

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Wednesday 7th September 2016
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Punjabi Dhaba, 46 Poplar Road, Kings Heath, Birmingham, B14 7AG
Ward affected:	Moseley and Kings Heath
Contact Officer:	David Kennedy, Principal Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider a relevant representation that has been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption on the premises) to operate from 10:00am until 12:00midnight (Sunday to Thursday) and 10:00am until 01:00am (Friday and Saturday).

To permit the provision of Regulated Entertainment consisting of recorded music, to operate indoors only, from 10:00am until 12:00midnight (Sunday to Thursday) and 10:00am until 01:00am (Friday and Saturday).

To permit the provision of Late Night Refreshment to operate from 11:00pm until 12:00midnight (Sunday to Thursday) and 11:00pm until 01:00am (Friday and Saturday).

Premises to remain open to the public from 10:00am until 12:00midnight (Sunday to Thursday) and 10:00am until 01:00am (Friday and Saturday).

2. Recommendation:

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

3. Brief Summary of Report:

An application for a Premises Licence was received on 21st July 2016 in respect of the Punjabi Dhaba, 46 Poplar Road, Kings Heath, Birmingham, B14 7AG.

A representation has 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:

Punjabi Dhaba Bhm Ltd applied on 21st July 2016 for the grant of a Premises Licence for the Punjabi Dhaba, 46 Poplar Road, Kings Heath, Birmingham, B14 7AG.

A representation has been received from other persons. See Appendix 1.

The application is attached at Appendix 2.

Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 3.

Conditions have been agreed with Birmingham City Council Licensing Enforcement 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:

Copy of the representation as detailed in Appendix 1

Application Form, Appendix 2

Conditions agreed with West Midlands Police, Appendix 3

Conditions agreed with Birmingham City Council Licensing Enforcement, 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.

ENTERED RJ

From:
Sent: 02 August 2016 16:59
To: Licensing
Subject: Objection to Application for Premises License – 46 Poplar Road - B14 7AG
Attachments: Planning permission.pdf

Dear Sirs,

Ref: 46 Poplar Road, B14 7AG - Application for Premises License

I write to express my concerns regarding an application for premises license that I had sight of today on a property doors away from my home.

I am slightly confused by this as the notice states that an Indian Restaurant is to open here and the license requested is for between the hours of 10am and 1am on Friday and Saturday and up until midnight on other days (including Sunday). I received a letter advising that planning permission had recently been requested however this was a variation of conditions which suggested the planning requested (for longer opening hours and increased covers) was for the same restaurant, "Veg Out". I have attached this letter and would note that the hours detailed on here are until 11.30pm, I also note that the Decision Notice has restricted opening hours to 11pm rather than 11.30pm.

I strongly oppose such license being granted at this property and ask that you consider the below points, I note some of these points may not be relevant to your department and so I will also send a copy to the planning department:

1. There is already an Indian restaurant next door to this property (number 48 Poplar Road). This restaurant is not licensed however has caused many issues for me since opening a few years ago. Mainly noise, smell, litter and pests. I feel that the addition of another similar restaurant (especially one with an alcohol license) is unnecessary and will be hugely detrimental to the interests of the residents in this area.
2. I currently live on Poplar Road, doors from the proposed restaurant. (My bedroom which faces Poplar Road) has single glazed windows and every night when the other nearby restaurants close at around 11pm there is a lot of noise from their customers leaving, this almost always disturbs my sleep. My concern is that the addition of a restaurant selling alcohol will massively exacerbate this issue as the people leaving the restaurant are more likely to be inebriated and cause much more noise this will not only affect me but the residents in the other nearby houses and flats.
3. I have previously mentioned the existing restaurant "Poplar Balti" at number 48 Poplar Road. I have already contacted the council to report that they are continually adding their business waste to the weekly domestic rubbish to be collected, this is usually days before the collection is due. This often results in the rubbish bags being ripped open by cats and foxes and food waste left strewn across the streets. As a result of this we have noticed an increase in rats in the area. I am certain that this rubbish is theirs as often the bags contain the large oil canisters used at such restaurants and often there are 10-15 bags placed here, much more than is feasibly produced by the two flats that leave their rubbish here. Again, my concern is that the addition of another restaurant will result in these issues becoming much worse making life for the nearby residents quite unpleasant.

