

## **BIRMINGHAM CITY COUNCIL**

### **LICENSING SUB-COMMITTEE C**

**WEDNESDAY, 25 JULY 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**

**3 - 22**

### **4 MINUTES**

To note the public section of the Minutes of the meeting held on 13 June 2018.

To confirm and sign the Minutes of the meeting held on 4 July 2018.

**23 - 56**

### **5 LICENSING ACT 2003 PREMISES LICENCE (GRANT) - MEL'S GLASSHOUSE, 563-565 WARWICK ROAD, BIRMINGHAM, B11 2EX**

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

**57 - 88**

### **6 LICENSING ACT 2003 PREMISES LICENCE (GRANT) - THE DELI IN BOLDMERE, 60B-60C BOLDMERE ROAD, SUTTON COLDFIELD, B73 5JT**

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

7 **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.

8 **EXCLUSION OF THE PUBLIC**

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

Exempt Paragraph 3

## **P R I V A T E   A G E N D A**

1 **MINUTES**

To note the private section of the Minutes of the meeting held on 13 June 2018 and to confirm and sign the Minutes as a whole.

2 **LICENSING ACT 2003 - PERSONAL LICENCE APPLICATION**

Report of the Acting Director of Regulation and Enforcement.

N.B. Application scheduled to be heard at 1300 hours.

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

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

# BIRMINGHAM CITY COUNCIL

<b>LICENSING SUB - COMMITTEE C - 13 JUNE 2018</b>
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**MINUTES OF A MEETING OF  
LICENSING SUB-COMMITTEE C HELD  
ON WEDNESDAY 13 JUNE 2018  
AT 0930 HOURS IN ELLEN PINSENT ROOM,  
COUNCIL HOUSE, BIRMINGHAM**

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

Councillors Olly Armstrong and Neil Eustace

**ALSO PRESENT:**

Chris Arundel – Licensing Section  
Joanne Swampillai – Legal Services  
Katy Poole – Committee Services.

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**NOTICE OF RECORDING**

01/130618      The Chairman advised the meeting that members of the press/public may record and take photographs except where there are confidential or exempt items.

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**DECLARATIONS OF INTEREST**

02/130618      Members were reminded that they must declare all relevant pecuniary and non-pecuniary interests arising from any business to be discussed at the meeting. Should a disclosable pecuniary interest be declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of meeting.

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**APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

03/130618      No apologies were submitted.

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**MINUTES**

04/130618 That the public part of the Minutes of meeting held on the 2 May 2018 were noted.

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05/130618 **ANY OTHER URGENT BUSINESS**

There were no matters of urgent business.

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**EXCLUSION OF THE PUBLIC**

06/130618 **RESOLVED:**

That in view of the nature of the business to be transacted, which includes exempt information of the category indicated, the public be now excluded from the meeting:-  
(Paragraphs 3 & 4)

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# BIRMINGHAM CITY COUNCIL

<b>LICENSING SUB COMMITTEE C 4 JULY 2018</b>
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**MINUTES OF A MEETING OF  
LICENSING SUB COMMITTEE C  
HELD ON WEDNESDAY 4 JULY 2018  
AT 0930 HOURS IN ELLEN PINSENT  
ROOM, COUNCIL HOUSE,  
BIRMINGHAM**

**PRESENT:** - Councillor Mike Leddy in the Chair

Councillors Olly Armstrong and Neil Eustace

**ALSO PRESENT**

Shaid Yasser, Licensing Section  
Joanne Swampillai, Committee Lawyer  
Errol Wilson, Committee Manager

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**NOTICE OF RECORDING**

- 1/040718 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

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**DECLARATIONS OF INTERESTS**

- 2/040718 Members were 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 meeting.

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**APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

- 3/040718 There was no Nominee members.

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**LICENSING ACT 2003 PREMISES LICENCE – REVIEW PREMISES AT PB’S  
(DE ORIOLE), 54 – 57 KEY HILL, HOCKLEY, BIRMINGHAM, B18 5NX**

The following report of the Acting Director of Regulation and Enforcement was

submitted:-

(See document No. 1)

The following persons attended the meeting.

**On behalf of the Applicant**

Jane Dunsford – Environmental Health with 2 residents as witnesses

Thomas Levick – Resident/Objector

Holly Isherwood – Resident/Objector

PC Abdool Rohomon – West Midlands Police

Margaret Beauchamp – Business Owner

**On behalf of the Licence Holder**

Carlson Cabey – Premises Licence Holder (PLH)

Sarah Clover – Legal Representative for the PLH

Following introductions by the Chairman, Shaid Yasser, Licensing Section, outlined the main points of the report.

In presenting the case for Environmental Health, and in response to questions from Members of the Sub-Committee, Ms Dunsford made the following points:-

1. That there had been complaints from residents regarding the heavy based music and screams and shouting by patrons, cars blocking the drive, patrons urinating in the doorways and defecating by residents' cars.
2. That the loud music continued until 4:00am and the premises were a specialist Caribbean Nightclub. She drew the attention of the Committee to the photographs being circulated.
3. That it was not a typical nightclub as the premises was built for light industrial daytime units for the Jewellery Quarter. The Key Hill Cemetery was next door.
4. That Environment Health had tried to work with Mr Cabey through lowering the music, controlling the people entering and exiting the site, but the complaints continued. Environmental Health had issued Mr Cabey a formal letter in March 2018 and a resident call out was implemented on the 13<sup>th</sup> April 2018 as a result of the loud music and the amplified voices at 1:00am. When Mr Cabey was contacted he stated that he had not received the letter.
5. Anti-social behavior increased over the Easter period and persons from the club defecated by the neighbours car. Other options that the licensee could adopt were looked at with Environmental Health and the Police. Safety issues and CCTV was also discussed. The noise from the patrons was worse than ever the following Sunday.

6. On the 26/27 April 2018, officers were called out and were in the resident's property until 1:55am and noted cars bleeping, blocking the drive. It was noted that officers felt intimidated by the patrons who had congregated on the street outside the club.
7. During the officers' visit, it was established that there was no other place in the area that the noise could have come from. Over the six months period, the situation did not improve and the licensee was informed that a request would be made for a review of the licence.
8. On 21 May 2018, a review of the licence was submitted and things at the premises were quiet. Over the last two weeks the residents advised that the club was not considerate to them as there was dancing on the street, patrons urinating in the doorways.
9. They had tried to discuss the conditions Environmental Health had proposed, but they had not reached a decision. The licensee had instructed a barrister and was now trying to agree conditions.

At this juncture, the residents Mr Levick and Ms. Isherwood the residents made the following statements: -

10. On Monday 7 May 2018, the road was blocked with cars and he could not access his property. There was loud music and people stood outside the club and it was quite noisy. He rang Environmental Health as the event had made him tired due to sleep deprivation.
11. At 2:15am a PA system was by a white door, the back entrance to the club on the street. That he felt like giving up and moving away at that point as he could not get any respite from the loud music and anti-social behavior etc.
12. That the road was blocked again when he tried to leave at 2:30pm. He had pulled into the adjacent road – Key Hill Drive and could hear the loud music and it took 15 minutes for a patron to remove his car for him to gain access. Even though it had been a hot day he could not open his windows due to the noise etc.
13. At 2:26 on the Sunday night/Monday morning there was loud music with car horns tooting and he had to use earplugs etc., but there was no respite from the noise and it was quite intimidating.
14. There was heavy base music playing at the club on the 21 May and he contacted Environmental Health. On the 24 June 2018, he was awoken from sleep by loud heavy music.
15. On June 29 2018, there was a similar issue with loud music voice over and the road being blocked by cars. The licensee continued to exceed the noise level even though the licence was under review.
16. That he had contacted his Councillors and his landlord regarding the issue.

He was struggling to hold down work commitments due to the noise nuisance and the impact this was having on him which has resulted in sleep deprivation.

17. Ms Isherwood stated that the licensee was irresponsible and she was emotional due to the impact the noise nuisance and antisocial behavior was having on her and her partner.
18. That she enjoyed living in the City Centre and that she had a full time job and other commitments. That if she did not work she would not be paid and that she had lost at least 12 days of work as she had to cancel or reschedule due to the impact the nuisance was having on her.
19. That this has resulted in her being stressed and was affecting the relationship with her and her partner. The road was littered with refuse and broken glass by the patrons of the club and the area had gone down.
20. That it was a nice road and a lovely area, but the whole experience had been marred by the irresponsible and negligent licensee who paid no attention to the neighbours.
21. They should not be there and the property should not be a nightclub as it was located in a cul-de-sac. The sound system was booming under her window and she was not surprised that the road was blocked with cars.
22. That she had taken sleeping pills as she could not take the risk not to get to work, but it was uncertain how much more they could continue to take as they did not want to leave the area. Other neighbours were experiencing the same issues. It was a nuisance and the impact was extreme.
23. That planning permission states that the premises was licensed to accommodate 70 people, but this was not certain. The premises held the licence since 2012, but there was one complaint 4 years ago.
24. That Martin Key, Environmental Protection Officer went into the premises to make an assessment of potential noise impact. The anti-social behavior was from the patrons outside the premises rather than the people inside.
25. The residents stated that the speakers were placed outside in the rear car park. This was not a normal commercial enterprise that was opened for set hours.
26. That it did not appear that the patrons wanted to be inside the premises. It was not necessarily 100 people, but cars were bleeping and there was loud music. It's the constant worry that the club was going to start with the *base jacked up*.
27. That the decibel levels of the music were not recorded as it was noise nuisance that they go after. There was no noise retention in the building.
28. That parking was available on one side of the road with spaces for patrons



to park. The residents were unable to access the road and waited for up to 40 minutes to gain access.

