the granting of this licence.**

Regards

*Chris Jones* 55410  
 Birmingham Central Licensing Team

West Midlands Police HQ  
 Lloyd House  
 Colmore Circus  
 Birmingham  
 B4 6NQ

(Sat nav postcode B4 6AT)



**From:** Carl Moore  
**Sent:** 27 June 2019 16:56  
**To:** Deano Walker; Christopher Jones  
**Cc:** bw licensing  
**Subject:** Re: Saigon palace, wrotesley street - Proposed amended Conditions

Hi Deano/Chris,

My client agrees to the below conditions being included on the premises License.

- 1. There will be a last admission of 1am, to the premises for persons who have not pre-booked. No bookings will be taken after 1am for the rest of that trading day.*
- 2. The bar will only be available to persons booked into the restaurant or private function rooms.*
- 3. Premises not to be used as a vertical drinking establishment.*
- 4. There will be waiter/waitress service throughout the premises. Alcohol will only be served to customers by waiting staff at their table.*
- 5. The supply of alcohol shall only be to a person seated taking a substantive meal there and for consumption by such a person as ancillary to their meal.*
- 6. In accordance with a security risk assessment, to be carried out by the DPS or their nominated person which is to be agreed to and signed off by the premises licence holder, SIA registered door staff shall be employed at the premises.*
- 7. If/When employed, door staff will wear high visibility armbands. A register of those door staff employed shall be maintained at the premises and shall include: (i) the number of door staff on duty; (ii) the identity of each member of door staff – which will include a copy of their SIA licence, and photographic ID (iii) the times the door staff are on duty. Door staff will sign on and off duty. Signing in sheets and door staff profiles will be retained by the premises for a minimum of 3 months and made immediately available to any of the responsible authorities on request.*

I have also attached a copy of the amended plan showing a reduction in size of the bar serverly creating a larger Kitchen area, and the removal of the raised area with booths in the centre of the dining area. We have also reduced the size of the toilets to fit in with the reduction of the capacity which used to be 480 persons when it was operated as a nightclub.

Regards

Carl

Carl Moore

C.N.A. Risk Management Ltd

---

**From:** Licensing  
**Subject:** FW: Application for the grant of Premises Licence - Saigon Palace, Kotwall House, 2nd Floor, Wrotesley Street, Birmingham B5 4RT

**From:** Christina McCullough  
**Sent:** Friday, June 21, 2019 2:54 PM  
**To:** Licensing  
**Subject:** FW: Application for the grant of Premises Licence - Saigon Palace, Kotwall House, 2nd Floor, Wrotesley Street, Birmingham B5 4RT

Agreed conditions with Carl Moore

Christina McCullough  
Licensing Enforcement Officer

Birmingham City Council,  
Licensing Section,  
P.O. Box 17013,  
Birmingham,  
B6 9ES

[www.birmingham.gov.uk/licensing](http://www.birmingham.gov.uk/licensing)

Twitter: @BCCLicensing

For information on Birmingham Licensed premises including licensed hours, activities and conditions go to  
<http://publicregister.birmingham.gov.uk>

Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors.

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**From:** Carl Chariskmanagement ]  
**Sent:** Wednesday, June 19, 2019 12:31 AM  
**To:** Christina McCullough  
**Subject:** Re: Application for the grant of Premises Licence - Saigon Palace, Kotwall House, 2nd Floor, Wrotesley Street, Birmingham B5 4RT

Hi Christina,

Sorry for the delay in getting back to you.

I have spoken to my client with regards to the proposed new conditions as below and he agrees to have them placed on the Premises License.

Regards

Carl

On 11 June 2019 at 18:33 Christina McCullough  
> wrote:

Dear Carl

I am in receipt of the application submitted in respect of the above premises.

You will appreciate it is important that any conditions attached to a premises licence are clear, precise and enforceable in order to effectively promote the four licensing objectives.

In considering the application submitted and the measures outlined in the operating schedule the Licensing Enforcement Team has applied the tests of necessity and reasonableness in order to promote the four licensing objectives and I have therefore attached a list of conditions which the Licensing Enforcement Team will require you to accept as conditions to be applied to the licence.