4. I understand that restaurants are required to have sufficient extraction systems in place. As planning for this property didn't detail that the premises was going to be an Indian Restaurant I am unsure whether this has been considered. We already experience a very strong smell from Poplar Balti, who incidentally I believe to have removed half of their extraction system. This makes sitting in the garden very unpleasant and we certainly cannot dry washing out here when the restaurant is open. Again this problem will be much worse with the addition of another (larger and most likely busier) Indian restaurant.

5. Parking on Poplar Avenue is already impossible of an evening (Thursday to Sunday being the worse days) due to the existing restaurants on Poplar Rd and I often end up parked a few streets away, this isn't only an inconvenience but also leaves my car much more susceptible to theft and damage. I would urge you to consider that Poplar Avenue will be primarily used by the customers of the proposed restaurant and this will be a huge inconvenience to the residents of this road. I am also concerned that over-use of this road for parking will result in poor parking and cars being damaged, this would then result in residents having to spend money on repairs and higher car insurance costs.

6. My ... is accessed via a dark alleyway to the rear that leads onto Poplar Avenue. On previous occasions I have returned home of an evening to find a drunken man urinating at the entrance gate to my home. I believe that the addition of a licensed restaurant so close to these residential houses will again lead an increase in such occurrences and as a woman this is quite worrying.

I ask that you take the above into consideration before granting an alcohol license for this premises and I would be very grateful if you would keep me updated as to any progress with this application.

Kind regards

...



Variation of Condition – Decision Document

Your Ref:

Date: Wednesday 25th May 2016

Application Number: **2016/02608/PA**

Please quote this number whenever you contact us about this application. For more information please contact:

**planning
direct**

0121 303 1115

Email us at
planningandregenerationenquiries@birmingham.gov.uk

Dear Sir / Madam

Site: 46 Poplar Road , Kings Heath , Birmingham , B14 7AG

Proposal: Variation of conditions C2 and C4 attached to application ref:- 2006/01946/PA to allow to allow opening from 0900 - 2330 hours daily and for an increase in the number of covers from 20 to 40.

I am writing to tell you that the Council has made a decision on the above application and I attach a copy of the decision document. The application has been approved subject to conditions on 25 May 2016.

Plans and details of this and other applications are available to view at www.birmingham.gov.uk/planningonline. Alternatively you could contact us as shown above or by email at planningandregenerationenquiries@birmingham.gov.uk

Information on how to appeal the LPA decision can be obtained from www.gov.uk/appeal-planning-decision, this will give you guidance on which forms to use for this process. Please note that the use of incorrect forms to the Planning Inspectorate will cause a delay with your appeal.

IMPORTANT - THIS IS NOT A BUILDING REGULATIONS DECISION

In addition to this planning decision **you must** read the information contained within the 'Planning Post Decision Guidance Leaflet'. This can be found on our website www.birmingham.gov.uk/planningdecisionleaflet or alternatively you can obtain a paper copy by contacting Planning Direct on 0121 303 1115

If you have any queries regarding this letter, please contact us on the number shown above

Yours faithfully

Waheed Nazir, Director of Planning and Regeneration

Appendix 2



Birmingham
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 19

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

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

☐ Applying as an individual

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

Applicant Business

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

* Registration number

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

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

* Legal status

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

☐ A private individual acting as an agent

Agent Business

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

* 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 19

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 19	
APPLICATION DETAILS	
In what capacity are you applying for the premises licence?	
<input type="checkbox"/> An individual or individuals <input checked="" type="checkbox"/> A limited company <input type="checkbox"/> A partnership <input type="checkbox"/> An unincorporated association <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 <input type="checkbox"/> Other (for example a statutory corporation)	
Confirm The Following	
<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	
Section 4 of 19	
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	PUNJABI DHABA BHM LTD
Details	
Registered number (where applicable)	10189634
Description of applicant (for example partnership, company, unincorporated association etc)	

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Section 5 of 19

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.

INDIAN RESTAURANT WITH INDOOR SEATING AND GARDEN SEATING. SALE OF ALCOHOL ON THE PREMISES ONLY. THE PREMISES PROVIDE SPECIALIST INDIAN FOOD.