29. That young people were smoking weed and it was intimidating to get out of the car and ask people to move to gain access. It was assumed that the licensee was blocking the road to stop patrons gaining access.

In presenting the case for West Midlands Police (WMP) and in response to questions from Members of the Sub-Committee, PC Rohomon made the following points:-

1. That WMP was aware of the review of the application and that the Act clearly states that the local authority was to work with the licensee to address the problem and Environmental Health had done so and had submitted a variation of the licence.
2. That the licensee was aware that a review of the licence had been submitted, but took no action to prevent the anti-social behaviour and the noise level had increased.
3. That various conditions were proposed, but the licensee will not fulfill the conditions.

In presenting her case and in response to questions from Members of the Sub-Committee, Mrs. Beauchamp made the following points:-

1. That she had similar complaints to the residents. That one of her tenants had refused to go up the drive due to being intimidated.
2. That her concerns were the rodents due to the chicken bones that were thrown on the street. That she had filled four bags of refuse and had to pay to get rid of it. That people were defecating and throwing refuse in the cemetery.
3. That she had found stabbing knives which she took to the tip for disposal.

In presenting the case for the premises Licence Holder, Mr. Cabey and in response to questions from Members of the Sub-Committee, Ms. Sarah Clover, Legal Representative made the following points:-

1. That she had attended the meeting on the basis they had an agreed position with Environmental Health and WMP, the proposed conditions being proposed by them was agreed.
2. That she had thought that the hearing was set up due to unheard issues from the residents.
3. That Mr. Cabey had advised that he had been at the premises since 2010 and that he was only operating the business 4 nights per week except for recently – Thursday nights occasionally on Fridays and Saturdays due to Birthday Parties and family events and on Sundays it was more of a

sporadic operation.

4. That this was a perfect storm of different factors, where previously all parties had resided in a harmonious condition on Mr. Cabey's behalf it was not all one-way.
5. That Mr. Cabey was there first and the demography had changed as people then came to live there. People may not have noticed, but the club was there. Mr. Cabey will accept the conditions and he was not shying away.
6. That the noise limiter meant that he will do away with his party nights. He has accepted the conditions and will now operate his premises in a different way to co-operate with the responsible authorities.
7. That the previous problem referred to by Environmental Health was not attributed to Mr. Cabey.
8. That there had been some miss-communication regarding the lack of communication with Ms. Dunsford and Mr. Cabey's solicitor, but the solicitor did accept the conditions. The original representation form the residents would rule this impossible.
9. The representation was based on activities from 2017, when the parties were held. Promoters were also using the premises and Mr. Cabey will no longer work with them. He will now change things completely to be in line with the responsible authorities.
10. That there were two other clubs operating nearby that had patrons who were also parking on the road. This had resulted in scuffles etc., and when this was reported to Environmental Health, they stated that they did not have a licence to operate.
11. That the representation that came in was an opinion and that PC Rohomon had amplified his comments based on what he had heard today. WMP was never there as they did not go to that part of town.
12. That there had been no contact with WMP, no review or revocation of the application since Mr. Cabey had been there. That the landscape, soundscape and residential scape had changed since Mr. Cabey had been there. He had two events in recent times and representation about this had escalated in the last weeks.
13. The speakers were outside for a family event on the Sunday with the children's bouncy castle. That there was some dispersal issues with people leaving from other premises which caused an issue. A noise limiter will be installed.
14. That all conditions were implemented except the noise limiter.

At this juncture, Environmental Health attempted to introduce new evidence. The

Chairman advised Environmental Health that no new evidence will be accepted at this point and that any new evidence should be sent to the Committee and the other party as an addendum prior to the hearing being held.

15. That a recording with the noise limiter, but this was not brought to the hearing as Mr. Cabey's solicitor was judging whether the level of noise was acceptable. That the use of a promoter will no longer be used and that he should not have had the parties that he had.
16. The parties were causing a problem and he would no longer be holding them. It was not a club, but a Bar and he was no longer taking bookings.

At 1105 hours, the Sub-Committee was adjourned for Environmental Health, WMP and the Licensee and Legal Representative to have a discussion concerning the hours of operation and the additional conditions proposed by Environmental Health and WMP.

At 1126 hours the Sub-Committee was reconvened.

In summing up, Environmental Health stated that the summary conditions on pages 34 -35 of the report were confirmed, but that they wanted assurance for the timetable regarding the noise limiter, dialogue to discuss this and a meeting with the licensee to ascertain how they were proposing to do the noise limiter plan.

In summing up, PC Rohomon, WMP stated that the 5 conditions proposed on page 4 of the report be included along with the conditions from Environmental Health.

In summing up, Mrs. Beauchamp stated that she just wanted the refuse to be cleared from the ground.

In summing up for the licensee, Sarah Clover, Legal Representative stated that they had agreed to the conditions from Environmental Health and WMP and that the condition be given for the noise limiter for four weeks, but not included in the general conditions.

At 1130 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1230 hours all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

4/040718

**RESOLVED**

That, having reviewed the premises licence held under the Licensing Act 2003 by Mr Carlson Cabey in respect of PB's (De Oriole), 54-57 Key Hill, Hockley, Birmingham B18 5NX, upon the application of the Environmental Health Department of the City Council, this Sub-Committee hereby determines that the

conditions of the premises licence be modified by adding the following, in order to promote the prevention of public nuisance objective in the Act:

- A. All the conditions agreed with Environmental Health at the meeting, namely:
1. Hours of operation: 15.00 to 02.00 Thursday to Saturday for all regulated activities, and 15.00 to 00.00 Sunday for all regulated activities. There shall be no regulated activities at any other time.
  2. To avoid nuisance being caused to neighbours the DPS, or other nominated person/staff, shall monitor the external areas of the premises (including the designated smoking area) after 23:00 hours. In addition the DPS shall ensure that an appropriate number of Door supervisors/ the DPS, or other nominated persons shall monitor and control people entering and queuing and exiting the venue after 23.00. If necessary, they shall remind customers to be respectful of neighbours and where necessary they shall take appropriate steps to avoid customers using Key Hill Drive (including use for car parking) to avoid such activities causing a nuisance.
  3. No new customers shall enter the premises after 1 am Friday to Saturday.
  4. The DPS shall, within 3 months of the date of issue of this licence, submit in writing a noise management plan to Environmental Protection Unit of Birmingham City Council. The noise management plan shall outline the measures to be adopted to reduce the noise impact of activities associated with the premises including music, smoking area, number of Door Supervisors, number of persons allowed on key Hill Road customer access and egress (include parking) and dispersal of customers from the surrounding area at the end of the night. All operational controls and management actions required by the approved noise management plan shall be instigated at all times. The noise management plan shall be updated regularly and all staff shall be adequately trained in their role in implementing the plan.
  5. All external doors and windows shall be kept closed during regulated entertainment except as necessary for safe and effective access and egress.
  6. Prior to any regulated entertainment involving amplified music taking place, a Noise Limiting Device (NLD) of a type approved by the Environmental Protection Unit of Birmingham City Council shall be fitted to the serve any area of the premises used for amplified music or sound. The NLD shall be set at a level agreed with the Environmental Protection Section to ensure that the volume of music is controlled to avoid noise nuisance to the occupiers of nearby buildings. The installation of the NLD shall be notified to the Environmental Protection Section prior to use and shall meet the following criteria:
    - a) The device shall be fitted in an approved position by a competent person and once fitted shall not be moved from the approved position or tampered with in any manner unless prior approval is given,
    - b) The device shall be capable of either:-
      - i) cutting off the mains power to the amplification equipment if the volume exceeds the pre-set level determined by the Environmental Protection Unit and shall not restore power to the amplification equipment until the NLD is reset by the DPS or their nominated person, or

- ii) otherwise maintaining the volume of the music at the pre-set level determined by the Environmental Protection Unit,
  - c) where the NLD operates by cutting off the mains power to the amplification equipment, amplification equipment shall be operated through the sockets/power points linked to and controlled by the NLD at all times,
  - d) The NLD shall be maintained in full working order and at the approved pre-set volume whilst the amplification equipment is operational,
  - e) Any damage or malfunction to the NLD shall be reported to the Environmental Protection Unit as soon as possible and within 24 working hours of the damage occurring or malfunction being noted. The NLD shall not be used in this damaged or malfunctioning state until approval has been given by the Environmental Protection Unit.
7. No drinks shall be removed from the premises.
- B. All the conditions agreed with West Midlands Police at the meeting, namely:
- The premises to have a written dispersal policy, to be provided in advance to both Birmingham Central licensing department and BCC Environmental Health officers (address for each responsible authority as determined in the statement of licensing policy for Birmingham City Council), the dispersal policy to be agreed in writing with both Birmingham Central licensing department and BCC Environmental Health officers. The dispersal policy to be implemented at all times the premises is open for licensable activity
  - Door supervisors – the number of door supervisors is to be determined through a written and documented risk assessment. The risk assessment to be provided to any officer of any authority upon request.
  - The risk assessment must take into account the dispersal policy and deployment of security staff outside the premises.
  - Door supervisors deployed outside the venue will wear hi visibility coats and have body worn CCTV cameras. Body worn cameras must be operational and recording at all times the premises is open for licensable activity
  - Images from any bodycam footage, to be made immediately available and downloadable to any officer from a responsible authority
- C. No outdoor speakers shall be used for the playing of amplified music
- D. After dispersal of patrons at closing time, the Premises Licence Holder shall ensure that staff from the premises undertake a litter patrol in the general vicinity of the premises

The Sub-Committee recommended that these modified conditions should be put in place within the next four weeks. The premises' Legal Adviser confirmed that four weeks would allow sufficient time for arrangements to be made.

