

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A

MONDAY, 06 AUGUST 2018 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

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4 LICENSING ACT 2003 PREMISES LICENCE (GRANT) - SANTRA, 2ND FLOOR, KOTWALL HOUSE, WROTTESLEY STREET, BIRMINGHAM, B5 4RT

Report of the Acting Director of Regulation & Enforcement.
N.B. Application scheduled to be heard at 09:30am.

39 - 64

5 LICENSING ACT 2003 PREMISES LICENCE (GRANT) - THE MINIMARKET, 235-237 LOZELLS ROAD, BIRMINGHAM, B19 1RJ

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

6 **OTHER URGENT BUSINESS**

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

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Monday 6th August 2018
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Santra, 2nd Floor, Kotwall House, Wrotesley Street, Birmingham, B5 4RT
Ward affected:	Bordesley & Highgate
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:
<p>To consider a relevant 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 10:00am until 04:00am (Sunday to Thursday) and 12:00midday until 06:00am (Friday & Saturday).</p> <p>The provision of Regulated Entertainment consisting of indoor sporting events, live music, recorded music, performances of dance, and anything of a similar description, to operate indoors only from 12:00midday until 04:30am (Sunday to Thursday) and 12:00midday until 08:00am (Friday & Saturday).</p> <p>To permit the provision of Late Night Refreshment to operate from 11:00pm until 04:30am (Sunday to Thursday) and 11:00pm until 05:00am (Friday & Saturday).</p> <p>Premises to remain open to the public from 10:00am until 04:30am (Sunday to Thursday) and 12:00midday until 08:00am (Friday & Saturday).</p>

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

3. Brief Summary of Report:
<p>An application for a Premises Licence was received on 28th March 2018, in respect of Santra, 2nd Floor, Kotwall House, Wrotesley Street, Birmingham, B5 4RT.</p> <p>A representation has been received from West Midlands Police, as a responsible authority.</p>

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

5. Relevant background/chronology of key events:

Desmond Murphy applied on 28th March 2018 for the grant of a Premises Licence for Santra, 2nd Floor, Kotwall House, Wrotesley Street, Birmingham, B5 4RT.

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

The application is attached at Appendix 2.

The Hearing was initially scheduled before Licensing Sub-Committee A on Monday 21st May 2018. However the applicant's legal representative requested that the hearing be adjourned to enable the Applicant to obtain the required legal advice and representation. On Monday 21st May 2018, Licensing Sub-Committee A resolved to adjourn the hearing until Monday 18th June 2018.

A copy of the determination is attached at Appendix 3.

On 17th June 2018 the Licensing Section received, by way of an email, notification from the applicant's legal representative that a further adjournment will be requested due to extenuating circumstances. On Monday 18th June 2018, Licensing Sub-Committee A resolved to adjourn the hearing, in order that the applicant can attend the hearing in person and address the Sub-Committee.

A copy of the determination is attached at Appendix 4.

Site Location Plans at Appendix 5.

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.

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.

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

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

6. List of background documents:

Copy of the representation received from West Midlands Police, Appendix 1

Application Form, Appendix 2

Licensing Sub-Committee determination of Monday 21st May 2018, Appendix 3

Licensing Sub-Committee determination of Monday 18th June 2018, Appendix 4

Site Location Plans, Appendix 5

7. Options available

To Grant the licence in accordance with the application.

To Reject the application.

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

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

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

Appendix 1

From: bw licensing
Sent: 16 April 2018 11:04
To: Licensing;
Cc:

Subject: FW: GRANT APPLICATION - SANTRA
Attachments: Birmingham_Application_for_a_premises_licence.pdf; birmingham-599381-Santra - 2nd floor Licensing Plan.pdf; birmingham-599381-Santra - Ground Floor entrance.pdf; birmingham-599381-Signed Consent Form.doc

Licensing,

West Midlands Police formally make representation to the issue of this licence.

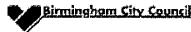
- The licence application is situated in the middle of the Hurst Street/Arcadian Special Policy Zone. This special policy zone was created due to the area having a high concentration of licenced premises in the area that was contributing to crime and disorder along with public nuisance.
- The special policy zone application included on and off alcohol sales along with late night refreshment premises.
- The area still suffers from a high level of public nuisance along with crime and disorder especially in the early hours.
- West Midlands Police have not been convinced by the applicant that this licence will not impact on crime and disorder in the area.

Regards

Deano

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

Appendix 2



Birmingham
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

Applicant Details

* First name

* Family name

You must enter a valid e-mail address

* 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.

Applicant Business

Is the applicant's business registered in the UK with Companies House? ☐ Yes ☒ No

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

Is the applicant's business registered outside the UK? ☐ Yes ☒ No

Business name If the applicant's business is registered, use its registered name.