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

<i>Continued from previous page...</i>	
Section 6 of 19	
PROVISION OF PLAYS	
Will you be providing plays?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
Section 7 of 19	
PROVISION OF FILMS	
Will you be providing films?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
Section 8 of 19	
PROVISION OF INDOOR SPORTING EVENTS	
Will you be providing indoor sporting events?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
Section 9 of 19	
PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS	
Will you be providing boxing or wrestling entertainments?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
Section 10 of 19	
PROVISION OF LIVE MUSIC	
Will you be providing live music?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
Section 11 of 19	
PROVISION OF RECORDED MUSIC	
Will you be providing recorded music?	
<input checked="" type="radio"/> Yes	<input type="radio"/> No
Standard Days And Timings	
<div style="display: flex; justify-content: space-between;"> <div> <p>MONDAY</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>Start <input type="text" value="10:00"/></div> <div>End <input type="text" value="24:00"/></div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>Start <input type="text"/></div> <div>End <input type="text"/></div> </div> </div> <div> <p>TUESDAY</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>Start <input type="text" value="10:00"/></div> <div>End <input type="text" value="24:00"/></div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>Start <input type="text"/></div> <div>End <input type="text"/></div> </div> </div> <div> <p>WEDNESDAY</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>Start <input type="text" value="10:00"/></div> <div>End <input type="text" value="24:00"/></div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>Start <input type="text"/></div> <div>End <input type="text"/></div> </div> </div> </div> <div style="margin-left: 20px;"> <p>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.</p> </div>	

Continued from previous page...

THURSDAY

Start 10:00

End 24:00

Start

End

FRIDAY

Start 10:00

End 01:00

Start

End

SATURDAY

Start 10:00

End 01:00

Start

End

SUNDAY

Start 10:00

End 24:00

Start

End

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



Indoors



Outdoors



Both

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

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

--

State any seasonal variations for playing recorded music

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

--

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 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Continued from previous page...		<input type="radio"/> Yes <input checked="" type="radio"/> No
Section 13 of 19		
PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE		
Will you be providing anything similar to live music, recorded music or performances of dance? <input type="radio"/> Yes <input checked="" type="radio"/> No		
Section 14 of 19		
LATE NIGHT REFRESHMENT		
Will you be providing late night refreshment? <input checked="" type="radio"/> Yes <input type="radio"/> No		
Standard Days And Timings		
MONDAY	Start <input type="text" value="23:00"/>	End <input type="text" value="24:00"/>
	Start <input type="text"/>	End <input type="text"/>
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 <input type="text" value="23:00"/>	End <input type="text" value="24:00"/>
	Start <input type="text"/>	End <input type="text"/>
WEDNESDAY	Start <input type="text" value="23:00"/>	End <input type="text" value="24:00"/>
	Start <input type="text"/>	End <input type="text"/>
THURSDAY	Start <input type="text" value="23:00"/>	End <input type="text" value="24:00"/>
	Start <input type="text"/>	End <input type="text"/>
FRIDAY	Start <input type="text" value="23:00"/>	End <input type="text" value="01:00"/>
	Start <input type="text"/>	End <input type="text"/>
SATURDAY	Start <input type="text" value="23:00"/>	End <input type="text" value="01:00"/>
	Start <input type="text"/>	End <input type="text"/>
SUNDAY	Start <input type="text" value="23:00"/>	End <input type="text" value="24:00"/>
	Start <input type="text"/>	End <input type="text"/>

Continued from previous page...

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

☒ Indoors ☐ Outdoors ☐ Both

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

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

--

State any seasonal variations

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

--

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

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

--

Section 15 of 19

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

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	10:00	End	24:00
Start		End	

THURSDAY

Start	10:00	End	24:00
Start		End	

FRIDAY

Start	10:00	End	01:00
Start		End	

SATURDAY

Start	10:00	End	01:00
Start		End	

SUNDAY

Start	10:00	End	24:00
Start		End	

Will the sale of alcohol be for consumption:

☒ On the premises ☐ Off the premises ☐ Both

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

State any seasonal variations

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

--

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

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

--

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

Continued from previous page...

Name

First name

Family name

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 19

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.

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Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

--

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

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

--

Continued from previous page...

Section 18 of 19

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.