In addition to the above conditions, those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will continue to form part of the licence issued.

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The review of the licence had been brought by Environmental Health, in response to residents' complaints about public nuisance caused by the premises and its patrons. The problems were outlined in full to the Sub-Committee by the Environmental Health Officer. Three local residents also attended to describe in detail the nuisance and anti-social behaviour they had directly witnessed, and the effect it was having on their lives. West Midlands Police also attended, and observed that following the lodging of the review application by Environmental Health, complaints had increased.

The premises licence holder and his legal adviser explained to the Sub-Committee that the plan was to change the nature of the business such that it would be food-based in future, as an acknowledgement that the current style of operation should not continue – in particular the hosting of events put on by outside promoters. However the premises licence holder felt that not all the problems described by those attending the meeting originated solely from PB's De Oriole, and mentioned some other premises in the area.

Proposed conditions were put forward by Environmental Health and the Police. The Sub-Committee decided that a short adjournment in order for the proposed conditions to be discussed would facilitate agreement. When the parties returned, there had been agreement. The Sub-Committee therefore determined that the further issues to be dealt with were the noise generated by the use of speakers in the car park, and the dropping of litter in the vicinity by patrons. They considered that the two conditions shown as 'C' and 'D' above were proportionate to address the concerns raised by local residents.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the application for review, the written representations received, and the submissions made at the hearing by the premises licence holder and his legal adviser, by Environmental Health, by West Midlands Police, and by other persons.

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

The determination of the Sub-Committee does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed, until the disposal of the Appeal.

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**LICENSING ACT 2003 PREMISES LICENCE – GRANT MAYPOLE POST  
OFFICE, 7 STOTFOLD ROAD, MAYPOLE, BIRMINGHAM, B14 5JD**

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See document No. 2)

**On behalf of the Applicant**

Mr. Minaz Ramji – Applicant  
Mr. Prasenjit Das – Assisting the applicant

**On behalf of those making Representations**

Patricia Dillaway – Resident  
Adam Higgs – Ward Councillor  
Anne Nolan - Resident

The Chairman introduced the Members and officers present and explained the hearing procedure.

Councillor Adam Higgs, Ward Councillor informed the Committee that he had received a statement from West Midlands Police (WMP) with a request that the Sub-Committee give consideration to the document. WMP did not attend the hearing, the statement being emailed to Councillor Higgs at 2200 hours on Tuesday 3 July 2018.

The applicant voiced objection to the request by WMP as they had not seen a copy of the statement prior to the meeting being held.

At 1313 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1320 hours all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

The Sub-Committee was inclined to refuse the request to consider the statement as the document was not served on the Committee or the applicant prior to the hearing being held.

The main points of the report were outlined by Shaid Yasser, Licensing Section.

Mr. Prasenjit Das and Mr. Minaz Ramji representatives for the premises made the following points in response to questions from Members:-

1. That the premises had been operating as the local sub-Post Office for Maypole for several years.
2. That due to financial constraints relating to their arrangements with the Royal Mail, a decision had been made to start to diversify the business into offering grocery items, and as part of this, to introduce the sale of alcohol by retail.
3. The premises considered that this would be a good offering for the local community who already made use of the premises as a Post Office, and would ensure that the business could continue, describing the plan as

‘bringing the Post Office, grocery and alcohol under one umbrella’, to become more like a general convenience store.

4. That they would be providing a useful service to the local area and would take a responsible attitude to alcohol sales. That it was proposed for alcohol to be sold from 0800 hours to 2000 hours. That security lighting would be fitted to the premises.
5. That there had been no crime reported to the Police in the last two years. That they would not sell alcohol to people who were drunk, under-aged or Police officers on duty etc.
6. The licence would not be for the consumption of alcohol on the premises, but would be solely for selling alcohol. Aldi, Iceland and Sainsbury’s’ was selling alcohol, but this was a small business and cannot make a profit. That they would accept any conditions placed on them.
7. That the Ward Councillor had not approached them before the hearing to discuss the application, given that he was supporting residents who wished to object.
8. That in operating the Post Office they were also part of the local community, and that their business was a positive benefit to the community.
9. That the local Post Office had no power to switch the cash machine off at night time as it belong to Royal Mail. That it was Royal Mail that switched the Cash machine off.
10. Sergeant Ogden had not been to the premises since they have been there for 2 1/2 years and that the business was closed at 1730 hours every day. They had consulted with Royal Mail who had agreed for them to utilise the facility to get more money.
11. Everything was determined by Royal Mail including the application for a licence to sell alcohol. In the past they were given a lump sum payment by Royal Mail irrespective of the takings, but this was no longer the case. These days the harder they work the more they earn.

In presenting his case and in response to questions from Members of the Sub-Committee, Councillor Adam Higgs, Ward Councillor made the following points:-

- a. That the road was a residential one and had a number of problems including litter and drug dealing and WMP was looking to set up a programme for the area.
- b. Representation was made by him and the MP for the area. Local residents had concerns regarding the application by the Post Office to sell alcohol. They were worried that if alcohol was sold by the Post Office, this would exacerbate the problem and would become more of a focal point.



- c. The licence would go against the licensable objectives. That if the Sub-Committee was mindful to grant the licence that additional conditions be granted.
- d. That the Neighbourhood Police had concerns regarding the application, but that the Police not attend the meeting due to some miscommunication between officers within West Midlands Police.
- e. That he had not approached the applicant to discuss the application with them.
- f. That the objectors brought the application to his attention on the 17/18 May.
- g. That he had asked the neighbourhood Sergeant to make representation against the application, but realised quite late that WMP did not make any representation against the application which had resulted in the statement from WMP which was rejected by the Sub-Committee.
- h. The residents advised that there were syringes on the street and that a House in Multiple Occupation (HMO) was located on the street and that a number of residents were seen on Stotfold Road.
- i. That WMP was proposing to implement a Public Space Protection Order (PSPO) and eight local residents were willing to make statement in support of the order.
- j. That Sainsbury's, Aldi and Iceland were not challenge to stop selling alcohol.

In presenting their case and in response to questions from Members of the Sub-Committee, the residents made the following points:-

- i. They read a statement relating to the crime statistics in the area and stated that there were 12 establishments that were selling alcohol within a one mile radius of their homes. That this was seen during the day at all times and having another alcohol outlet gives people a reason to promote anti-social behaviour.
- ii. There was anti-social behaviour by persons drinking alcohol on a daily basis in the alleyways and drug abuse. That people had urinated in front of house and against cars during the school run. That neighbours had emailed her with details of persons creating anti-social behaviour.
- iii. That residents from Henlow Road came to Stotfold Road to drink and do drugs and that the grant of the licence would exacerbate the problem. That people were doing drug dealings in cars on Stotfold Road and that residents were fearful of walking on the road at nights.
- iv. That children should not be scared to walk to school and to pass people who were drunk.
- v. That the sale of alcohol would be a high risk and they were working with WMP to get a PSPO implemented. That they had worked successfully with WMP to get the cash machine at the Post Office turned off at nights as the problems they had was predominantly at nights.
- vi. That WMP did not have the resource to deal with the issues and the Post Office was a cut through for Iceland by way of the alleyway for people and it was proposed that this be stopped. That as a result of the drug dealing and alcohol problems, they had set up the Neighbourhood Watch Group.
- vii. That they felt 'let down' by the Police's handling of the matter, given that residents had made it clear to the neighbourhood Police that they wanted representations to be made against the application.

- viii. That they had received an apology from the neighbourhood Sergeant in relation to the miscommunication.
- ix. Royal Mail was a brand that gives them confidence, but the Post Office could be selling other things as the shelves had been empty for months.

At 1407 hours the Sub-Committee adjourned for the Chairman to take legal advice concerning comments made by the residents in relation to the neighbourhood Sergeant.

At 1412 hours all parties were recalled to the meeting.

In summing up, the residents stated that they did not believe that granting the licence would help the situation and that crime would increase in the area. The MP had worked with them two years ago and had spoken with the Commissioner on their behalf. Petitions were also sent against the application for a licence as this would affect them as a community and not the applicant. Two counters were opened at the Post Office currently, but they were only using one. If the applicants were part of the community, they would have contacted the Ward Councillor and requested his assistance just as they did.

In summing up, the Ward Councillor stated that if his view and that of the MP and WMP was not to be taken into consideration, then the petitions and views of the local residents should be taken into account.

In summing up, the applicant stated that there was CCTV outside the Post Office was monitored by Royal Mail, WMP and themselves. In the unlikely event that there was any problem, the Royal Mail and WMP would be able to see the CCTV recording of any drug dealing, drunks and anti-social behaviour that was taking place.

The area opposite the Post Office that was referred to as a cut through was occupied by Iceland for loading/unloading. One counter would not be sufficient to serve the pensioners and other customers and for sending parcels etc. One would be used for the shop side of the business which was not yet implemented. The two counters were used at all times for dealing with customers. A tenant was living above the Post Office with the CCTV connected to his television and he had not stated that there was a problem with people outside the premises. They were there at 0630 hours each morning for the delivery of the newspapers and they had not seen any syringe strewn on the road.