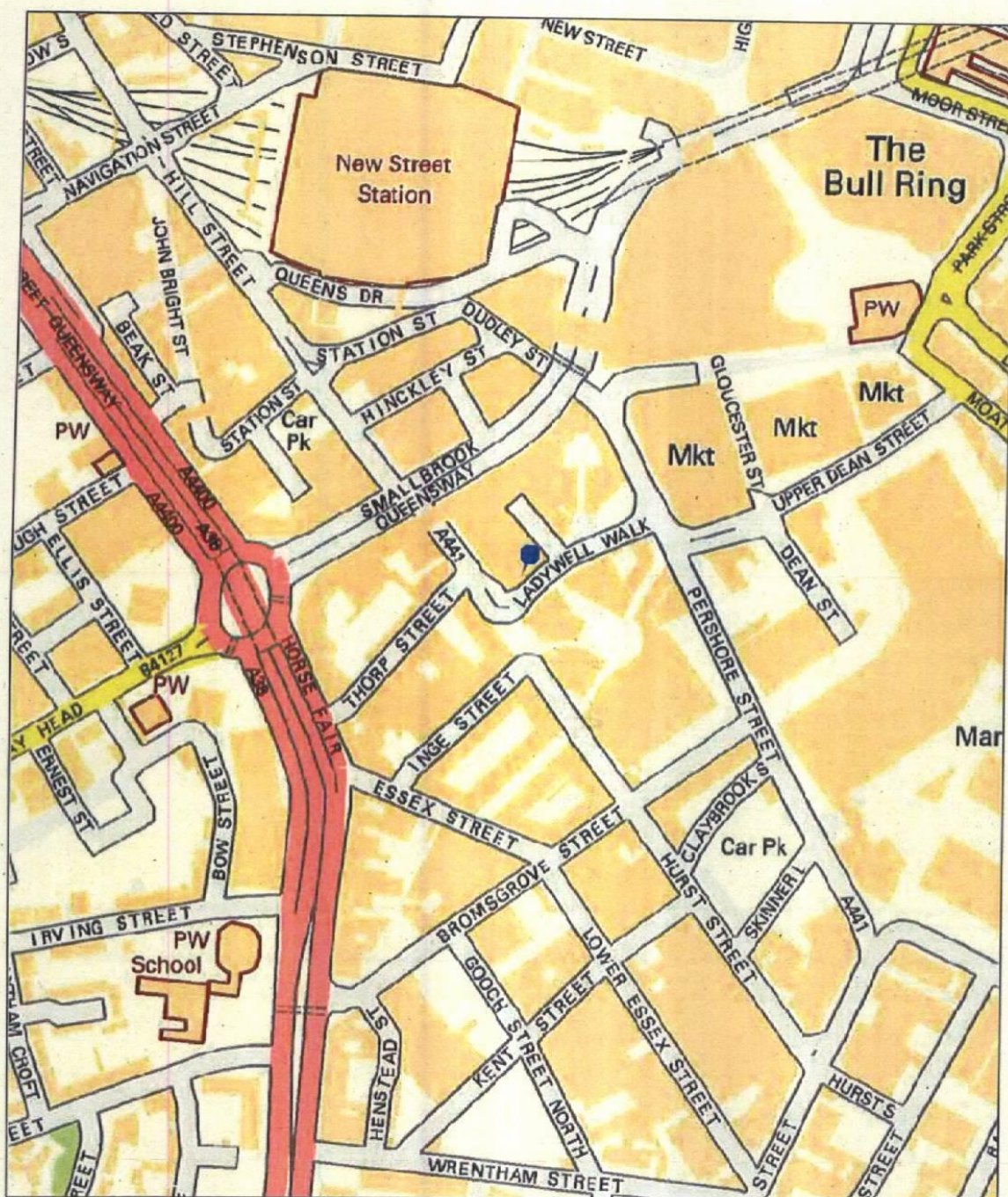
As you will see the conditions generally relate to measures already offered in the application but they have been worded in a manner which makes them more meaningful and enforceable.