NO BINGE DRINK PROMOTIONS WILL TAKE PLACE. ANY PERSON WHO APPEARS TO BE DRUNK OR AGGRESSIVE WILL NOT BE PERMITTED ON THE PREMISES. NOTICES TO BE PLACED IN PROMINENT POSITIONS TO ASK PATRONS TO LEAVE THE PREMISES QUIETLY. WE PROVIDE SUBSTANTIAL AND QUALITY FOOD. A SUITABLE EVACUATION PLAN IN CASE OF EMERGENCY WILL BE IMPLEMENTED.

b) The prevention of crime and disorder

NO BINGE DRINKING PROMOTIONS WILL TAKE PLACE
ANY PERSON WHO APPEARS TO BE DRUNK/ AGGRESSIVE WILL NOT BE PERMITTED ON THE PREMISES.
NO BOTTLES OR GLASSES SHALL BE TAKEN OFF THE PREMISES WHILE CONSUMPTION ON THE PREMISES

c) Public safety

STAFF WILL BE FULLY AWARE OF THE LICENSING LAWS
I WILL BE FULLY SUPPORTIVE OF ANY DIRECTIVES RECEIVED FROM THE AUTHORITIES
PROMPT CLEARING OF THE EMPTY GLASSES THROUGHOUT OPERATING TIMES
MAINTENANCE OF FULL RISK ASSESSMENTS APPROPRIATE FOR THE PROPOSED PREMISES OPERATION. REGULAR ELECTRICAL SAFETY AND GAS SAFETY CHECKS (WHERE RELEVANT) BY A COMPETANT PERSON.

d) The prevention of public nuisance

ALL CUSTOMERS WILL BE REMINDED OF CONSIDERATION OF THE PUBLIC AND NOISE LEVELS WHEN ENTERING AND LEAVING THE PREMISES. NO BOTTLES OR GLASSES SHALL BE TAKEN OFF THE PREMISES
DOOR AND WINDOWS SHALL BE KEPT CLOSED
NOTICES SHALL BE PLACED IN PROMINENT POSITIONS TO ASK PATRONS TO LEAVE THE PREMISES QUIETLY

e) The protection of children from harm

TRAINING OF STAFF TO ENSURE COMPLIANCE WITH THE LAW IN RELATION TO CONSUMPTION OF ALCOHOL BY PERSONS UNDER 18 YEARS OF AGE, INCLUDING PREVENTION OF ADULTS BUYING ALCOHOL FOR CHILDREN. PROOF OF AGE SHALL BE ASKED IF SOMEONE APPEARS UNDERAGE OR APPEARS TO BE AGE 21, INCLUDING PREVENTION OF ADULTS BUYING ALCOHOL FOR CHILDREN. NO BOTTLES OR GLASSES SHALL BE TAKEN OFF THE PREMISES WHILE CONSUMPTION ON THE PREMISES.

Section 19 of 19

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 http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00

Continued from previous page...

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 (£)

100.00

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

☒ 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

Nira Suresh

* Capacity

Licensing Agent

* Date

12

/

07

/

2016

dd

mm

yyyy

Add another signatory

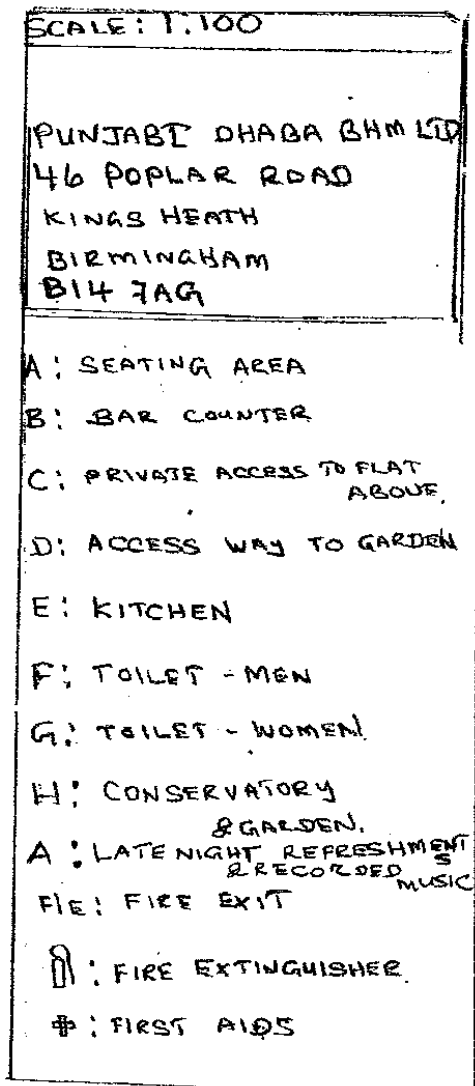
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

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

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

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



20

Appendix 3

From: ARKA LICENSING <
Sent: 15 August 2016 09:36
To: BE Licensing; Licensing
Subject: (Paul) Re: APPLICATION - PUNJABI DHABA - 46 POPLAR RD BIRMINGHAM B14 7AG

Dear Chris,

Thank you for your email reminder again, much appreciated.