The incident that had taken place in other areas should not hinder their progress in moving forward. They were willing to accept all the conditions to ensure that they uphold the licensing objectives and to have a good relationship with their neighbours and the residents. They were trying to improve service for all residents and could do a number of things under one umbrella. If people did not need alcohol they would not be selling it. They could not sort out Birmingham's problems in relation to anti-social behaviours and drug dealing and requested that the application for a licence to sell alcohol be given consideration. They were committed to the Royal Mail rules as to do otherwise would result in Royal Mail revoking their licence.

At 1425 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1500 hours all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

5/040718

**RESOLVED:-**

That the application by P&M Enterprise (UK) Ltd for a premises licence in respect of Maypole Post Office, 7 Stotfold Road, Maypole, Birmingham B14 5JD, be granted subject to the following additional conditions to promote the licensing objectives:

- The permitted hours for the sale of alcohol by retail shall be from 10.00 hours until 20.00 hours only
- Outside these permitted hours, alcohol shall be covered or otherwise screened from public view
- Those conditions already agreed between the applicant and the Licensing Dept. of the City Council shall apply, namely:
  1. The training provided to staff will be recorded and each member of staff will sign and date the training records to confirm they have received and understood the training provided. Refresher training will be undertaken at least every 12 months
  2. The staff training records will be kept at the premises and made available to any Responsible Authority upon request

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

Two persons representing the premises attended the meeting, and explained to the Sub-Committee that the premises had been operating until now as the local sub-Post Office for Maypole. However due to financial constraints relating to their arrangements with the Royal Mail, a decision had been made to start to diversify the business into offering grocery items, and as part of this, to introduce the sale of alcohol by retail. The premises considered that this would be a good offering for the local community who already made use of the premises as a Post Office, and would ensure that the business could continue, describing the plan as 'bringing the Post Office, grocery and alcohol under one umbrella', to become more like a general convenience store. They felt that they would be providing a useful service to the local area and confirmed to the sub-Committee that they would take a responsible attitude to alcohol sales.

The Sub-Committee also heard from a Ward Councillor and some local residents, who attended the meeting and described in detail the problems in the area relating to anti-social behaviour. The residents stated that they had been dealing with the neighbourhood Police over these issues.

The Police however did not attend the meeting, which was apparently due to some miscommunication between officers within West Midlands Police. The Sub-Committee considered this rather unfortunate; one of the local residents confirmed that she felt 'let down' by the Police's handling of the matter, given that residents

had made it clear to the neighbourhood Police that they wanted representations to be made against the application. She had received an apology from the neighbourhood Sergeant.

The Sub-Committee took into account the fact that residents & Ward Councillor had had to attend the meeting by themselves in order to make representations. However on listening to their submissions, the Sub-Committee noted that the objections did not particularly relate to the specifics of the instant application. It rather appeared that those making objections simply wished to oppose the new grant because of existing anti-social behaviour that was an established feature of the area, regardless of this particular applicant's operating proposals.

Those making representations stated that the prevention of crime and disorder objective was at risk due to all the ongoing anti-social behaviour in Maypole. However local anti-social behaviour was a matter for the neighbourhood Police and the Sub-Committee examined the application on its own merits. The Sub-Committee's view was that the application had been made by persons experienced in operating a local business for the benefit of the local community, and who were keen that the business should become resilient through an increased offer of grocery and alcohol in addition to the sub-Post Office. The operating schedule had been carefully drafted, the applicant displayed a responsible attitude, and there was no reason to suppose that a properly-run business like a Post Office would sell alcohol irresponsibly.

Those representing the premises observed that the Ward Councillor had not approached them before the hearing to discuss the application, given that he was supporting residents who wished to object. The premises felt that in operating the Post Office they were also part of the local community, and that their business was a positive benefit to the community (one of the residents confirmed that she did use the Post Office). The Ward Councillor confirmed that he had not approached the applicant to discuss the application with them.

The existing anti-social behaviour was not the fault of the applicant, who was not yet offering alcohol for sale; any problem alcohol sales were demonstrably the fault of existing alcohol licensed premises in the area. Yet those objecting confirmed that no licence review was planned for any of the existing alcohol licensed premises in the area. The Sub-Committee considered that the ongoing anti-social behaviour was something for the neighbourhood Police to tackle. The licensing objectives could be upheld by the imposition of some additional conditions, including a curtailment of the permitted hours for the sale of alcohol.

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

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 Sub-Committee C – 4 July 2018**

Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

6/040718

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**ANY OTHER URGENT BUSINESS**

There were no matters of urgent business.

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The meeting ended at 1505 hours.

.....  
CHAIRMAN



# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee C</b>
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Wednesday 25<sup>th</sup> July 2018</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>Mel's Glasshouse, 563-565 Warwick Road, Birmingham, B11 2EX</b>
<b>Ward affected:</b>	<b>Sparkbrook &amp; Balsall Heath East</b>
<b>Contact Officer:</b>	<b>Shaid Yasser, Senior Licensing Officer, 0121 303 9896, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### 1. Purpose of report:

To consider 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 on the premises) to operate from 12:00midday until 00:00midnight (Monday to Thursday) and 12:00midday until 04:00am (Friday to Sunday).

The provision of Regulated Entertainment consisting of live music and recorded music, to operate indoors only from 12:00midday until 04:00am (Friday to Sunday).

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

Premises to remain open to the public from 12:00midday until 00:00midnight (Monday to Thursday) and 12:00midday until 04:00am (Friday 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 4<sup>th</sup> June 2018, in respect of Mel's Glasshouse, 563-565 Warwick Road, Birmingham, B11 2EX.

Representations have been received from other persons.

### 4. Compliance Issues:

#### 4.1 Consistency with relevant Council Policies, Plans or Strategies:

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

## **5. Relevant background/chronology of key events:**

Mel's Glasshouse Ltd applied on 4<sup>th</sup> June 2018 for the grant of a Premises Licence for Mel's Glasshouse, 563-565 Warwick Road, Birmingham, B11 2EX.

Representations have been received from other persons, see Appendices 1 – 4.

The application is attached at Appendix 5.

Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 6.

Conditions have been agreed with Environmental Health and the applicant, which are attached at Appendix 7.

Site Location Plans at Appendix 8.

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 are detailed in Appendices 1 – 4

Application Form, Appendix 5

Conditions agreed with West Midlands Police, Appendix 6

Conditions agreed with Environmental Health, Appendix 7

Site Location Plans, Appendix 8

## **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

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**From:**  
**Sent:** 13 June 2018 16:25  
**To:** Licensing  
**Subject:** Re:objection 106643  
**Attachments:** Ref106643.pdf

Hi,

Please find attached objection letters to premises licence ref 106643 (Mel's glasshouse 563-565 Warwick road, Sparkhill, Birmingham B11 2EX)

Kind regards,

Highfield Support Services Ltd

. Stratford Road

Company registered in England & Wales. Company Registration Number: 08706097



**HIGHFIELD SUPPORT  
SERVICES LTD**  
*Emergency & Supported Housing*

Highfield Support Services

Stratford Road

Date: 11/06/2018

**Ref:** Mel's Glasshouse, Application 106643 563-565 Warwick Road, Sparkhill, B11 2EX

Dear whom it may concern,

We are writing in regards to the licence application that has been submitted by Mel's glass house

I would firstly like to introduce ourselves and the connection we have with the premises, we are Highfield support services and we currently occupy the 1<sup>st</sup> floor of 563-565 Warwick Road which comprises of 7 bedroom flats above the shop. We provide supported and sheltered accommodation to vulnerable adults. The tenants suffer with various conditions, currently some of the tenants that are living in the flats above suffer with mental health and substance misuse issues these individuals are vulnerable with most aspects of their daily lives who are allocated support staff on a daily basis to do certain tasks.

We have had various complaints from our tenants over the last few weeks of the downstairs occupiers causing them distress and sleepless nights. They are partying till late smoking and drinking which means the tenants are having sleepless nights and this is having a impact on their overall health. A few of our tenants are also suffer with substance misuse and due to the smells and the drinks this is having a impact

As you are aware the licence application has been submitted for sale of Alcohol, Late night refreshments and Regulated entertainment till the early hours of the next morning starting from 23:00pm. We would like to request you to review the license application and consider the views of the tenants above the shop, we have enclosed statements from the tenants who are currently residing above and how they feel about the situation and how it affects them.

Should you require further information please feel free to contact us on the details at the bottom of the letter head

Kind Regards

Highfield Support Services

## Appendix 2

07/06/2018

Ref: Application 106643

Dear whom it may concern,

I have raised a complaint VIA my housing providers in relation to the ground floor shop. I currently suffer with substance misuse issues. My accommodation is no longer suitable due to the temptations from downstairs. I have got excellent support from my support to overcome my issues and to progress to where I am today. However the circumstances over the last few weeks have caused me a lot of distress. I feel I am being forced to move out from my accommodation only because someone did not consider the residents or there circumstances.

Loud noises cause me agitation and aggression issues I suffer with a lot of pain and I am currently on medication my health is being affected and I can't cope no more. I wish for some action to be taken please can I request for you to look into this matter.