VAT number Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* 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:

☒ An agent that is a business or organisation, including a sole trader

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

☐ A private individual acting as an agent

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

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)	<div style="border: 1px solid black; height: 20px;"></div>
Section 3 of 21	
APPLICATION DETAILS	
<p>In what capacity are you applying for the premises licence?</p> <p> <input checked="" type="checkbox"/> An individual or individuals <input type="checkbox"/> A limited company / limited liability partnership <input type="checkbox"/> A partnership (other than limited liability) <input type="checkbox"/> An unincorporated association <input type="checkbox"/> Other (for example a statutory corporation) <input type="checkbox"/> A recognised club <input type="checkbox"/> A charity <input type="checkbox"/> The proprietor of an educational establishment <input type="checkbox"/> A health service body <input type="checkbox"/> A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales <input type="checkbox"/> A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England <input type="checkbox"/> The chief officer of police of a police force in England and Wales </p> <p>Confirm The Following</p> <p> <input checked="" type="checkbox"/> I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities <input type="checkbox"/> I am making the application pursuant to a statutory function <input type="checkbox"/> I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative </p>	
Section 4 of 21	
INDIVIDUAL APPLICANT DETAILS	
<p>Applicant Name</p> <p>Is the name the same as (or similar to) the details given in section one?</p> <p> <input checked="" type="radio"/> Yes <input type="radio"/> No </p> <p style="margin-left: 500px;">If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.</p> <p> First name <div style="border: 1px solid black; padding: 2px; margin-left: 10px;">DESMOND</div> Family name <div style="border: 1px solid black; padding: 2px; margin-left: 10px;">MURPHY</div> </p>	

Continued from previous page...

Is the applicant 18 years of age or older?

☒ Yes

☐ No

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.

You must enter a valid email address

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

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 applicant is seeking to operate a nightclub from the premises, which will be known as SANTRA. Which will be aiming to attract the upmarket customer.

The venue is situated in premises which were previously a nightclub.

The premises are located on the 2nd floor of a two storey building which also houses a further Nightclub and restaurant. The reception & entrance is on the ground floor. Access to the venue will be via a wide staircase or a Lift.

The venue will consist of Large main room with seating areas, dance floor with stage, bar serveries, toilets & Wash room. There will also be kitchen facilities.

There will also be a VIP room which will also have a bar servery.

The applicant is aware that the premises are situated in a cumulative impact area, but believes that with the strong management structure and on going training in the four licensing objectives that the premises will not have an adverse impact on crime and disorder for the area.

An application for a new premises license was made in April 2017 and was granted with no objections. The applicant (no connection with new applicant) did not pursue with the opening of the premises and surrendered the premises license. The new applicant has mirrored the last application except for adding indoor sporting events.

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☒ Yes

☐ No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 12:00

End 04:30

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 04:30

Start

End

WEDNESDAY

Start 12:00

End 04:30

Start

End

THURSDAY

Start 12:00

End 04:30

Start

End

FRIDAY

Start 12:00

End 08:00

Start

End

SATURDAY

Start 12:00

End 08:00

Start

End

SUNDAY

Start 12:00

End 04:30

Start

End

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 indoor sporting events

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 indoor sporting events 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 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

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

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

Continued from previous page...

SATURDAY

Start 12:00

End 08:00

Start

End

SUNDAY

Start 12:00

End 04:30

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

MONDAY

Start 12:00

End 04:30

Start

End

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

Continued from previous page...

TUESDAY

Start 12:00

End 04:30

Start

End

WEDNESDAY

Start 12:00

End 04:30

Start

End

THURSDAY

Start 12:00

End 04:30

Start

End

FRIDAY

Start 12:00

End 08:00

Start

End

SATURDAY

Start 12:00

End 08:00

Start

End

SUNDAY

Start 12:00

End 04:30

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.

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

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 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

SUNDAY

Start

End

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.

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Continued from previous page...

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

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

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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

Continued from previous page...

THURSDAY

Start 12:00

End 04:30

Start

End

FRIDAY

Start 12:00

End 08:00

Start

End

SATURDAY

Start 12:00

End 08:00

Start

End

SUNDAY

Start 12:00

End 04:30

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

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

Queens Printer and Control

Continued from previous page...

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

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

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

☒ Indoors ☐ Outdoors ☐ Both

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

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

Continued from previous page...

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.

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ 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

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

NON

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="04:30"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="04:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="04:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="08:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="08:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="04:30"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

Section 18 of 21

LICENSING OBJECTIVES

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

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

Continued from previous page...

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

- Management will ensure all staff receive relevant training on a regular basis.
- A record of all staff training will be kept by the management.
- The provision of regulated entertainment to take place indoors only.
- No 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.

b) The prevention of crime and disorder

- The premises is to 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 (i.e. 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.
- Door supervisors stationed outside the front of the premises will wear hi-visibility jackets/coats, and will have their SIA badge held in a clear arm sleeve. Door supervisors inside the premises will wear hi-visibility arm bands, again with their SIA badge held in a clear arm sleeve.
- A C.C.T.V. system is to be installed at the premises to the specification agreed with the Licensing Department at West Midlands Police. C.C.T.V. is to be operational whilst the premises are open and be recording continually. Images are to be retained for at least 31 days and shall be made available upon request to officers of the responsible authorities.
- The license holder will ensure internal and external lighting is checked regularly.
- The license holder will ensure a drugs policy is implemented and a copy will be supplied to West Midlands Police Licensing Department.
- If the premise uses any new promoter for any event, then for the first event the Designated Premises Supervisor for the premises will arrange to meet West Midlands Police Licensing Department at least 28 days before the first event unless in agreement with Police licensing department, with risk assessments for the event. Recommendations made to the Designated Premises Supervisor that satisfy the four licensing objectives will become conditions for that event on the premises license. West Midlands Police have the power to veto, if it's believed any of the four Licensing Objectives would be compromised.
- A proof of age scheme is to be in operation on the premises at all times.
- The premises will supply Standard Operating Risk Assessment for each night of the week that they are open to West Midlands Police Licensing Department.
- West Midlands Police will have the power of veto, for any licensable activities after 4am.