And the applicant has agreed to accept all conditions stated by you. It is a family restaurant, all activities after 10pm would be indoor.

If you have any more queries please don't hesitate to contact us.

Regards

Suresh Kanapathi

Consultant
Arka Licensing

This email is sent for and on behalf of Arka Licensing Consultants, which is a company registered in England, registered number 09036487, registered office Trident Business Centre, 89 Bickersteth Road, London SW17 9SH.

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From: BE Licensing
Sent: 15 August 2016 09:09:46
To: 'Licensing@birmingham.gov.uk'
Cc: ARKA LICENSING
Subject: APPLICATION - PUNJABI DHABA - 46 POPLAR RD BIRMINGHAM B14 7AG

Dear Licensing,

With regard to the licence application for Punjabi Dhaba – 46 Poplar Road, Kings Heath. B14 7AG

West Midlands Police have reviewed this application and are happy that if the below conditions are added to the licence application then the licensing objectives will be met and promoted.

These conditions have been approved by the applicant and their Licensing Consultant (as below email chain) who is copied into this email as acceptance.

- All staff training regarding the Licensing Act and licensing responsibilities will be documented and signed by both the trainer and trainee. This documentation to made available to any of the responsible authorities immediately on request. No persons, who serve the public (with the exception of personal licence holders) to work at the premises without this documented training.
- Alcohol will only be served to customers ordering food and shall be served by waiting staff to customers who are seated.
- Challenge 21 signage will be prominently displayed on the entrance door.
- CCTV to be installed / updated to the recommendations and specifications of West Midlands Police. CCTV will be downloadable and all recorded / downloaded images will be made immediately available to any of the responsible authorities on request. CCTV will record throughout the whole of the licence activity. Recordings will be held for a minimum of 28 days. CCTV will also cover the rear outside garden area.
- No drinks to be taken outside or consumed in rear garden area after 22.00hrs.

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

Regards

Chris Jones 55410
Licensing & Planning Officer
Birmingham East

Stechford Police Station
338 Station Road, Stechford
Birmingham
B33 8RR.



From: ARKA LICENSING [mailto:contact@arkalicensing.co.uk]
Sent: 12 August 2016 10:43
To: BE Licensing
Subject: Re: RE - GRANT APPLICATION - PUNJABI DHABA - 46 POPLAR RD BIRMINGHAM B14 7AG

Dear Chris,

Thank you for your email reminder again, much appreciated.

And the applicant has agreed to accept all conditions stated by you. It is a family restaurant, all activities after 10pm would be indoor.

If you have any more queries please don't hesitate to contact us.

Appendix 4

From: Doug Wright
Sent: 10 August 2016 10:39
To: Licensing
Cc: Paul Franks
Subject: FW: Punjab Dhaba BHM Ltd

Doug

Can this be added as a condition please.

Thanks

Doug Wright
Licensing Enforcement Officer

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

Web: <http://www.birmingham.gov.uk/regulatorycharter> - to view BCC's Customer Care Charter

Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors.
Follow us on Twitter @BCCLicensing

From: ARKA LICENSING [
Sent: Wednesday, August 10, 2016 5:19 AM
To: Doug Wright
Subject: Re: Punjab Dhaba BHM Ltd

Dear Wright,

Thank you for your email with proposed conditions to promote the licensing objectives. We apologise for late response.

The applicant has agreed to accept all conditions stated.

Regards
Nira Suresh
Licensing Agent

Consultant
Arka Licensing

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From: Doug Wright <
Sent: 29 July 2016 12:47:08
To: ARKA LICENSING
Subject: Punjab Dhaba BHM Ltd

promote the four licensing objectives.

In considering the application submitted the Licensing Enforcement Team has applied the tests of necessity and reasonableness in order to promote the four licensing objectives and I have there attached a condition which the Licensing Enforcement Team will require the applicant to accept as a condition attached to the premises licence.

Subject to the applicant or you as their authorised agent confirming in writing they agree to accept the attached conditions there will be no need to the Licensing Enforcement Team to make a representation regarding the application submitted.