Hope to hear from you soon

Kind Regards

## Appendix 3

11/06/2018

**Ref:** Mel's Glasshouse, Application 106643 563-565 Warwick Road, Sparkhill, B11 2EX

Dear whom it may concern,

I have raised a complaint VIA my housing providers in relation to the ground floor shop. I currently suffer with depression and anxiety; I find it extremely hard to deal with the loud noises coming from downstairs. I have gone through a lot in my personal life I have a support worker allocated who is currently supporting me to overcome the issues I have.

I find it difficult to sleep at night and I am awake early morning my whole routine is messed up it's causing me anxiety and low moods due to getting lack of sleep from the loud noises downstairs. I don't believe such a licence should even be considered for the ground floor shop as there residential flats above. I personally believe the current tenants should have considered this prior to even considering such a licence. How can anyone live upstairs and have to deal with loud music, noises, drinks, and strong smokes coming from below.

I would like to take this opportunity to ask you to consider the application for the licence and consider the views of residents we just want peace and quiet we do not wish for any issues to arise for the ground floor tenants or for them to cause us any issues but we just want to make our wishes known. I also believe it is wrong to not consider the views of others prior to making any business decisions.

Kind Regards

11/06/2018

**Ref:** Mel's Glasshouse, Application 106643 563-565 Warwick Road, Sparkhill, B11 2EX

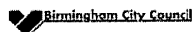
Dear whom it may concern,

I have raised a complaint VIA my housing providers in relation to the ground floor shop. I currently suffer with psychosis and schizophrenia I am on strong medication and I have regular visits from my mental health team. Over the past few weeks I have struggled a lot living in my current accommodation due the nuisance caused from the tenant below. I am on very strong medication which causes me drowsiness the noise levels from downstairs are so loud that I can't sleep or focus it triggers my mental health and causing me distress.

I understand that the downstairs tenant is trying to run a business but such a business is just not suitable when there are residential flats above the shop. If this matter is not looked into I will have to find alternative accommodation and this is something I do not wish to do this is my home and I shouldn't have to leave my home due to nuisance from a business who did not consider the residents above.

I hope this matter will be looked into

Kind Regards



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

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

\* required information

**Section 1 of 21**

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

**Applicant Details**

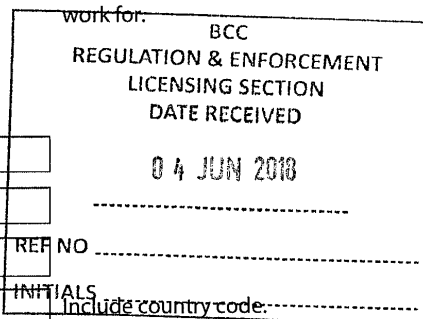
\* First name

\* Family name

\* E-mail

Main telephone number

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.

Registration number

Business name

VAT number

Legal status

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

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

**Continued from previous page...**

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

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 private individual acting as an agent

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

**Agent Business**

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

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

Registration number

Business name

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 (£)



**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****NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

Mel's Glasshouse

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

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**Address**

Building number or name	<input type="text" value="563-565"/>
Street	<input type="text" value="Warwick Road"/>
District	<input type="text"/>
City or town	<input type="text" value="Birmingham"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="B11 2EX"/>
Country	<input type="text" value="United Kingdom"/>

**Contact Details**

E-mail	<input type="text" value=";"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value=""/> dd / <input type="text" value=""/> mm / <input type="text" value=""/> yyyy

* Nationality	<input type="text"/>
---------------	----------------------

Documents that demonstrate entitlement to work in the UK

Add another applicant
-----------------------

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?	<input type="text" value="02"/> dd / <input type="text" value="07"/> mm / <input type="text" value="2018"/> yyyy
---	---

If you wish the licence to be valid only for a limited period, when do you want it to end	<input type="text"/> dd / <input type="text"/> mm / <input type="text"/> yyyy
---	--

Provide a general description of the premises

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.

Restaurant and Bar

**Continued from previous page...**

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

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

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...*

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 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.

Continued from previous page...

## 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

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 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.

Continued from previous page...

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

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

#### 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

##### Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

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...

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.

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.

Continued from previous page...

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

☒ Yes

☐ No

**Standard Days And Timings**

MONDAY

Start 12:00

End 00:00

Start

End

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

TUESDAY

Start 12:00

End 00:00

Start

End

WEDNESDAY

Start 12:00

End 00:00

Start

End

THURSDAY

Start 12:00

End 00:00

Start

End

FRIDAY

Start 12:00

End 04:00

Start

End

SATURDAY

Start 12:00

End 04:00

Start

End

SUNDAY

Start 12:00

End 04:00

Start

End

Will the 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.



**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 alcohol at different times from those listed in the column on the left, list below

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

--

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

**Name**

First name

Family name

Date of birth  /  /   
dd mm yyyy

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

*Continued from previous page...*

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

Reference number for consent form (if known)

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

#### Section 16 of 21

##### ADULT ENTERTAINMENT

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

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

NONE

#### 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

Continued from previous page...

SATURDAY

Start 12:00

End 04:00

Start

End

SUNDAY

Start 12:00

End 04:00

Start

End

State any seasonal variations

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

--

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

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

--

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.

There is a strong management and security procedures in place which encompasses the four licensing objectives as below. A Challenge 25 policy will be strictly followed by all staff. Staffs are trained as appropriate in respect of relevant licensing law. The open nature of the restaurant allows for good viewing coverage. CCTV is installed covering both inside and outside the premises.

b) The prevention of crime and disorder

CCTV is installed inside and outside the premises. CCTV will be recording at all times the premises are open for any licensable activities and images will be held for a minimum of 28 days and made available immediately on request by any of the Responsible Authorities. The Premises License Holder will ensure that a trained member of staff will be on duty and be available to download the CCTV to any of the Responsible Authorities. The Designated Premises Supervisor and their staff will at all times remain aware of their responsibilities for the prevention of crime and disorder on the premises and demonstrate a responsible attitude to the marketing and sale of alcohol. Any person who appears drunk /aggressive will not be permitted on the premises.

c) Public safety

Suitable fire extinguishers, fire alarms and fire exits are maintained.  
I will fully support any directives received from the authorities

**Continued from previous page...**

Floor staff will conduct physical sweep inside the premises to remove hazardous objects/waste as deemed necessary by the management. The Designated Premises Supervisor is aware of their responsibilities to the staff and customers in respect of public safety and will take all reasonable steps to ensure the maintenance of all provided safety arrangements and equipment in accordance with the requirements of current installations.

**d) The prevention of public nuisance**

All deliveries will be received during daytime to control noise nuisance. In conjunctions with the steps proposed for the prevention of crime and disorder objectives, the Licensees and staff will at all times remain responsible for the prevention of public nuisance in and around the premises.

The Designated Premises Supervisor will arrange to monitor levels from both inside and outside the premises and remedial action will be taken as appropriate.

Doors and windows will be kept closed as deemed necessary by the Designated Premises Supervisor.

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

We recognise the importance of protecting children from harm and this is supported by our commitment to health and safety in the operation and maintenance of the premises and also our approach to managing the risk of under age drinking.

The Designated Premises Supervisor and staff will at all times remain aware of their responsibilities under the objective, including that alcohol shall not be sold to anyone under the age of 18. Staff on duty will be trained and made aware of a challenge 25 policy and the requirements and the need to demand an acceptable form of age id.

No adult entertainment is permitted at these premises

**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 (£)

190.00

### DECLARATION



**Continued from previous page...**

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

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

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

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

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

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

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

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

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

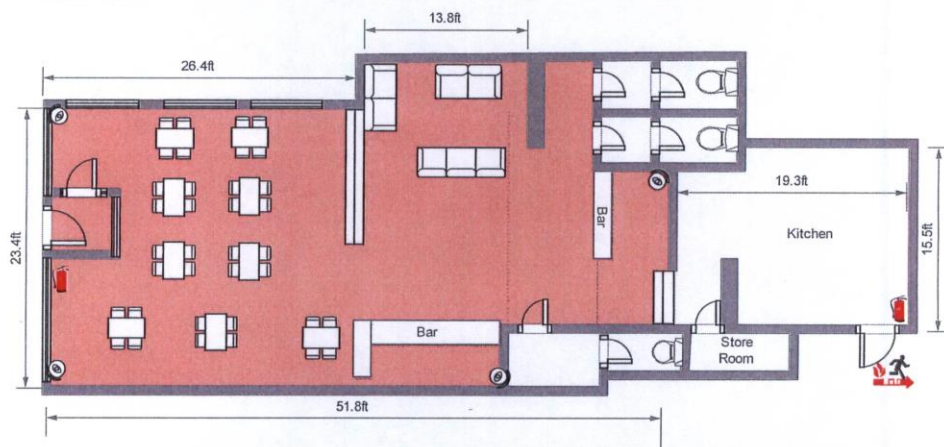
Don't forget to make sure you have all your supporting documentation to hand.

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

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

# Floor Plan

Scale 1:100



- Key:
- Licensable Area
  - Fire Extinguisher
  - CCTV Camera

Mel's Glass House  
563 Warwick Road  
Birmingham  
B11 2EX

## Appendix 6

**From:** bw licensing  
**Sent:** Tuesday, June 12, 2018 2:35 PM  
**To:** Licensing  
**Cc:**  
**Subject:** FW: Mels Glasshouse, 563-565 Warwick Road, Birmingham, B11 2EX  
**Importance:** High

Dear Licensing,

With regard to the premises licence application for Mel's Glass House 563 – 565 Warwick Road. B11 2EX.

