

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Interim Assistant Director of Regulation & Enforcement
Date of Meeting:	Tuesday 28th June 2022
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	The George V, Common Lane, Sheldon, Birmingham, B26 3BP
Ward affected:	Sheldon
Contact Officer:	David Kennedy, Principal Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

To consider representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption both on and off the premises) to operate from 8:00am until 11:00pm (Monday to Sunday).

Premises to remain open to the public from 8:00am until 11:00pm (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 12th May 2022 in respect of The George V, Common Lane, Sheldon, Birmingham, B26 3BP.

Representations have been received from Birmingham City Council Licensing Enforcement, 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.

<p>5. Relevant background/chronology of key events:</p> <p>Zeeshan Chaudry applied on 12th May 2022 for the grant of a Premises Licence for The George V, Common Lane, Sheldon, Birmingham, B26 3BP.</p> <p>A representation has been received from Birmingham City Council Licensing Enforcement, as a responsible authority, which is attached at Appendix 1.</p> <p>Representations have been received from other persons, which are attached at Appendices 2 – 4.</p> <p>The application is attached at Appendix 5.</p> <p>Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 6.</p> <p>Site Location Plans at Appendix 7.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ul style="list-style-type: none"> a. The prevention of crime and disorder; b. Public safety; c. The prevention of public nuisance; and d. The protection of children from harm.
<p>6. List of background documents:</p> <p>Copy of the representations as detailed in Appendices 1 – 4</p> <p>Application Form, Appendix 5</p> <p>Conditions agreed with West Midlands Police, Appendix 6</p> <p>Site Location Plans, Appendix 7</p>
<p>7. Options available</p> <p>To Grant the licence in accordance with the application.</p> <p>To Reject the application.</p> <p>To Grant the licence subject to conditions modified to such an extent as considered appropriate.</p> <p>Exclude from the licence any of the licensable activities to which the application relates.</p> <p>Refuse to specify a person in the licence as the premises supervisor.</p>

REPRESENTATION OF BIRMINGHAM CITY COUNCIL, LICENSING ENFORCEMENT

GEORGE V, COMMON LANE, SHELDON, BIRMINGHAM B26 3BP

I, Christina McCullough, a Licensing Enforcement Officer, wish to submit a representation on behalf of Birmingham City Council, Licensing Enforcement, in respect of the application for a grant of a premises licence at premises known as George V, Common Lane, Sheldon, Birmingham, B26 3BP.

The premises was previously licensed until it was revoked in 2021. Licensing Sub Committee decision attached as **Appendix 1**.

As part of my duties I had dealings with the previous licence holder in relation to the premises licence, and complaints that were received regarding the activities of the premises and activities on their land, namely the car park.

Licensing Enforcement had received similar complaints regarding this premises prior to 2016. Complaints were from residents who had suffered as a consequence of breaches of crime and disorder and public nuisance emanating from the use of the premises. The majority of complaints related to activities on the car park which included the use of drugs, loud music being played from inside the cars, the congregation of large amounts of people and vehicles on the car park and the manner in which were dangerously driven around and off the premises, not necessarily users of the premises but the car park was used as a meeting point.

Appendix 2 shows an aerial view of the premises located on the corner of Common Lane and Hollywell Road, Sheldon. The premises which has a very large car park is surrounded by residential homes.

During discussions with the previous licence holder in September 2021 it became evident that several Designated Premises Supervisors had themselves become the victims of the clientele. One DPS had to be removed because she could not regain control of the premises, the licence holder admitted that the customers were controlling and running the premises. Another DPS, who had taken on a very strong approach to the management of the premises and had 'barred' clientele had been forced to leave because some people, whether they be customers of the pub or not, had followed her, stopped her in her car and threatened to burn her alive – again the customers were controlling the premises.

The emails that I received painted a very clear picture of how frustrated, anxious and frightened the residents were and how difficult their day to day life was. Residents lived in fear of reprisals and none of the complainants were ever willing to be identified. They stated that they were not afraid of the owners of the premises but were afraid of reprisals from the people that frequented the premises.

It became clear that the premises could not comply with the licensing objectives, particularly to the prevention of crime and disorder, the promotion of public safety and the prevention of public nuisance. It was totally irrelevant of whom the management of the premises was, it could only be run and controlled by the users of the premises.