Should you wish to contact me to discuss the matter further my contact details are shown below.

So could you please consider that for the above premises we add this condition:

General

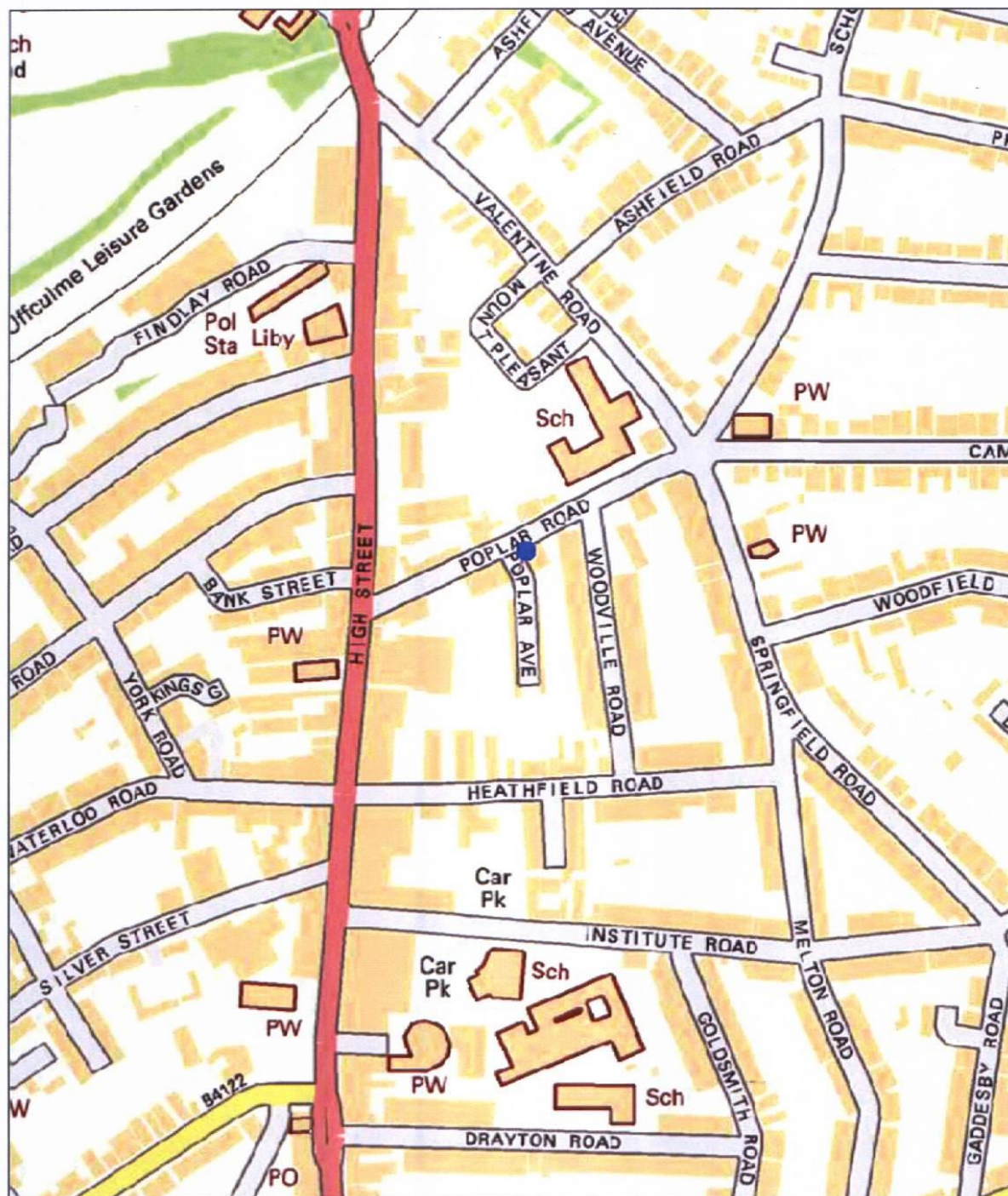
All members of staff must receive training regarding the:-

- Four licensing principles contained in the Licensing Act 2003
- Responsible retailing of alcohol, and the law
- Protection of children from harm and this must include how to competently check customers identification where necessary
- Authorised hours for licensable activities and the conditions attached to the premises licence

All 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 and on-going refresher training every six months.