c) Public safety

- A Health and Safety risk assessment is to be carried out regularly.
- The maximum capacity is to be agreed with West Midlands Fire Service. This figure may be varied from time to time subject to agreement with West Midlands Police.
- The license holder will ensure that a member of staff will be trained in First Aid.
- Electrics, gas services and any relevant equipment are to be checked and maintained in working order and tested annually. Electrical sockets are to be fitted with residual current device protection (complying with BS7671 requirements for electrical installations) and labeled accordingly.
- Preparation and dispense equipment to be checked and maintained in good working order and tested annually.
- The premises are to adopt best practices, such as the National Alcohol Harm Reduction Strategy.

d) The prevention of public nuisance

- A zero tolerance policy towards drunken or anti-social behaviour is to be in operation on the premises at all times.
- The License Holder is to provide responsible management at all times.
- 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.
- Out of hours deliveries are to be monitored so as not to constitute a Public Nuisance.
- Ventilation is to be maintained to prevent odour and noise from constituting a Public Nuisance.

Continued from previous page...

- Recorded music sound levels are to be monitored so as not to constitute a Public Nuisance.
- A zero tolerance policy toward drunken or anti-social behaviour is to be in operation on the premises at all times

e) The protection of children from harm

- The premises will adopt the Challenge 25 Policy for anyone appearing under 25 years of age. Only three recognised forms of ID will be accepted: - photo card driving license; - passport, or; - pass card for over 18's
- Children under the age of 18 attending the premises must be accompanied or supervised by an adult and vacate the premises by 9pm unless attending a pre-booked event/private function where appropriate notice has been given to the relevant authorities and authorisation has been received in writing from West Midlands Police.
- Any private parties, private functions and external promotions involving under 18's are classed as high risk for the purposes of notification and the appropriate notification must be given.
- The license holder will ensure staff are provided with training on appropriate behaviour to protect children from harm.
- No children allowed at bar serveries.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

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

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

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

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

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

Capacity 5000-9999 - £1,000.00

Capacity 10000-14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

* Fee amount (£)

315.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

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

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).

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	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

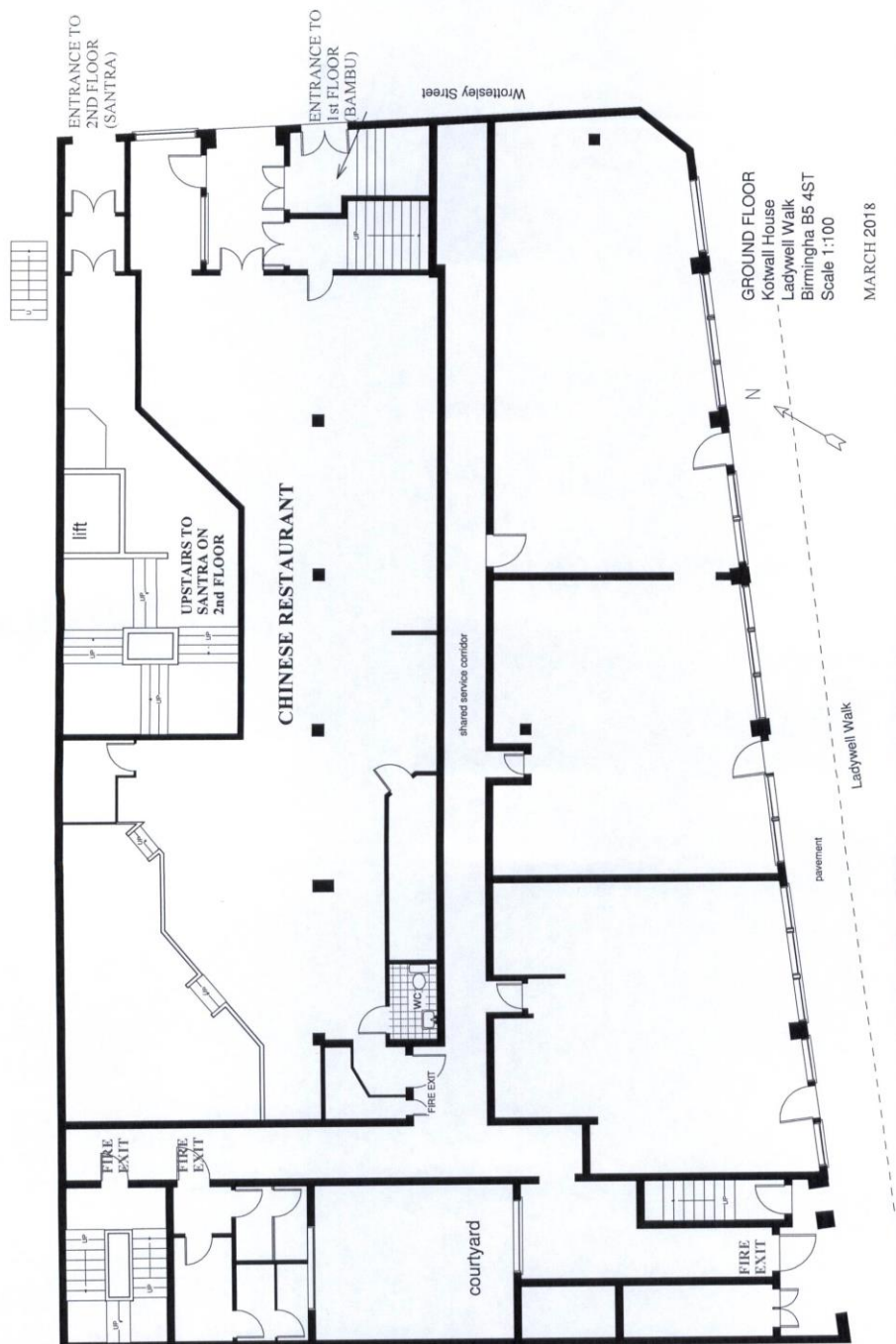
Once you're finished you need to do the following:

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



GROUND FLOOR
Kotwall House
Ladywell Walk
Birmingham B5 4ST
Scale 1:100

MARCH 2018



BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE A

MONDAY 21st MAY 2018

**SANTRA, 2ND FLOOR KOTWALL HOUSE, WROTTESLEY STREET,
BIRMINGHAM, B5 4RT**

That the application by Desmond Murphy for a premises licence in respect of SANTRA, 2ND FLOOR KOTWALL HOUSE, WROTTESLEY STREET, BIRMINGHAM, B5 4RT

BE ADJOURNED TO 18th JUNE 2018 in order that the applicant can instruct legal representation for the hearing.

The Sub Committee was advised by the Committee Lawyer as to their discretionary powers to adjourn the matter under Regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005.

Members considered that an adjournment was necessary in the public interest. Given the principles of natural justice, the Members had a duty as decision-makers to conduct a proper examination of submissions, arguments and evidence adduced by both parties in order to reach a proper determination. This would require the grant of an adjournment so the applicant could arrange for legal representation. The Sub-Committee will then be able to properly and fully consider the application.



BIRMINGHAM CITY COUNCIL
LICENSING SUB COMMITTEE A
MONDAY 18th JUNE 2018

SANTRA, 2ND FLOOR KOTWALL HOUSE, WROTTESLEY STREET,
BIRMINGHAM, B5 4RT

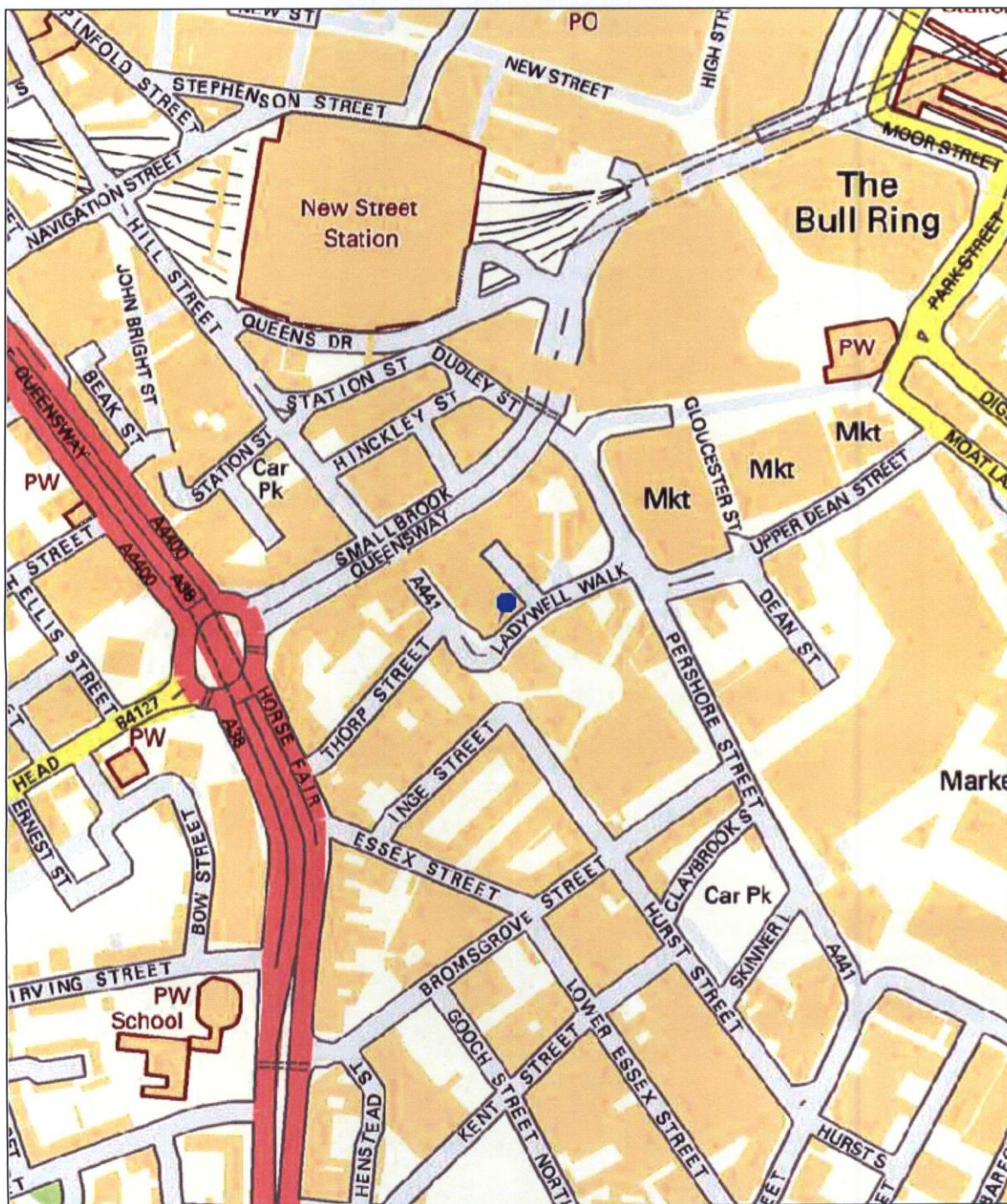
That the application by Desmond Murphy for a premises licence in respect of SANTRA, 2ND FLOOR KOTWALL HOUSE, WROTTESLEY STREET, BIRMINGHAM, B5 4RT **BE FURTHER ADJOURNED TO A DATE TO BE NOTIFIED**, in order that the applicant can attend the hearing in person, in order to address the Sub-Committee.