Prevention of crime and disorder	<b>Proposed new condition</b> - CCTV will record at all times licensable activity is taking place.	
Prevention of crime and disorder	<b>Existing condition</b> – Staff will be given ongoing training including identification of anti-social or unusual behaviour.	<b>Proposed condition</b> – Staff will be trained on the four licensing objectives, including the identification of anti-social or unusual behaviour. Refresher training will be given every 6 months. A written record must be maintained of all training provided and will be made available for inspection by any of the Responsible Authorities.
	<b>Proposed new condition</b> – A refusal log will be maintained at the premises which will be available for inspection by any of the Responsible Authorities. Staff will record all refusals.	

Subject to your confirmation in writing that you agree to accept the attached conditions there will be no need for the Licensing Enforcement Team to make a representation regarding the application submitted.

If you wish to discuss the matter please don't hesitate to contact me.

Regards



**Birmingham City Council**

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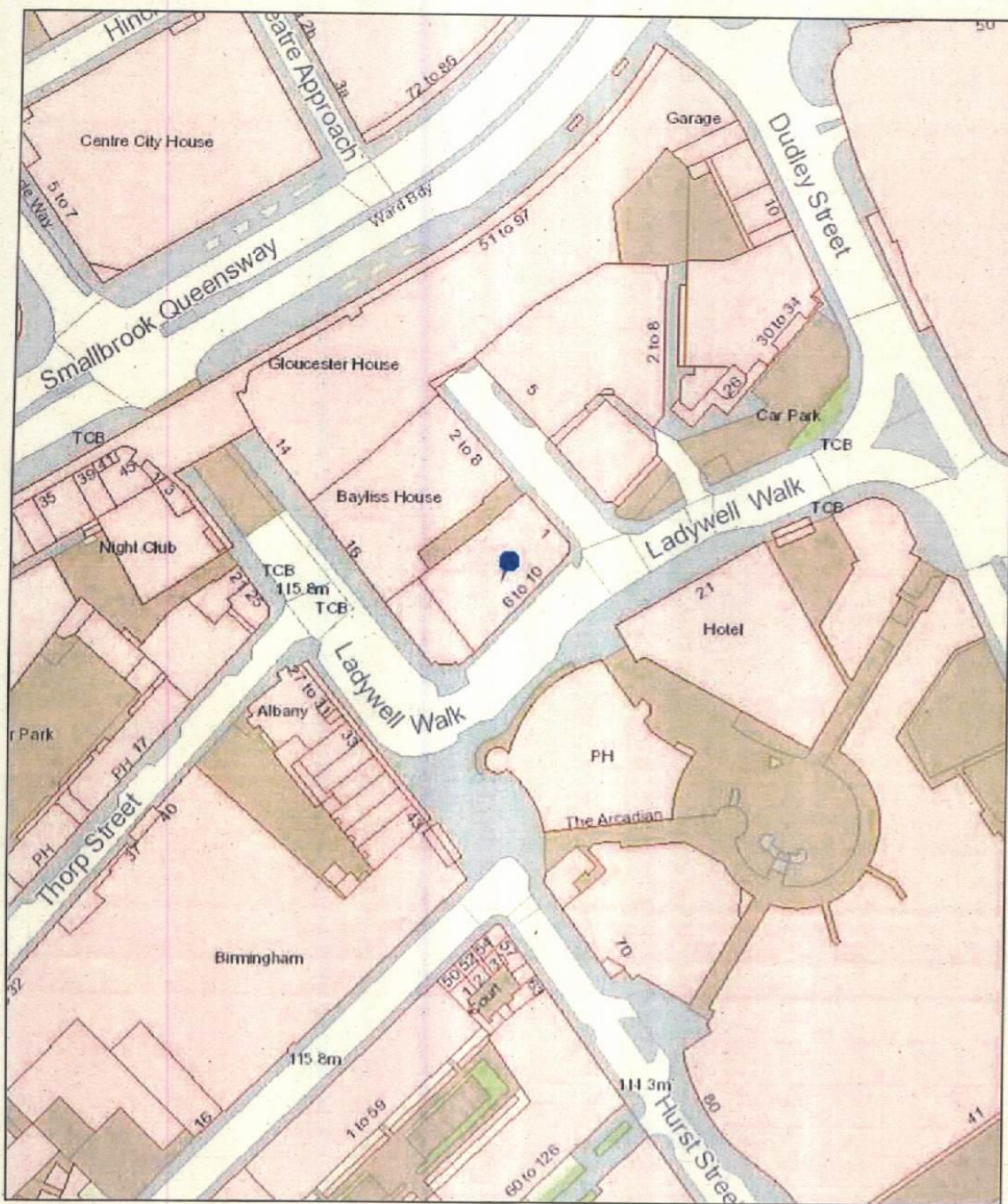
Notes