West Midlands Police have reviewed this application and are happy that 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 and their solicitor who is copied into this email as acceptance as per below email chain.

- The premises may carry out licensable activity until 04.00hrs Friday, Saturday & Sunday's for pre booked private events only.
- The premises may carry out licensable activity until 04.00hrs a maximum of 24 times per calendar year.
- If carrying out licensable activity past 01.00hrs (except late night refreshment) the premises will inform West Midlands Police, Birmingham Licensing Department a minimum of 7 days prior to the event with the exception of funerals / wakes where a minimum of 5 days is required.
- The normal licensable hours for all licensable activity, except late night refreshment, on Friday's and Saturday's will be terminate at 01.00hrs. The normal licensable hours for licensable activity on Sunday's will terminate at 00.00hrs.
- On Friday and Saturday night the premises may continue to trade late night refreshment until 02.00hrs for telephone / on line orders only. No walk-in orders.
- All staff training regarding the licensing act and premises operating conditions will be documented and made immediately available to any of the responsible authorities on request. The training will be signed by both the trainer and trainee.
- No drinks to be consumed outside of the premises.
- Doors and windows will be kept closed after 22.00hrs except for access and egress.

If the above conditions are imposed onto the licence then West Midlands police have no objection to this application.

Regards

**Chris Jones 55410**

Birmingham Central Licensing Team

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



**From:** Optimised Training Centre

**Sent:** 12 June 2018 14:05

**To:** bw licensing

**Subject:** Re: Mels Glasshouse, 563-565 Warwick Road, Birmingham, B11 2EX

Hi Chris,

Thank you for your visit today to the premises your advice and guidance is greatly appreciated.

All of the condition set below are fine as discussed. The only thing we would like to request is that we notify the West Midlands Police of private parties taking place within 7 days instead of 14 days. As you would appreciate a lot of bookings made are with short notice, although every effort will be made to notify the authority as soon as possible.

I look forward to your response.

Kind regards

Mij

Optimised Training Centre Ltd

## Appendix 7

---

**From:** Jane Dunsford  
**Sent:** 04 July 2018 13:49  
**To:** Licensing  
**Subject:** FW: Fw: Mel's Glasshouse Ltd 563-565 Warwick Road

**From:** Mijanur Rahman  
**Sent:** Wednesday, July 04, 2018 1:32 PM  
**To:** Jane Dunsford  
**Subject:** Re: Fw: Mel's Glasshouse Ltd 563-565 Warwick Road

Dear Jane,

We would like to accept the condition proposed.

Kind regards  
Mij

---

**From:** Jane Dunsford **Sent:** 02 July 2018 13:06  
**To:**  
**Subject:** RE: Fw: Mel's Glasshouse Ltd 563-565 Warwick Road

Dear Mij,

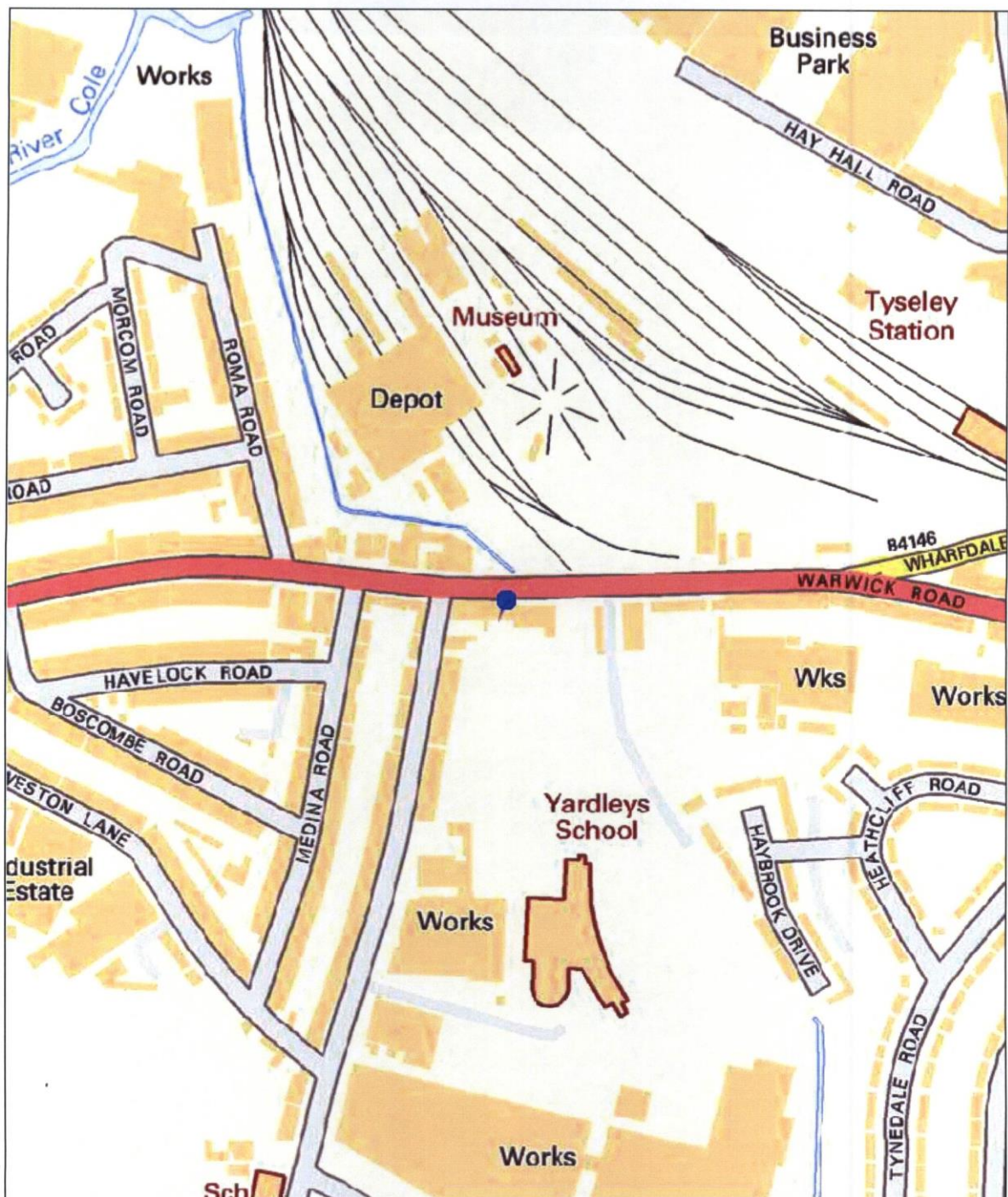
Further suggested conditions to cover my public nuisance concerns I have also forwarded these to West Midlands Police:

1. Qualified door supervisors shall be employed to control persons queuing to enter and exit the venue, from 11pm onwards whilst regulated entertainment is taking place.
2. The premises licence holder shall ensure that a written agreement is made with a reputable taxi company/ companies requiring that when taxis pick up and drop off customers from the licensed premise's, that noise from these vehicles does not cause a nuisance to local residents.
3. Customers who require a taxi from the site shall be advised by staff to use taxi companies specified by the licensee.
4. Prior to any regulated entertainment involving amplified music taking place, a Noise Limiting Device (NLD) of a type approved by the Environmental Protection Unit of Birmingham City Council shall be fitted to the serve any area of the premises used for amplified music or sound. The NLD shall be set at a level agreed with the Environmental Protection Section to ensure that the volume of music is controlled to avoid noise nuisance to the occupiers of nearby buildings. The installation of the NLD shall be notified to the Environmental Protection Section prior to use and shall meet the following criteria:
  - a) The device shall be fitted in an approved position by a competent person and once fitted shall not be moved from the approved position or tampered with in any manner unless prior approval is given,
  - b) The device shall be capable of either:-
    - i) cutting off the mains power to the amplification equipment if the volume exceeds the pre-set level determined by the Environmental Protection Unit and shall not restore power to the amplification equipment until the NLD is reset by the DPS or their nominated person, or

- ii) otherwise maintaining the volume of the music at the pre-set level determined by the Environmental Protection Unit,
  - c) where the NLD operates by cutting off the mains power to the amplification equipment, amplification equipment shall be operated through the sockets/power points linked to and controlled by the NLD at all times,
  - d) The NLD shall be maintained in full working order and at the approved pre-set volume whilst the amplification equipment is operational,
  - e) Any damage or malfunction to the NLD shall be reported to the Environmental Protection Unit as soon as possible and within 24 working hours of the damage occurring or malfunction being noted. The NLD shall not be used in this damaged or malfunctioning state until approval has been given by the Environmental Protection Unit.
5. Within the designated external smoking area numbers shall be controlled to a maximum of 6 at any one time. After 11pm the smoking area shall be supervised by qualified staff.