The Sub Committee was advised by the Committee Lawyer as to their discretionary powers to adjourn the matter under Regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005.

The applicant's legal representative attended the meeting and submitted that the applicant's attendance at the hearing was 'hugely important, if not essential'. This would require the grant of a second adjournment, as the applicant was dealing with a family matter which was expected to occupy his time for a short while. The Sub-Committee would then be able to properly and fully consider the application.

West Midlands Police confirmed that given the circumstances they did not oppose the application for a second adjournment.

The Sub-Committee decided on this occasion to accede to this unusual request for a second adjournment, on the basis that it was for personal/ family reasons which could not be postponed. Given the principles of natural justice, the Members had a duty as decision-makers to conduct a proper examination of submissions, arguments and evidence adduced by both parties in order to reach a proper determination. The applicant felt that his attendance in person before the Sub-Committee was 'hugely important'; in addition, West Midlands Police did not oppose a second adjournment. The adjournment was therefore granted.



Birmingham City Council

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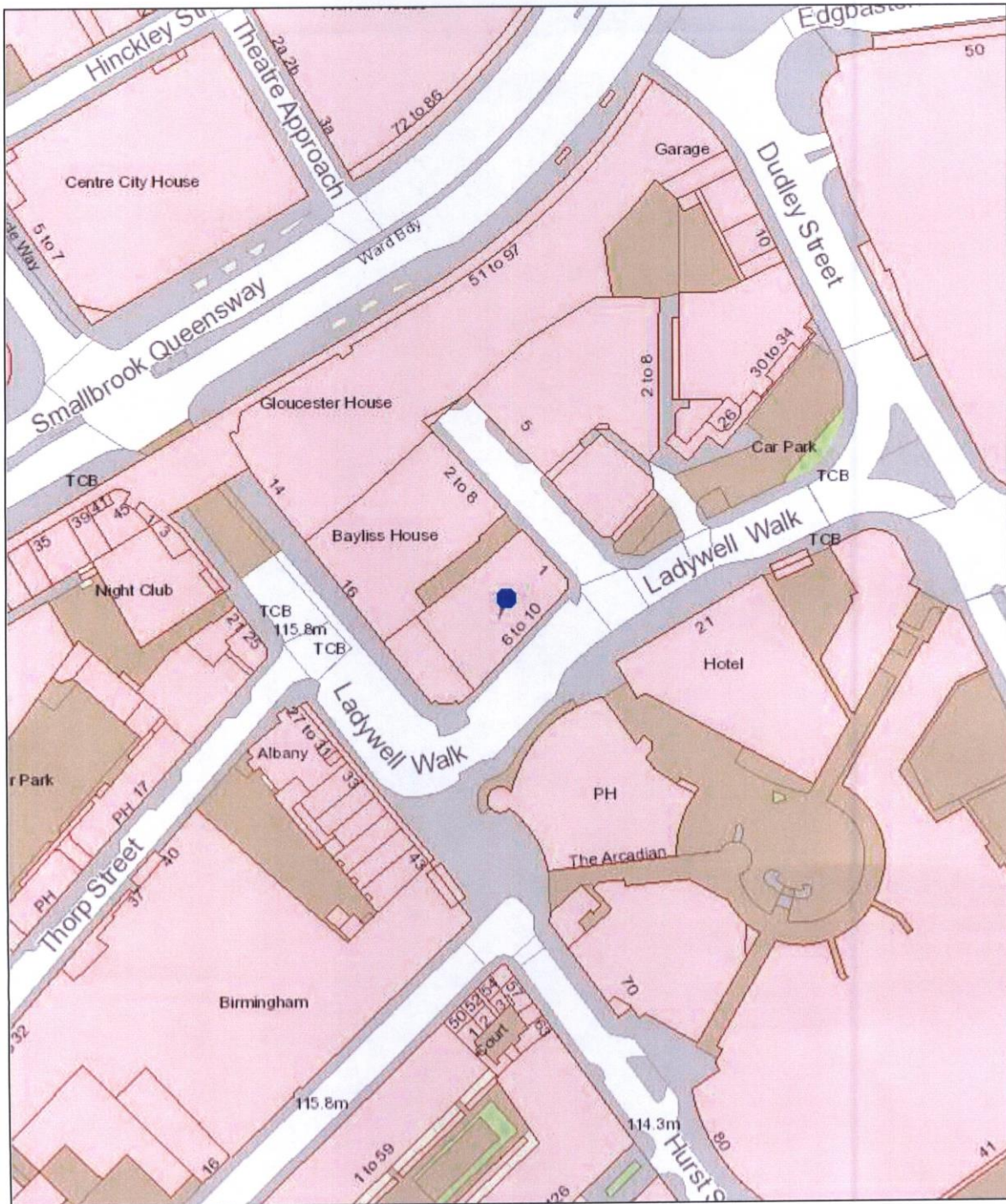
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Notes