Date of Map Creation: 11/06/2019



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**Birmingham City Council**

Map Created By:

**Notes**

Date of Map Creation: 11/06/2019



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## BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee A</b>
<b>Report of:</b>	<b>Assistant Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Monday 22<sup>nd</sup> July 2019</b>
<b>Subject:</b>	<b>Licensing Act 2003 Temporary Event Notice</b>
<b>Premises:</b>	<b>Friends Car Wash, Park Road, Birmingham, B18 5ST</b>
<b>Ward affected:</b>	<b>Soho &amp; Jewellery Quarter</b>
<b>Contact Officer:</b>	<b>Bhapinder Nandhra, Senior Licensing Officer 0121 303 9896 <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

**1. Purpose of report:**

To consider the objections to the Temporary Event Notice (TEN), which seeks to permit the provision of regulated entertainment and the provision of late night refreshment on 18<sup>th</sup> August 2019, to operate from 11:00am until 11:59pm.

**2. Recommendation:**

To consider the objection notices made by West Midlands Police and Environmental Health.

**3. Brief Summary of Report:**

A Temporary Event Notice was received on 11<sup>th</sup> July 2019 in respect of Friends Car Wash, Park Road, Birmingham, B18 5ST.

An objection notice has been received from West Midlands Police and Environmental Health.

**4. Compliance Issues:**

When carrying out its licensing functions, a licensing authority must have regard to the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.

**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.

<p><b>5. Relevant background/chronology of key events:</b></p> <p>Hopeton Hamilton submitted on 11<sup>th</sup> July 2019 a Temporary Event Notice in respect of Friends Car Wash, Park Road, Birmingham, B18 5ST.</p> <p>The Temporary Event Notice is attached at Appendix 1.</p> <p>An objection notice has been received from West Midlands Police, see Appendix 2.</p> <p>An objection notice has been received from Environmental Health, see Appendix 3.</p> <p>Site location plans are attached, see Appendix 4.</p> <p>Under the licensing system of TENs, no actual permission is required to carry out a licensable activity on a temporary basis. An applicant must merely give notice of his intentions to operate a licensable activity to the licensing authority.</p> <p>However, the police or local authority exercising environmental health functions may intervene to prevent such an event taking place or agree a modification of the proposed arrangements, and their intervention may in some cases result in the licensing authority imposing conditions on a TEN.</p> <p>Where a TEN is submitted, the licensing authority must consider the objection(s) at a hearing before a counter notice, or a notice including a statement of conditions can be issued.</p> <p>Conditions may only be applied if the TEN is in connection with licensable activities at licensed premises. It must be noted a Premises Licence is not currently in force for Friends Car Wash, Park Road, Birmingham, B18 5ST.</p> <p>When giving a TEN, consideration should be given to the following four licensing objectives:</p> <ol style="list-style-type: none"> <li>1. The prevention of crime and disorder</li> <li>2. Public safety</li> <li>3. The prevention of public nuisance; and</li> <li>4. The protection of children from harm</li> </ol>
--

<p><b>6. List of background documents:</b></p> <p>Temporary Event Notice is attached at Appendix 1.</p> <p>Objection Notice from West Midlands Police, attached at Appendix 2.</p> <p>Objection Notice from Environmental Health, attached at Appendix 3.</p> <p>Site location plans, Appendix 4.</p>
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<p><b>7. Options available</b></p> <p>To issue the TEN</p> <p>To issue a Counter Notice</p>
---