Whilst I appreciate that this a grant, a picture is painted by the fact that since August 2016 the premises has had 5 Designated Premises Supervisors. Even with the change of management the premises could not be managed in an effective and appropriate manner due to the clientele and the car park outside the premises. It became obvious that the car park was a focal meeting point. Whilst I appreciate it is not relevant how many times a DPS is changed, it is relevant that identical complaints have been received over so many years and so many managers tried to run the premises. I believe that this clearly shows that the premises cannot be managed effectively. The premises was run for so many years by the patrons and the people that used the facilities, I believe that this is ingrained into the business.

I have liaised with the agent regarding this application and did propose a condition asking that the car park be securely locked 30 minutes after the end of licensable activity. However, it was pointed out to me by the Agent that the condition was not appropriate or enforceable due to the proposed timing being outside of licensable hours. I agree with the comments made by the agent. However, this has left me in an untenable position in that I do not see how conditions can be attached to a premises licence that would ensure that the car park is securely locked when it is not needed for the business. Considering that the nuisance caused by the premises previously was not necessarily linked to licensable activity in licensable hours, I do not feel that there is any way that a condition can be attached to the licence to prevent breaches of this nature occurring.

If a premises licence is granted the licence holder has a responsibility to ensure that the premises is run in accordance with the Premises Licence and in a lawful manner. I don't believe that this is possible at these premises. The premises has been controlled for so many years by its users it has become 'the norm' I feel that if this licence is granted it will again be operated by its 'users' for their benefit and to the detriment of the residents.

Since the licence was revoked the residents have been able to return to normal life, I fear that if the licence is granted again, they will suffer again as they have before.

As is evidenced on appendix 1, the premises is completely surrounded by domestic dwellings and if it cannot be operated in a way that does not have a negative impact on the occupants of those dwellings, it should not be allowed to operate at all.

Considering the history of this premises Licensing Enforcement does not have any confidence that the premises can be operated in a manner in which it is capable of promoting the Licensing objectives, in particular the prevention of crime and disorder, the promotion of public safety and the prevention of public nuisance. Therefore, Licensing Enforcement would ask that the application be refused and a premises licence is not issued.



BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE - A

29 NOVEMBER 2021

That having reviewed the premises licence held under the Licensing Act 2003 by Punch Partnerships (PTL) Limited in respect of George V, Common Lane, Sheldon, Birmingham, B26 3BP, following an application for an expedited review made on behalf of the Chief Constable of West Midlands Police, this Sub-Committee hereby determines

- that the licence be revoked, and
- that Andrew Whitecross be removed as the Designated Premises Supervisor, and
- that the interim steps imposed at the previous meeting should be maintained pending the determination of any Appeal

Members heard the submissions of West Midlands Police relating to the poor history of management at the premises. The Sub-Committee had already noted that the certificate issued by the Chief Constable under s53A(1)(b) of the Act related to an allegation of serious crime which was said to have happened at the premises. It had been a very serious incident of violence, involving the use of a weapon which a male person had retrieved from a private area of the premises and brought out to use.

Staff on duty had not reacted to the actions of this male, and it appeared that the designated premises supervisor, who was not at the premises at the time, had not been made aware of it. There had also been no record kept in any Incident Log (or anywhere else). An absence of management control had led to the incident.

The Police were aware that the premises wished to rebrand as a family-oriented and food-led premises, with stronger management. However, given the past history and in particular the entirely unsuitable management arrangements, the Police view was that revocation of the licence was the correct course, to ensure that the licensing objectives would be upheld in future; alternatively, if the Sub-Committee considered that some other disposal was appropriate, the Police asked that the Sub-Committee resolve that the premises should not reopen or appoint any designated premises supervisor without the consent of the Police.

Licensing Enforcement then made submissions regarding the numerous complaints, dating back to 2016, made by residents - relating mainly to noise, gathering of persons in the car park, and suspicions over possible drug dealing. Loud music had been a particular nuisance to residents, which the management had proven themselves completely incapable of bringing under control.

It was the opinion of Licensing Enforcement that it was unlikely that any change of management could be strong enough to deal with the problem of the clientele associated with the George V, as any rebranding exercise would still attract those

individuals to the premises; the problems had, after all, been going on for several years. Licensing Enforcement were very wary of suggestions that additional conditions could be attached as a way to deal with the problems, observing that the premises had not followed the conditions currently on the licence. It was for these reasons that the view of Licensing Enforcement was that revocation was the correct course, although they were willing to work with the premises if the Sub-Committee decided to take a different course.