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Birmingham City Council

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BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Monday 6th August 2018
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	The Minimarket, 235-237 Lozells Road, Birmingham, B19 1RJ
Ward affected:	Lozells
Contact Officer:	Bhupinder Nandhra, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider relevant representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption off the premises) to operate from 07:30am until 00:00midnight (Monday to Sunday).

Premises to remain open to the public 07:30am until 00:00midnight (Monday to Sunday).

2. Recommendation:

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

3. Brief Summary of Report:

An application for a Premises Licence was received on 19th June 2018, in respect of The Minimarket, 235-237 Lozells Road, Birmingham, B19 1RJ.

Representations have been received from West Midlands Police, as a responsible authority, and from other persons.

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.

5. Relevant background/chronology of key events:

Saman Jowhar Kahrahman applied on 19th June 2018 for the grant of a Premises Licence for The Minimarket, 235-237 Lozells Road, Birmingham, B19 1RJ.

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

A representation has been received from other persons, see Appendix 2.

The application is attached at Appendix 3.

Site Location Plans at Appendix 4.

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

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

6. List of background documents:

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

7. Options available

To Grant the licence in accordance with the application.

To Reject the application.

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

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

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

Appendix 1

From: Abdool Rohomon
Sent: 13 July 2018 11:54
To: Licensing
Subject: 235-237 Lozells Road - New premise application

Dear Licensing,

West Midlands Police have received a new application, for a premise licence for the sale by retail of alcohol for consumption of the premise for 235-237 Lozells Road, Birmingham.

The applicant has not demonstrated any knowledge of the area or the effects the granting of such a licence would cause. From memory this is not the first application we have had for this premises, I can recall at least 2 other occasions where applications have sought to do the same as this applicant and been refused. The area is of significant concern to West Midlands Police, this has not diminished since the last application. It has substantial alcohol related Anti-Social Behaviour issues, that the local neighbourhood team are working on continually to try and address, but with limited resources this is an ever demanding task. There are a number of premises in the area that support vulnerable people, that would be attracted to this type of premises. The suitability of the applicant to manage a licence premise in such a high demand area is also of concern to West Midlands Police, this opinion has been ascertained from the information we hold on various Police systems. West Midlands Police therefore object to this application, to have another licensed premises in an area of high demand through alcohol related Anti-Social Behaviour would be unacceptable and only increase the demand and pressures to West Midlands Police. The applicant has not sought to consider the local issues, as per the recommendations with the 182 guidance, the previous recent applications which have sought to do the same but have been refused.

West Midlands Police therefore request a hearing for this application

Abs Rohomon

PC 4075 Rohomon
BW Licensing
Police headquarters
Lloyd House

Follow us on Twitter - @brumcopslicensing

West Midlands Police

Website: www.west-midlands.police.uk

Twitter: www.twitter.com/brumpolice

Facebook: www.facebook.com/westmidlandspolice

YouTube: www.youtube.com/westmidlandspolice

Vision statement - Serving our communities, protecting them from harm

Appendix 2

From: Heath Thomas -
Sent: 06 July 2018 14:55
To: Licensing
Subject: Representation against grant of premises licence to The Minimarket in respect of 235-237 Lozells Road, Birmingham B19 1RJ

Dear Sirs

I am instructed on behalf of _____ of _____ Lozells Road, Birmingham B19 1RJ to object to the grant of a premises licence by The Minimarket on the grounds of crime and disorder.

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

Furthermore, this application is being made in a difficult area where there are already serious alcohol related problems and we have concerns that this applicant will not promote the licensing objectives.