**Birmingham**  
**Temporary Event Notice**  
**Licensing Act 2003**

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

\* required information

**Section 1 of 9**

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

System reference

Not Currently In Use

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

Your reference

Jaaymedia Events

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

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

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

**Applicant Details**

\* First name

Hopeton

\* Family name

Hamilton

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

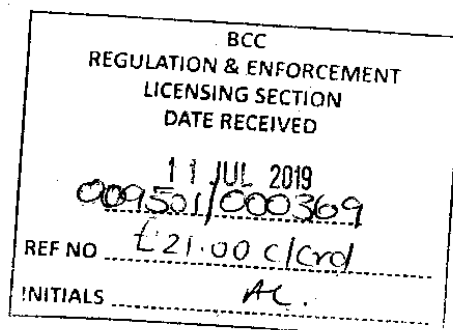
☒ Applying as an individual

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

11.7.19

Patricia

009501/000369



Continued from previous page...

**Your Address**

Address official correspondence should be sent to.

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

**Section 2 of 9**

**APPLICATION DETAILS** (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

☐ Yes

☒ No

\* Your date of birth

<input type="text"/>	<input type="text"/>	<input type="text"/>
dd	mm	yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

**Correspondence Address**

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

☒ Yes

☐ No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

#### Additional Contact Details

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

☒ Yes

☐ No

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

E-mail

Telephone number

Other telephone number

#### Section 3 of 9

#### THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

\* Does the premises have an address?

☒ Yes

☐ No

#### Address

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

☐ Yes

☒ No

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

\* Building number or name

Friends Car Wash

\* Street

Park Road

District

\* City or town

Birmingham

County or administrative area

\* Postcode

B18 5ST

\* Country

United Kingdom

\* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☒ Neither

☐ Premises licence

☐ Club premises certificate

#### Location Details

\* Provide further details about the location of the event

Its a hand car wash which is situated on Park road B18 5ST. The event will comprise of the premises location and the front of the premises also which is also situated on Park Road B18 5ST.

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

I intend to block Park road entrance from Factory Road/Benson Road Roundabout and the other end on park road and

**Continued from previous page...**

divert on Musgrave Road. At the two entrances have Licensed Security which will not allow cars unless emergency vehicles to travel through for the safety of both adults and children. There will also be stewards that will work around that will ensure attendees comply with the regulations in-scripted on this notice. On the road itself there will be stalls that people will sell food or drinks from which will be regulated by ensuring they have Health & Safety Certification, Food Hygiene and Food handling Certification. The size of space that will be allocated for the stalls will be 4x3. Each stall that is providing food will need to ensure they have the relevant fire prevention equipment at all times.

Describe the nature of the premises below (see also guidance on completing the form, note 4)

It is a hand car wash that provides the services of washing cars and repairing tires to the consumer.

Describe the nature of the event below (see also guidance on completing the form, note 5)

It is a charity fundraising event to help raise funds to support the work that Christian aid is doing in Asia, America, Europe and Africa. We will be selling food, Having entertainment such as soft play and bouncy castles for kids, Face painting, soft drinks and listening to music. It will be open to the community with a CAP capacity within the complex of 300. The objective is to raise as much money as possible to help continue the charity work being done.

#### Section 4 of 9

##### LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises  
(see also guidance on completing the form, note 6):

- ☐ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☒ The provision of regulated entertainment
- ☒ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

(See also guidance on completing the form, note 7).

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

(See also guidance on completing the form, note 8).

##### Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 9)

Event start date

18 / 08 / 2019  
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

18 / 08 / 2019  
dd mm yyyy

**Continued from previous page...**

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

Sunday at 11:00 - Sunday at 23:59

(see also guidance on completing the form, note 10)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

300

Note that the maximum number of people cannot exceed 499.

(see also guidance on completing the form, note 11)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

(see also guidance on completing the form, note 12):

- ☐ On the premises only  
☒ Off the premises only  
☐ Both

**Section 5 of 9**

**RELEVANT ENTERTAINMENT** (See also guidance on completing the form, note 13)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

**Section 6 of 9**

**PERSONAL LICENCE HOLDERS** (See also guidance on completing the form, note 14)

Do you currently hold a valid personal licence? ☐ Yes ☒ No

**Section 7 of 9**

**PREVIOUS TEMPORARY EVENT NOTICES** (See also guidance on completing the form, note 15)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? ☐ Yes ☒ No

*Continued from previous page...*

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

**Section 8 of 9**

**ASSOCIATES AND BUSINESS COLLEAGUES** (See also guidance on completing the form, note 16)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes ☒ No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes ☒ No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

Continued from previous page...