Regards

Jane Dunsford  
Environmental Protection Officer  
Environmental Protection Unit



Map Created By:

Date of Map Creation: 09/07/2018

## Notes



Scale:  
1:4,000

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**Birmingham City Council** Map Created By:

Date of Map Creation: 09/07/2018

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Scale:  
1:1,250



# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee C</b>
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Wednesday 25<sup>th</sup> July 2018</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>The Deli in Boldmere, 60B-60C Boldmere Road, Sutton Coldfield, B73 5JT</b>
<b>Ward affected:</b>	<b>Sutton Vesey</b>
<b>Contact Officer:</b>	<b>Shaid Yasser, Senior Licensing Officer, 0121 303 9896, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

<b>1. Purpose of report:</b>
<p>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 both on and off the premises) to operate from 08:00am until 11:00pm (Monday to Sunday).</p> <p>The provision of Regulated Entertainment consisting of live music, recorded music, performances of dance and anything of a similar description to operate from 08:00am until 11:00pm (Monday to Sunday).</p> <p>The above activities to operate both indoors and outdoors, with the exception of recorded music to operate indoors only.</p> <p>Premises to remain open to the public from 08:00am until 11:00pm (Monday to Sunday).</p> <p>The garden terrace seating area and external bar shall remain open to the public between the hours of 09:00am and 09:00pm.</p>

<b>2. Recommendation:</b>
<p>To consider the representations that have been made and to determine the application.</p>

<b>3. Brief Summary of Report:</b>
<p>An application for a Premises Licence was received on 1<sup>st</sup> June 2018, in respect of The Deli in Boldmere, 60B-60C Boldmere Road, Sutton Coldfield, B73 5JT.</p> <p>Representations have been received from other persons.</p>

<b>4. Compliance Issues:</b>
<b>4.1 Consistency with relevant Council Policies, Plans or Strategies:</b>
<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:**

Philippa Goode applied on 1<sup>st</sup> June 2018 for the grant of a Premises Licence for The Deli in Boldmere, 60B-60C Boldmere Road, Sutton Coldfield, B73 5JT.

Representations have been received from other persons, see Appendices 1 – 2.

The application is attached at Appendix 3.

Conditions have been agreed with Environmental Health and the applicant, which are attached at Appendix 4.

Site Location Plans at Appendix 5.

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 are detailed in Appendices 1 – 2  
Application Form, Appendix 3  
Conditions agreed with Environmental Health, 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.

BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED 18 JUN 2018 REF NO INITIALS
--

Redacre Road <sup>ENTREPRENEUR</sup> 49  
Sutton Coldfield  
Birmingham  
B73 5DX  
15<sup>th</sup> June 2018.

Dear Sir/Madam

Re application for new premises licence.

Ref number 106613.

In the name of

60B & 60C Boldmere B73 5TJ.

Please accept this letter as a formal objection to the application for a late sale and provision of entertainment both between the hours of 8am and 11pm.

I am aware that a number of other local residents are objecting to this application.

This property has recently created an outside area behind their building at 60B & C Boldmere Rd, this area is

adjacent to my garden where I and the family obviously enjoy spending evenings, this garden area

of my mine has been quiet and  
peaceful ever though we live next  
to a retail area, however now a  
wildly unacceptable development has  
been allowed to rear of 60 BPC which  
will have a "outside" bar area, I am  
strongly concerned that this is an  
"categorized" (d) a public nuisance  
although the area has a proposal for  
is only until 9pm I am concerned that  
this will not be adhered to as the  
suggestion of alcohol will come after  
this time causing a nuisance of application  
for a license will 11pm is granted.  
Bodnere has a number of premises serving  
alcohol and I have seen a steady  
increase in crime and disorder as  
a result of late or night drinking over  
the years, another establishment selling  
alcohol will only add to this!  
I also note with trepidation an  
application for entertainment,

although this has a conclusion of no application, a man or woman playing a guitar or drums without application can make a very loud noise! again this outside area is ... to my rear garden!

Just to recap I object on the main points of:

- 1) Increase in crime and disorder
- 2) public nuisance, both from alcohol consumption and especially from noise in the rear area

A nuisance would also be caused by yet more parking on footways.

- 3) with regard to crime and disorder I note with interest "All members of staff shall be trained to deal with suspicious customers effectively"

I wait with interest your response to this formal objection.  
Regards

## Appendix 2

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**From:**  
**Sent:** 28 June 2018 16:46  
**To:** Licensing  
**Subject:** Re: blank email

I am concerned about the developments taking place at the above>

Originally I understood that the restaurant facilities was being expanded into the garden service tea < coffee and light snacks for which planning had been granted but understand that major step has been taken in seeking to license for music dancing and the serving of alcohol

Certain stipulations have been made about the distances from close neighbours gardens but cannot see how the acoustic fencing being installed is going to prevent or indeed curb the noise> The combination of music dancing and alcohol especially the latter being available all day until eleven pm will create noise and disturbance preventing neighbours from enjoying their own garden facilities>

My family live at heathlands and we have on occasions heard the music and sounds from Los Benitos restaurant some two hundred metres away but the Delhi proposal is virtually in " in my own back garden" as I live at heathlands road>

I believe that there will be a meeting to discuss the issues but await hearing from you>

Regards



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

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

\* required information

**Section 1 of 21**

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

System reference

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

PHILIPPA

\* Family name

GOODE

\* 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.

<p align="center"><b>BCC</b>  <b>REGULATION &amp; ENFORCEMENT</b>  <b>LICENSING SECTION</b>  <b>DATE RECEIVED</b>    <b>1 JUN 2018</b>                    REF NO .....                  INITIALS .....</p>
--

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"/>

**Agent Details**

* First name	<input type="text" value="MARTIN"/>
* Family name	<input type="text" value="BOSTOCK"/>
* 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.

**Your Address**

Address official correspondence should be sent to.

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

**Section 2 of 21**

**PREMISES DETAILS**



**Continued from previous page...**

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	THE DELI IN BOLDMERE
Street	60B-60C BOLDMERE ROAD
District	
City or town	SUTTON COLDFIELD
County or administrative area	
Postcode	B73 5JT
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	0

<b>Section 3 of 21</b>	
<b>APPLICATION DETAILS</b>	
<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><b>Confirm The Following</b></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>	
<b>Section 4 of 21</b>	
<b>INDIVIDUAL APPLICANT DETAILS</b>	
<p><b>Applicant Name</b></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: 580px;">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 <input style="width: 150px;" type="text" value="PHILIPPA"/></p> <p>Family name <input style="width: 150px;" type="text" value="GOODE"/></p> <p>Is the applicant 18 years of age or older?</p> <p> <input checked="" type="radio"/> Yes                      <input type="radio"/> No         </p>	

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

United Kingdom

### 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

Documents that demonstrate entitlement to work in the UK

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

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.

A PURPOSE BUILT BRICK PREMISES OPERATING AS A DELICATESSEN WITH AN INTERNAL DINE IN AREA AND AN EXTERNAL

<b>Continued from previous page...</b>	
GARDEN AND TERRACE FOR USE BY PATRONS	
If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend <div style="border: 1px solid black; width: 80px; height: 20px; display: inline-block; margin-left: 10px;"></div>	
<b>Section 6 of 21</b>	
<b>PROVISION OF PLAYS</b>	
See guidance on regulated entertainment	
Will you be providing plays?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
<b>Section 7 of 21</b>	
<b>PROVISION OF FILMS</b>	
See guidance on regulated entertainment	
Will you be providing films?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
<b>Section 8 of 21</b>	
<b>PROVISION OF INDOOR SPORTING EVENTS</b>	
See guidance on regulated entertainment	
Will you be providing indoor sporting events?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
<b>Section 9 of 21</b>	
<b>PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS</b>	
See guidance on regulated entertainment	
Will you be providing boxing or wrestling entertainments?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
<b>Section 10 of 21</b>	
<b>PROVISION OF LIVE MUSIC</b>	
See guidance on regulated entertainment	
Will you be providing live music?	
<input checked="" type="radio"/> Yes <input type="radio"/> No	
<b>Standard Days And Timings</b>	
MONDAY  Start <div style="border: 1px solid black; width: 60px; height: 20px; display: inline-block; text-align: center;">08:00</div> Start <div style="border: 1px solid black; width: 60px; height: 20px; display: inline-block;"></div>	End <div style="border: 1px solid black; width: 60px; height: 20px; display: inline-block; text-align: center;">23:00</div> End <div style="border: 1px solid black; width: 60px; height: 20px; display: inline-block;"></div>
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  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 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.

FOR THE PROVISION OF THE LICENSABLE ACTIVITY, SHOULD IT BE SO REQUIRED FOR SPECIAL EVENTS OR FOR THE PATRONS ENJOYMENT  
EXTERNAL MUSIC SHALL NOT BE AMPLIFIED

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.

NONE

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

*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.

NONE

## 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

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 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.

**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.

THERE SHALL BE NO AMPLIFIED MUSIC PLAYED OUTDOORS, ONLY INTERNAL  
FOR THE PROVISION OF BACKGROUND MUSIC AND FOR THE PROVISION OF THE LICENSABLE ACTIVITY, SHOULD IT BE SO  
REQUIRED FOR SPECIAL EVENTS OR FOR THE PATRONS ENJOYMENT

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.

NONE

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

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

NONE

## 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

Continued from previous page...

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 performance of dance take place indoors or outdoors or both?

☐ Indoors

☐ Outdoors

☒ Both

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

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

FOR THE PROVISION OF THE LICENSABLE ACTIVITY, SHOULD IT BE SO REQUIRED FOR SPECIAL EVENTS OR FOR THE PATRONS ENJOYMENT  
EXTERNAL MUSIC ACCOMPANYING ANY PERFORMANCE OF DANCE SHALL NOT BE AMPLIFIED

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.

NONE

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.

NONE

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



**Continued from previous page...**

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

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

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

FOR THE PROVISION OF THE LICENSABLE ACTIVITY, SHOULD IT BE SO REQUIRED FOR SPECIAL EVENTS OR FOR THE PATRONS ENJOYMENT

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.