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

Yours faithfully

Heath Thomas

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

Appendix 3

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

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/We Saman Jowhar Kahrahan

(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		BCC REGULATION & ENFORCEMENT LICENSING SECTION	
Postal address of premises or, if none, or description		DATE RECEIVED 19 JUN 2018	
The Minimarket 235-237 Lozells Road		REF NO 009487/000612 INITIALS LW - K100.00	
Post town	Birmingham	Postcode	B19 1RJ
Telephone number at premises (if any)		Via Agent	
Non-domestic rateable value of premises		£4,150	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | |
|---|---|
| a) an individual or individuals * | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> 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:**

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

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 <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Kahraman			First names Saman Jowhar		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number			Via agent		
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal 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? **ASAP**

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

This premises is located on a busy main road and shopping area, it will offer a full selection of food and drink items, serving the local community. Its aim will always be to serve the community and give a full service to all of its customers.

The premises will have a positive impact on the community, which includes suppliers, employees, customers, the environment and the people of the local area.

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any 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 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)			
Thur						
Fri						
Sat			<u>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</u> (please read guidance note 5)			
Sun						

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thurs.			
Fri			<u>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</u> (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
Wed						
Thurs.			<u>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</u> (please read guidance note 5)			
Fri						
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thurs.					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thurs.					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thurs.			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			<u>Please give further details here</u> (please read guidance note 3)			
Tue						
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)			
Thurs						
Fri			<u>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</u> (please read guidance note 5)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	0730	0000			
Tue	0730	0000			
Wed	0730	0000			
Thurs	0730	0000			
Fri	0730	0000			
Sat	0730	0000			
Sun	0730	0000			
			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 5)		

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

Name.	
Saman Jowhar Kahraman	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

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 8).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	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 5)
Mon	0730	0000	
Tue	0730	0000	
Wed	0730	0000	
Thurs	0730	0000	
Fri	0730	0000	
Sat	0730	0000	
Sun	0730	0000	

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 9)

The premises will be professionally supervised by the PLH/DPS at all times.

Staff training will be both comprehensive and reviewed on a regular basis, with records being retained at the premises; available for inspection by any Responsible Authority at reasonable notice. This training will be delivered by an appropriate qualified trainer; with all new members of staff will be trained within 2 months of starting employment.

The Premises Licence Holder shall ensure that the premises use a refusals log, which will be signed off on a regular basis by the PLH/DPS.

b) The prevention of crime and disorder

The Premises Licence Holder will ensure that CCTV is installed on the premises and WM Police will be afforded full access to any recorded images. The Licence Holder shall ensure that the CCTV will be fitted correctly and that images will be held up to 31 days and these images will be made available upon request to any responsible authority.

The premises licence holder shall ensure the CCTV system is recording whenever the premises is open for licensable activities. CCTV will also be used to show the external area of the premises.

A refusals log will be kept at the premises and completed on any occasion an incident occurs, this will be made available to all Responsible Authorities on request.

c) Public safety

In accordance with the Licensing Act 2003, any person who appears drunk or heavily under the influence of alcohol will not be served.

The Premises Licence Holder shall ensure that all entrances, exits and passageways will be kept clear of debris or furniture, for ease of exiting the premises in the case of an emergency.

d) The prevention of public nuisance

The premises Licence Holder shall ensure that sufficient signage is displayed requesting customers to have regard for residents when leaving the premises.

The PLH and staff will ensure that regular litter picks take place at the frontage of the property, to ensure no debris is left as litter by customers.

e) The protection of children from harm

A "challenge 25" policy will be used for age verification, meaning any person who appears to be under 25 will be asked for approved proof of age when attempting to purchase alcohol.

Staff will be diligent in observing those who attempt to make proxy purchases on behalf of underage persons and alert the DPS should this occur.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
 - I have enclosed the plan of the premises. ☒
 - I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
 - I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
 - I understand that I must now advertise my application. ☒
 - I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [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 (please read note 15). ☒

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).

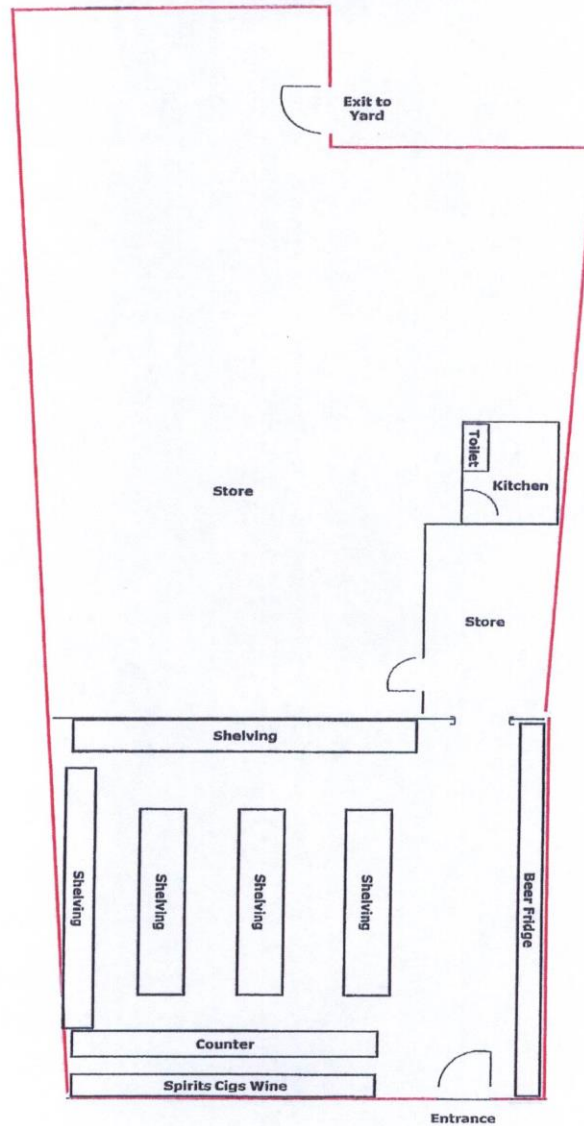
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	18 June 2018
Capacity	Agent for and on behalf of the applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **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 13) Robert V Edge Licence Leader Ltd :		
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