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**Section 9 of 9**

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**CONDITION (See also guidance on completing the form, note 18)**

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It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

**PAYMENT DETAILS**

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

This formality requires a fixed fee of £21

**DECLARATION (See also guidance on completing the form, note 19)**

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- \* THE INFORMATION CONTAINED IN THIS FORM IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT IT IS AN OFFENCE:
- \* (I) TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS TEMPORARY EVENT NOTICE AND THAT A PERSON IS LIABLE ON SUMMARY CONVICTION FOR SUCH AN OFFENCE TO A FINE OF ANY AMOUNT; AND
- \* (II) TO PERMIT AN UNAUTHORISED LICENSABLE ACTIVITY TO BE CARRIED ON AT ANY PLACE AND THAT A PERSON IS
- \* LIABLE ON SUMMARY CONVICTION FOR ANY SUCH OFFENCE TO A FINE OF ANY AMOUNT, OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING SIX (6) MONTHS, OR TO BOTH.

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

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

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

---

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

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

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

a

**From:** bw licensing  
**Sent:** 15 July 2019 13:10  
**To:** Licensing  
**Subject:** FW: RE - TENS APPLICATION - FRIENDS CAR WASH - Park Road Birmingham B18 5ST  
**Attachments:** Friends Carwash - 827895-Amended TEN.pdf

Licensing,

As below, West Midlands Police have yet to receive the risk assessment for this event and having spoken to highways the applicant has not sort permissions to close any of the roads stated in their application.

West Midlands Police are not convinced that the licensing objectives, the prevention of crime and disorder and public nuisance will be promoted and therefore make representation to the issue of this temporary event notice.

Regards

PC 1978 Walker  
 Birmingham Police Central Licensing Team  
 Birmingham Partnerships  
 Lloyd House

**From:** bw licensing  
**Sent:** 12 July 2019 08:27  
**To:** 'Jaaymedia  
**Subject:** FW: RE - TENS APPLICATION - FRIENDS CAR WASH - Park Road Birmingham B18 5ST

Good Morning,

With regards to this event application, West Midlands Police are requesting the following so as to ensure all the licensing objectives are promoted –

- Full risk assessment, to include (as a minimum) –
  1. Number of SIA staff on duty and company.
  2. Medical plan.
  3. Dispersal plan
  4. Entry and egress policy.
  5. Search, drugs and weapon policy.
  6. Noise pollution assessment (for residence).
  7. How you will control numbers.
  8. Vulnerability policy.
  9. Toilet provisions.
  10. Health and safety assessments from all venders at the event.
  11. Emergency evacuations plans.

- 
- Written confirmation/permission to close to close all roads you intend to use from Birmingham City Council Highways?
  - How will you control traffic, for residence and other bussineses in the area?
  - Where will people park that attend in their cars.
  - Are you allowing people to bring their own alcohol and if so, how will you monitor?

Due to time restraints set out in the licensing act, can I please ask for all the above information by 2pm on Monday the 15<sup>th</sup> July 2019.

Regards

PC 1978 Walker  
Birmingham Police Central Licensing Team  
Birmingham Partnerships  
Lloyd House

---

**From:** Paul R Samms  
**Sent:** 15 July 2019 16:34  
**To:** Licensing Online; Pollution Team; bw licensing  
**Cc:** Jaaymedia  
**Subject:** RE: RE - TENS APPLICATION - FRIENDS CAR WASH - Park Road Birmingham B18 5ST

All,

The applicant has submitted a TEN for an event that will involve closure of a road until 12 midnight.

The applicant has not:

1. Risk assessed the potential impact of intrusive noise on the surrounding residents.

Or

2. Produced a dispersal plan.

As a representative of Environmental Health I object to the above TEN for the event at FRIENDS CAR WASH - Park Road Birmingham B18 5ST on grounds of likely public nuisance.