The staff training records will be maintained at the premises and made available to any Responsible Authority upon request.

May I remind you that your clients will need to produce the Duty of Care documentation with regards to the control and disposal of their commercial waste, when a licensing Act inspection is carried out.



Map Created By:

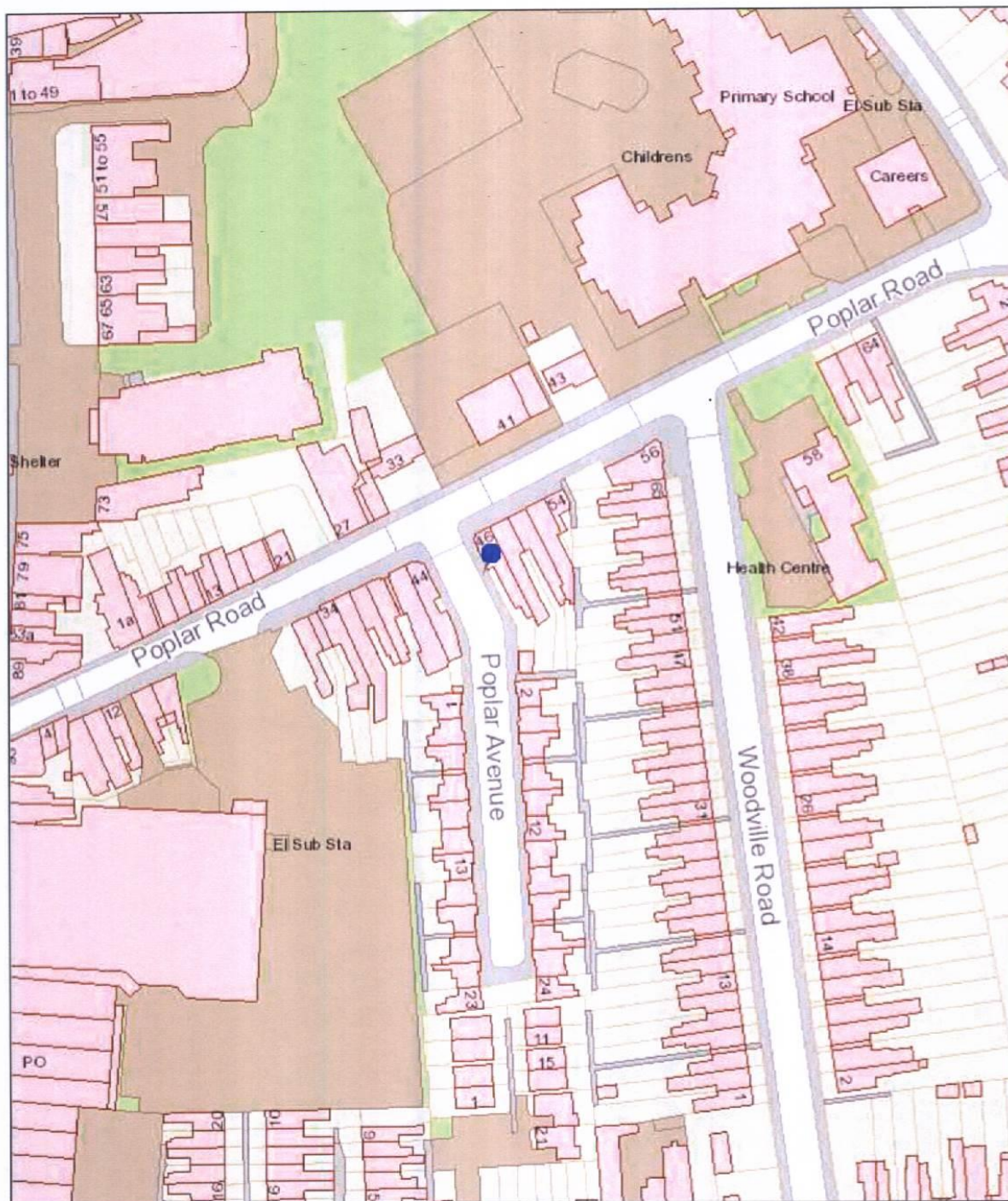
Date of Map Creation: 22/08/2016

Notes



Scale:
1:4,000

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Date of Map Creation: 22/08/2016

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Scale:
1:1,250