Submissions were also made by the local Ward Councillor who addressed the Sub-Committee on the nuisance which the premises and its clientele had created for local residents, across a period of years. (These issues were as described by Licensing Enforcement). Regarding the rebranding exercise, the Ward Councillor observed that the situation had deteriorated to such a level that local residents "would not provide custom under any circumstances" if the premises were to reopen in future as a family-oriented establishment. The impression given to the Sub-Committee was that the reputation that the George V had established for itself would prove impossible to overcome.

The Sub-Committee then heard from the company which held the licence, via its solicitor. The licence holder company considered that it had taken the responsible course in closing the premises on the 5th of November, directly after receipt of the application for Review. It had also been in contact with West Midlands Police to discuss the matter further.

The licence holder company wanted to do what it could to continue trading, and apologised for the failings which had resulted in the application for Review. A public house had been at the site since the 1950s, and it was striking that one of the residents who had made written representations had remarked that she had been a customer across 25 years (until recent years).

It appeared to the licence holder company that suggestions of drug dealing and undesirable patrons had alienated local residents, but there was a plan to improve things – namely by accepting a suspension of eight weeks and arranging appointment of fresh management. The premises would not reopen without the consent of the Police, and indeed intended to remain closed until a suitable operator could be found. The solicitor for the premises pointed to another premises in Sheldon which in previous years had been given a 'last chance' by the Sub-Committee and had managed to operate properly since 2013. The solicitor asked for the same for the George V, and requested that the Sub-Committee suspend the licence and attach appropriate conditions.

In deliberating, the Sub-Committee determined that the cause of the serious crime was due to wholly inadequate management arrangements; these had in turn attracted an unsuitable clientele. The situation had become so difficult that the responsible authorities and the Ward Councillor all agreed that the correct course was revocation; it was striking that none of those making representations were at all confident about the likelihood of any rebranding exercise becoming a success.

The Sub-Committee noted that the request from the licence holder was to impose a suspension and modification of licence conditions, but considered the extent to which this would address the real issue, which was the allegation of serious crime which was a significant risk to the upholding of the licensing objectives.

The Sub-Committee carefully considered the possibility of granting a 'last chance' to the George V, as had been granted to other premises in the past. The Sub-

Committee recognised the fact that a public house had stood at the site since the 1950s; this was something that ordinarily they would seek to protect. However, in this instance, to do so would fly directly in the face of the concerns raised by the responsible authorities, the Ward Councillor, and also all of the numerous local residents who had made written representations setting out how negatively their day to day lives had been affected by this badly-run premises. Given the weight of evidence from those making representations, to grant a "last chance" to the George V seemed unwise in terms of the promotion of the licensing objectives.

The Sub-Committee therefore found the recommendation to revoke to be the proper course. There was no proper chain of command or accountability, and the incident had not even been recorded in the Incident Log (or anywhere else). The Sub-Committee therefore determined that the removal of the designated premises supervisor was a very important safety feature, given that it was this individual who was responsible for the day to day running of the premises. It appeared that nobody had any confidence in him, including the licence holder company. All in all, the Sub-Committee considered that in an allegation of serious crime, public safety was paramount.

The Sub-Committee also asked the views of those making representations regarding the interim steps; each agreed that the proper course was to maintain the interim steps. The Police in particular considered that the operation could not and should not continue, especially not with Andrew Whitecross as designated premises supervisor; it was the Police who had brought the application for Review. The Sub-Committee therefore determined that it was both necessary and reasonable to maintain the interim step of suspension pending any Appeal to address the potential for further serious crime.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued by the Home Office under s182 of the Act, the application and certificate issued by West Midlands Police under Section 53A of the 2003 Act, and the submissions made by the licence holder company via its solicitor, and by West Midlands Police, Licensing Enforcement and the Ward Councillor, at the hearing.

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

The determination of the Sub-Committee, save for the maintenance of the interim step as detailed above, does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the appeal is determined.