Regards,

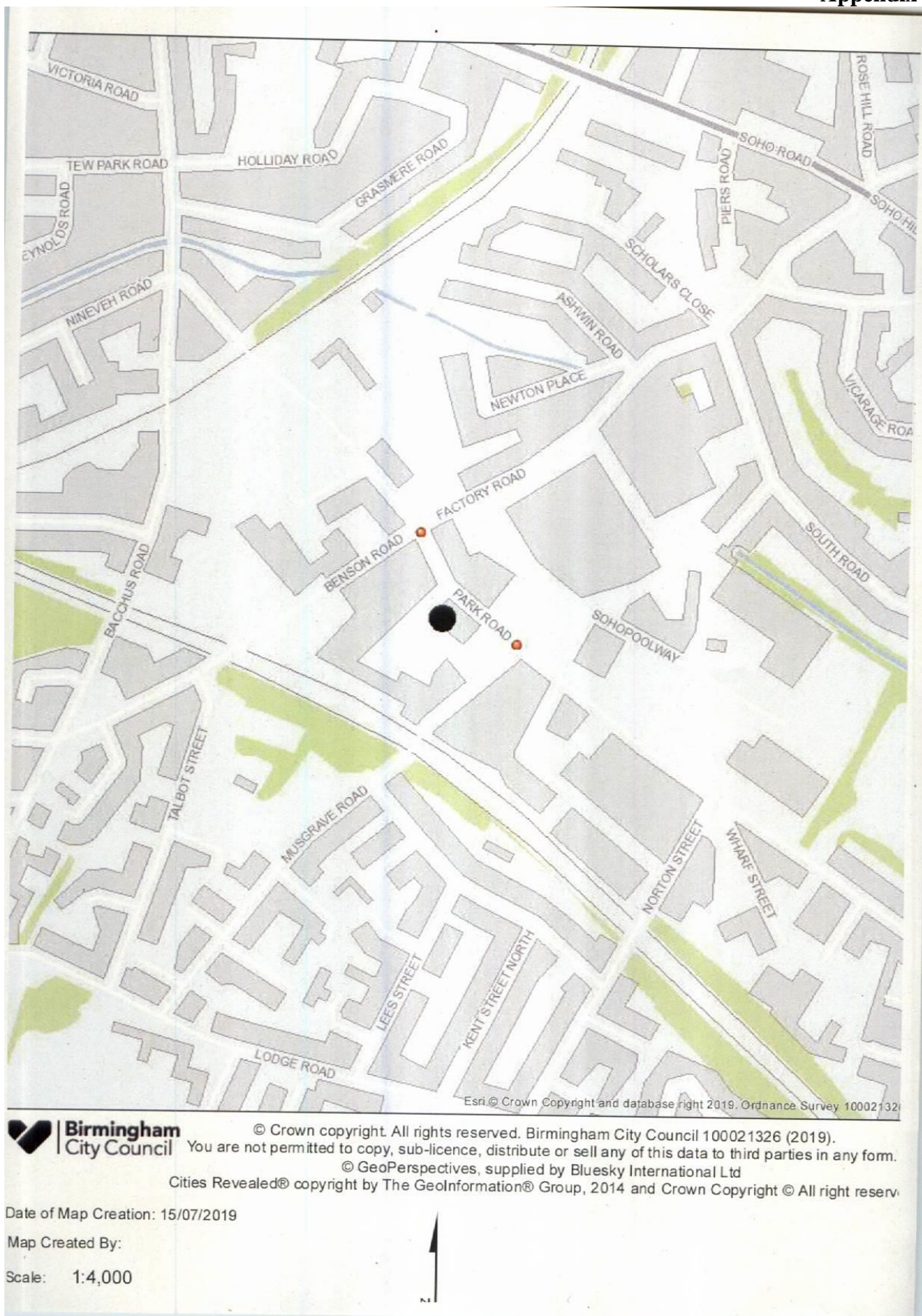
Paul Samms  
Environmental Protection Officer

