

Report to:	Licensing Sub Committee C
Report of:	Interim Assistant Director of Regulation and Enforcement
Date of Meeting:	Wednesday 20th July 2022
Subject:	Licensing Act 2003 Temporary Event Notice
Premises:	View Villa, Park Lane, Aston, Birmingham, B6 5DE
Ward affected:	Aston
Contact Officer:	David Kennedy, Principal Licensing Officer licensing@birmingham.gov.uk

1. Purpose of report:

To consider the objection notice to the Temporary Event Notice (TEN), which seeks to permit the sale of alcohol (for consumption on the premises) provision of regulated entertainment and the provision of late night refreshment, to operate on the 10th September 2022, from 10:00pm until 6:00am (the following day).

2. Recommendation:

To consider the objection notice made by Environmental Health.

3. Brief Summary of Report:

A Temporary Event Notice was submitted by Sonett Latoya Henry Thompson and received on 8th July 2022 in respect of View Villa, Park Lane, Aston, Birmingham, B6 5DE.

An objection notice has been received from 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.

5. Relevant background/chronology of key events:

A Temporary Event Notice was submitted on 8th July 2022 by Sonett Latoya Henry Thompson, in respect of View Villa, Park Lane, Aston, Birmingham, B6 5DE, which was served on the responsible authorities on the 11th July 2022.

The Temporary Event Notice is attached as Appendix 1.

An objection notice has been received from Environmental Health, which is attached at Appendix 2.

Site location plans are attached, see Appendix 3.

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.

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.

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.

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 View Villa, Park Lane, Aston, Birmingham, B6 5DE.

When giving a TEN, consideration should be given to the following four licensing objectives:

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance; and
4. The protection of children from harm

6. List of background documents:

Temporary Event Notice, attached at Appendix 1.
Objection notice from Environmental Health, attached at Appendix 2.
Site location plans, Appendix 3.

7. Options available

To issue the TEN
To issue a Counter Notice



Birmingham
Temporary Event Notice
Licensing Act 2003

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

* required information

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

System reference

Not Currently In Use

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

Your reference

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

Are you an agent acting on behalf of the applicant?

- Yes No

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

Applicant Details

* First name

Sonett Latoya

* Family name

Henry Thompson

* 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.

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Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

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APPLICATION DETAILS [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

- Yes No

Enter details of any previous names or maiden names

First name

Family name

* Your date of birth / /
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

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Correspondence Address

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

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.

Yes No

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"/>

Additional Contact Details

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

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.

Yes No

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

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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

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Address

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

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.

Yes No

* Building number or name	<input type="text" value="View Villa"/>
* Street	<input type="text" value="Park Lane"/>
District	<input type="text"/>
* City or town	<input type="text" value="Aston"/>
County or administrative area	<input type="text" value="Birmingham"/>
* Postcode	<input type="text" value="B6 5DE"/>
* Country	<input type="text" value="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

The venue located at Park Lane which is in Aston, Birmingham and in Birmingham district. B6 5DE is located in the Newtown electoral ward, within the English Parliamentary constituency of Birmingham, Ladywood. A Dining and Banqueting hall to celebrate special occasions with family, friends and love ones. It has a massive car park

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 [\(see also guidance on completing the form, note 3\)](#)

N/A

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

A Dining and Banqueting hall to celebrate special occasions with family, friends and love ones with a massive car park.

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

My birthday dinner and dance, patrons will be entertained with music, whine and dine for this special occasion. It's a ticket only event (Silent Headphone for the later part of the event). Food and refreshments on sale mainly via card payments and bank transfer with little or no cash to handle on the night. Risk assessment will be attached or email separately.

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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 / /
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 / /
dd mm yyyy

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

[\(see also guidance on completing the form, note 10\)](#)

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

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 11\)](#)

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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

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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

22:00 10th September 2022 - 06:00 11th September 2022

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PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence? Yes No

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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

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?

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ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

Continued from previous page...

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
b) Begins 24 hours or less after the event period proposed in this notice? Yes No

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
b) Begins 24 hours or less after the event period proposed in this notice? Yes No

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CONDITION [\(See also guidance on completing the form, note 18\)](#)

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

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 [\(See also guidance on completing the form, note 19\)](#)

• THE INFORMATION CONTAINED IN THIS FORM IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT IT IS AN OFFENCE:

Continued from previous page...

- * (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.

From: Martin Key
Sent: 13 July 2022 14:04
To: Licensing
Cc:
Subject: TEN - Villa View, Park Lane, Aston. Birmingham
Importance: High

Hi

I am responding on behalf of the Environmental Health team as a responsible authority. I have received a TEN application from Sonett Latoya Henry Thompson in respect of a request to supply alcohol, supply alcohol as a club, provision of regulated entertainment , provision of relevant entertainment, late night refreshment and also the form indicates a late TEN application. I assume that there are a number of errors with the form and I have assessed the application on the basis of an application for the sale of alcohol, regulated entertainment and late night refreshment. The application relates to an event on 10-11 September 2022 at Villa View, Park Lane, Aston, Birmingham between the hours of 22.00 and 06.00. The application was supported by a risk assessment and I have taken account of that in my consideration but it does not address the key issues. I have spoken to the applicant and explained my concerns about the event.

The application refers to the venue as a Dining and Banqueting hall but it has permission to operate only as a restaurant. There have been a number of planning applications to extend the building and operational hours beyond those currently permitted of 10.00 – 23.00 and these have been refused on the basis that it would expose the occupiers of the surrounding residential dwellings to unacceptable noise and disturbance

The hours are wholly out of character for this area and will result in adverse impact on local residents from noise associated with music, noise from vehicles, noise from people accessing and egressing and the preparation of food to the requested 06.00 hour. I therefore object to the grant of the TEN on the basis of the adverse impact on the licensing objective of the prevention of public nuisance.

Best Regards

Martin Key
Environmental Protection Officer

Environmental Protection Unit
Regulation & Enforcement
City Operations Directorate
Birmingham City Council