APPENDIX 2



From: Councillor Paul Tilsley

Sent: 27 May 2022 14:42

To: Licensing

Cc:

Subject: Application 125218: The George V, Common Lane, Sheldon, B26 3BP

I wish to object to the application for a Licence for the above Public House. You will recall that there was a Special Meeting of Licensing Committee when the Police and I made an objection and as a result the Licence was withdrawn.

Local residents remain very concerned about the Pub reopening, however as before they remain very concerned about disclosing their names and addresses due to past retaliation to any resident that has publicly made objections due to the clientele that the pub attracted. I therefore have to make objections on their behalf.

Since last December Local residents have been able to enjoy a normal life, not being kept awake by cars racing up Common Lane, music being played loudly from the Pub and the cars parked on the Pub car park, anti social behaviour and violence in and around the premises.

There is unfortunately a history of drug dealing in and around the Pub, that reputation will always remain and I have no doubt that the clients who frequented the premises are eagerly awaiting another opportunity. I wish to object in the strongest terms for any Licence being granted to this hostelry which has in my terms has been a "disorderly house ",under a variety of managers, indeed under Heineken ownership one manager who tried to instill discipline was run off the premises, and subsequently the premises were fire bombed and vandalised.

Cllr Paul Tilsley CBE

Liberal Democrat- Sheldon Ward.

From: Councillor Colin F Green

Sent: 07 June 2022 10:23

To: Licensing

Cc:

Subject: Application 125218: The George V, Common Lane, Sheldon, B26 3BP

I would like to object to the application for a licence to The George V in Sheldon. There has been a history of trouble with this pub, leading to it having its licence withdrawn. Residents in the area are concerned that the anti social behaviour will return if the pub re-opens. Because of reports of actions by bar staff with a baseball bat, local residents won't speak out publicly. They will say in confidence that they're very worried about The George V reopening.

Cllr Colin Green
Sheldon Ward

From:
Sent: 26 May 2022 16:37
To: Licensing
Subject: Application for George V pub, Common Lane, Sheldon

I understand that you have received an application for a new licence at the above premises.

As a Councillor for Sheldon until earlier this month, I am aware of the problems that disorder around these premises has given local residents over many years. Since December 2021, the residents have been able to live a normal lives, free from noise, screeching cars, drug dealers, anti-social behaviour and general disruption.

This welcome respite may be set to end. Please take this into account when considering this application.

Kind regards,



Birmingham
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

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

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

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

Applicant Details

* First name

Zeeshan Chaudry

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Is the applicant:

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

☒ Applying as an individual

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

Continued from previous page...

Address

* Building number or name	<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"/>

Agent Details

* First name	<input type="text" value="Gill"/>
* Family name	<input type="text" value="Sherratt"/>
* E-mail	<input type="text"/>
Main telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

Include country code.

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

Are you:

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

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

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	<input type="text" value="05822732"/>
Business name	<input type="text" value="Licensing Matters Ltd"/>
VAT number	<input type="text" value="-"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

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

Section 2 of 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	<input type="text" value="The George V"/>
Street	<input type="text" value="Common Lane"/>
District	<input type="text" value="Sheldon"/>
City or town	<input type="text" value="Birmingham"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="B26 3BP"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="32,000"/>

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

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

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

☒ Yes

☐ No

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

First name

Zeeshan Chaudry

Family name

Is the applicant 18 years of age or older?

☒ Yes

☐ No

Continued from previous page...

Current Residential Address

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

☒ Yes

☐ No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

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

☒ Yes

☐ No

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

E-mail

Telephone number

Other telephone number

* Date of birth

/ /
dd mm yyyy

* Nationality

Right to work share code

Documents that demonstrate entitlement to work in the UK

Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

/ /
dd mm yyyy

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

/ /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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

The premises is a public house that is closed at present.

The applicant is a very experienced businessman and operator who has been operating 'on' licensed premises throughout the Warwickshire area for over 20 years without problems or complaints & employs 200 people. The pubs owned by the applicant are restaurant/food led family oriented businesses and this business will reflect that model.

An example of the type of premises operated by the applicant (and similar to the intentions for this premises) is The Plough Inn at Nuneaton which is a family friendly pub/restaurant & serves an extensive range of freshly homemade food catering for every taste.