Continued from previous page...

State any seasonal variations for entertainment

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

NONE

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.

NONE

#### 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

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 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.

NONE

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.

NONE

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

**Name**

First name

MATTHEW

Family name

GOODE

*Continued from previous page...*

Date of birth

	/		/	
dd		mm		yyyy

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 21**

**ADULT ENTERTAINMENT**

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

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

NONE

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

Continued from previous page...

MONDAY

Start 08:00

End 23:00

Start

End

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

TUESDAY

Start 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

State any seasonal variations

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

NONE

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.

NONE

<i>Continued from previous page...</i>
<b>Section 18 of 21</b>
<b>LICENSING OBJECTIVES</b>
Describe the steps you intend to take to promote the four licensing objectives:
a) General – all four licensing objectives (b,c,d,e)
List here steps you will take to promote all four licensing objectives together.
The DPS fully understands his roles and responsibilities concerning the four licensing objectives obtained within the 2003 Licensing Act, a comprehensive breakdown of these objectives and how to ensure they are met are detailed below. The DPS attended the APLH level 2 training programme and his personal licence will be issued by Birmingham City Council. The DPS will take full responsibility of ensuring all staff are trained and have full knowledge of all licensing issues concerning them under the 2003 Licensing Act including the Challenge 25 rule. In addition to the mandatory conditions as prescribed by the Licensing Act 2003, the applicant offers the following:
b) The prevention of crime and disorder
The client does not currently have installed to the premises a CCTV digital recording system with recording capability to ensure the prevention of crime & disorder. However, the premises does have 'dummy' cameras to deter any untoward behaviour. All members of staff shall be trained to deal with suspicious customers efficiently.
c) Public safety
The DPS will monitor all public safety issues. The DPS will be responsible for conducting a Fire Risk Assessment and also a Health & Safety Risk Assessment for the licensed premises. All notices in relation to public health & safety will be displayed at the premises. The DPS will also ensure the premises will be operated in line with the Health & Safety Act and any environmental health issues will be the responsibility of both the licence holder for the premises and the DPS.
d) The prevention of public nuisance
The DPS/Premises licence holder fully understands that it is their duty to prevent their business causing any nuisance to any local residents or businesses. They will monitor the external premises area in relation to any anti-social behaviour or public nuisance. The premises will only accept trade deliveries or rubbish collections during normal working hours. The DPS will also monitor the exterior of the premises to ensure litter is kept to a minimum. In the event of any anti-social behaviour both inside and outside of the premises, the DPS will contact the Police immediately. All deliveries shall be dealt with in a timely and prompt manner to minimise any risk of inconvenience to local business' and residents. The garden terrace seating area and external bar shall only be used between the hours of 09.00 and 21.00 hrs There shall be no amplified music in the outdoor areas An acoustic fence shall be erected to the rear of the garden area No tables/chairs or customer access shall be allowed within 20 metres of the rear boundary of the premises
e) The protection of children from harm
The DPS will be responsible for ensuring all staff working within the premises will be fully trained and aware of the Challenge 25 Rule. The premises will only accept valid forms of identification such as photo driving licence, passport and home office approved ID cards displaying the national proof of age standard scheme (PASS hologram). All customers who look under the age of 25 shall be challenged to prove their identity when purchasing alcohol. Any children on the premises must be accompanied by a responsible adult The premises will also have a refusals register, which will be kept at the premises at all times and all refusals by any member of staff shall be recorded. The register will be made available to Responsible Authorities on request.
<b>Section 19 of 21</b>
<b>NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK</b>

*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 (£)

190.00

### DECLARATION

*Continued from previous page...*

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

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

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

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

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

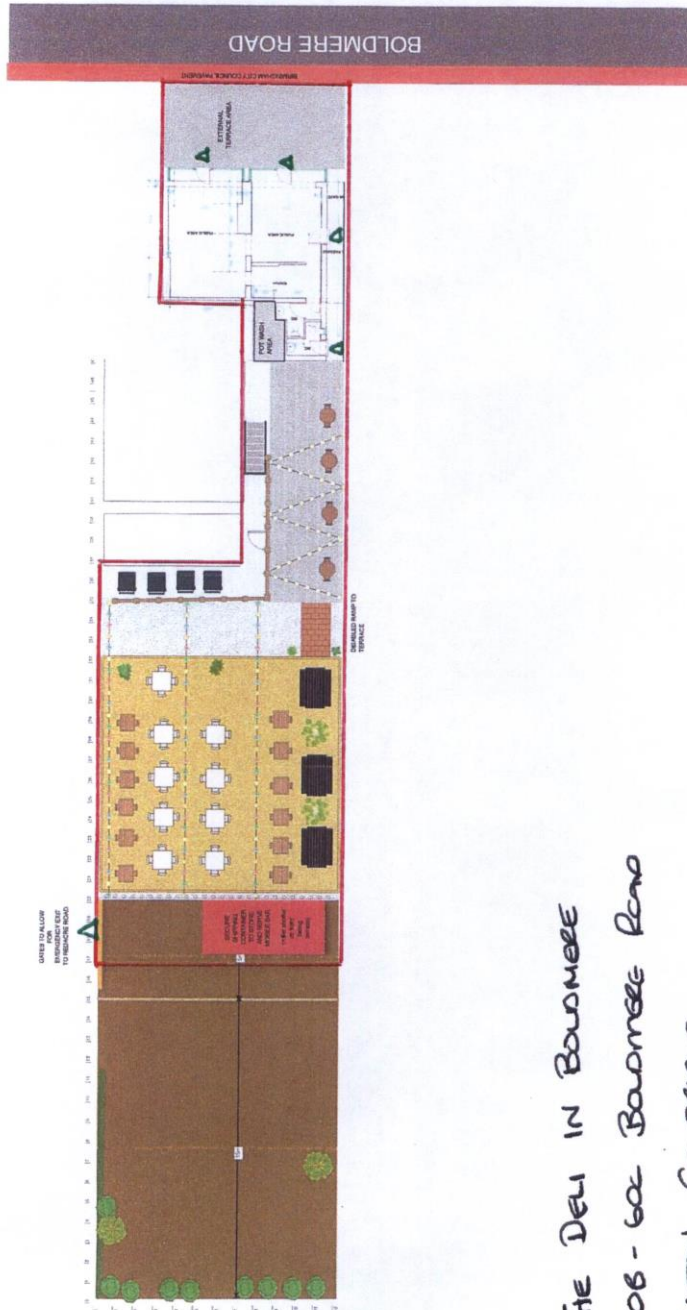
Once you're finished you need to do the following:

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

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

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

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



THE DELI IN Bournemouth  
 606-602 Bournemouth Road  
 Sutton Coldfield  
 B73 5TJ

DRAWN BY P. GOODE

△ FIRE EXIT

— AREA FOR LICENSABLE ACTIVITY

## Appendix 4

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**From:** Martin Key  
**Sent:** 26 June 2018 14:24  
**To:** Licensing  
**Cc:**  
**Subject:** FW: Licensing Act 2003 - THE DELI IN BOLDMERE, 60B-60C BOLDMERE ROAD

Hi

I have been in discussion with the applicant regarding the above application. I have some concerns about potential noise impact and have accordingly agreed a set of conditions which have been accepted by the applicant (see email trail below). On the basis that these conditions have been agreed and will be attached to any licence issued I will not be submitting a representation. The conditions are:-

1. There shall be no regulated entertainment involving live or recorded music, sound or speech shall in the outdoor area to the front of the building on the Boldmere Road façade.
2. There shall be no regulated entertainment involving recorded music, sound or speech in the outdoor area to the rear of the building.
3. There shall be no live amplified music, sound or speech in the outdoor area to the rear of the building .
4. Live music in the outdoor area to the rear of the building shall be provided between after 21.00 and/or before 10.00.
5. There shall be no speakers used for amplified music, speech or sound outside the building.
6. The outside area to the rear of the building shall only be used between the hours of 09.00 and 21.00 hrs and the DPS or other nominated person/staff, shall monitor the external areas and ensure that all patrons vacate the area by 21.00.
7. The bar in the outside area to the rear of the building shall only be used for the sale of alcohol between the 09.00 and 20.30.
8. All external doors and windows shall be kept closed after 22.00 during regulated entertainment except as necessary for safe and effective access and egress.
9. No drinks shall be removed from the premises (as defined by the plan delineating the licensed area) in open containers.
10. No waste or recyclable material, including bottles, shall be moved, removed or placed in areas outside the premises building between the hours of 22.00 and 08.00.
11. There shall be no tables, chairs or customer access within 20 metres of the boundary with 1 Redacre Road.

Best Regards

Martin Key  
Environmental Protection Officer

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Environmental Health | Regulation & Enforcement Division

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**From:** Martin Bostock  
**Sent:** Tuesday, June 26, 2018 2:20 PM  
**To:** Martin Key  
**Subject:** Re: Licensing Act 2003 - THE DELI IN BOLDMERE, 60B-60C BOLDMERE ROAD

Hi Martin

Thanks for coming back to me...

If you can amend the number 8 condition as discussed we will accept of your proposed conditions assuming we don't have to go to a committee hearing.

Any problems please let me know.

Martin Bostock





**Birmingham City Council**

Map Created By:

Date of Map Creation: 10/07/2018

**Notes**



Scale:  
1:4,000

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Scale:  
1:1,250