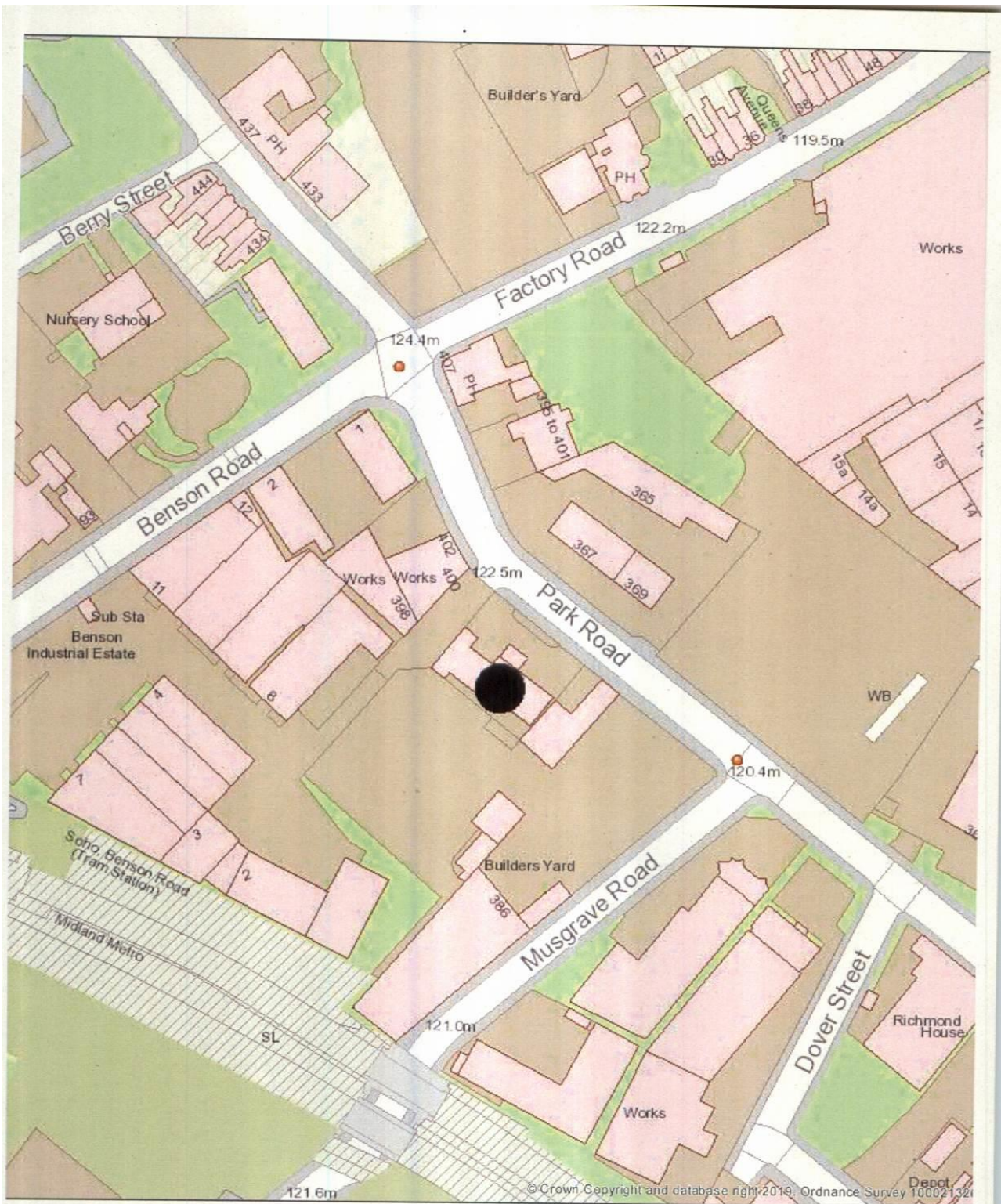
Environmental Protection Unit  
Environmental Health  
Manor House  
40 Moat Lane  
Digbeth  
Birmingham  
B5 5BD

Environmental Health, Regulation & Enforcement, Birmingham City Council, PO BOX 15908, Birmingham, B2 2UD

Website: <http://www.birmingham.gov.uk/eh>  
Facebook: <http://www.facebook.com/ehbham>  
Twitter: <http://www.twitter.com/ehbham>  
Flickr: <http://www.flickr.com/photos/envhbham>

"Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors"





**Birmingham**  
City Council

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