235-237 Lozells Road
B19 1RJ



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<p>Version 01 – June 2018 Measurements supplied by owner 1:100</p>



Birmingham City Council

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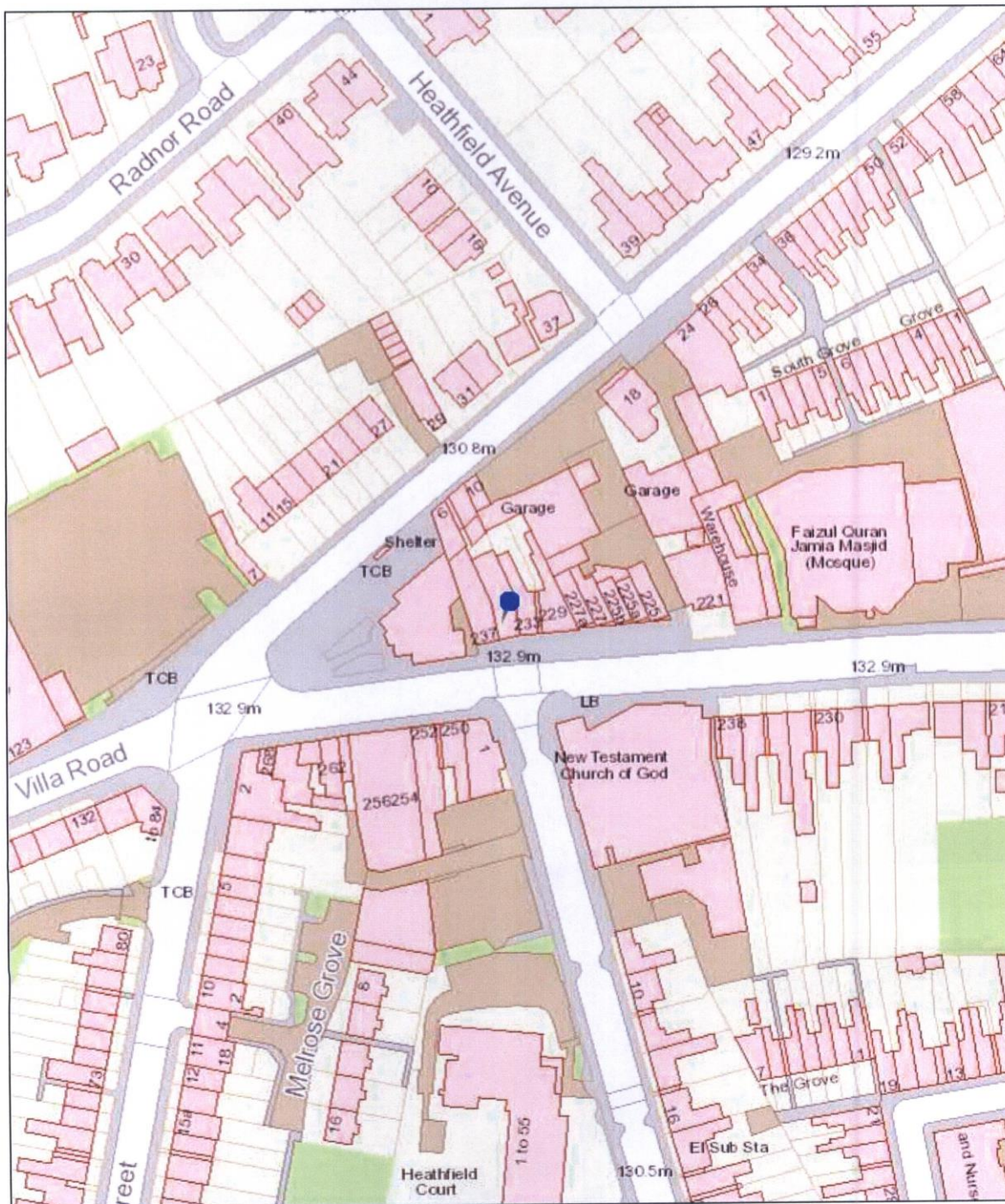
Date of Map Creation: 24/07/2018

Notes



Scale:
1:4,000

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Notes



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