In terms of addressing the licensing objectives, this premises is being subject to over £35k of investment, £15k has been spent on the installation of high spec CCTV equipment throughout and £5k has been spent on a perimeter alarm, both of which are monitored remotely. In order to mitigate any risk from the sales of alcohol and its impact on the licensing objectives a number of robust conditions, which reflect the expected policies and procedures to be operated within the business, have been included as part of this application.

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

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Continued from previous page...

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

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☐ Yes

☒ No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes

☒ No

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

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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 08:00

End 23:00

Start

End

WEDNESDAY

Start 08:00

End 23:00

Start

End

THURSDAY

Start 08:00

End 23:00

Start

End

FRIDAY

Start 08:00

End 23:00

Start

End

SATURDAY

Start 08:00

End 23:00

Start

End

SUNDAY

Start 08:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

- ☐ On the premises ☐ Off the premises ☒ Both

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

State any seasonal variations

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

--

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

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

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Continued from previous page...

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

Name

First name

Family name

Date of birth

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

Continued from previous page...

None

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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Continued from previous page...

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)

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

On first appointment, all staff employed at the premises will receive training on the Licensing Act 2003 including input on preventing underage sales, preventing sales of alcohol to people who are drunk and any other relevant matters. Training shall be regularly refreshed at no less than annual intervals. The training must be recorded and be accessible on the premises and made available for inspection upon request of a Police Officer or an authorised officer of the licensing authority or (in the case of online training) within 48 hours.

b) The prevention of crime and disorder

A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 31 days. CCTV images will be provided to the police and other responsible authorities as soon as practicable and in any case within 48 hours of a request for such images, subject of the provisions of the DPA.

c) Public safety

An incident register will be maintained at the premises and made available to the authorities on request.

An alarm system is in operation at the premises

d) The prevention of public nuisance

A register of refusals of alcohol will be maintained at the premises. The register will be made available for inspection by the Police and other responsible authority

e) The protection of children from harm

The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25, they will be asked for proof of their age, to prove that they are 18 years or older.

Posters will be on display advising customers of the 'Challenge 25' policy.

The only forms of identification that will be accepted at the premises are a passport, UK photo-card driving licences, military ID & cards bearing the 'PASS' hologram.

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

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

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

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

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

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

Capacity 5000-9999 - £1,000.00

Capacity 10000 -14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

* Fee amount (£)

190.00

DECLARATION

1

Continued from previous page...

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE
* ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15).

THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS
* PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

[Add another signatory](#)

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

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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From: bw licensing
Sent: 09 June 2022 08:33
To: Licensing
Cc:
Subject: FW: [External]: Re: George V - Sheldon, Birmingham

Good Morning Licensing,

West Midlands Police have reviewed the application for George V, Common Lane Sheldon B26 3BP and are happy if the below conditions are added to the premises licence then the licensing objectives will be met and promoted. The below conditions have been agreed with the applicant via their agent, as per below email chain, who is also copied into this.

- No drinks to be consumed on the carpark / roadside of the premises
- No alcohol to leave the premises in open containers, save for the rear garden.
- No dedicated smoking area or shelter on the car park / roadside of the premises
- The premises will risk assess the need for door staff.
- Door staff deployed at the premises will sign on and off duty and be identifiable by wearing a florescent jacket or tabard.
- For any door staff deployed the premises will keep a profile. This profile will include a photocopy of their SIA badge and photographic ID. If photographic ID is not available then a copy of a utility bill on older than 3 months will be kept.
- Profiles and signing in and out sheets will be kept by the premises for no less than 3 months and made immediately available to any of the responsible authorities on request.
- CCTV to cover the outside car park area and be able to supply evidential quality images in low light / dark conditions.
- CCTV system to be checked daily before the start of licensable activity. This check to be documented and signed by the person checking. This documentation to be made immediately available to any of the responsible authorities on request.
- If for any reason the CCTV hard drive needs to be replaced then the previous / old hard drive will be kept on the premises for a minimum of 31 days and made immediately available to West Midlands Police when required for an investigation into crime and disorder.

If the above conditions are added to the premises licence, West Midlands Police have no objection to this licence application.

Regards

[Chris Jones 55410](#)

[Central Licensing Team West Midlands Police](#)

From: Gill Sherratt
Sent: 08 June 2022 17:51
To: Christopher Jones
Subject: Re: [External]: Re: George V - Sheldon, Birmingham

Yes this one is fine and agreed.

Thanks,

Gill

