

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B

TUESDAY, 03 MAY 2022 AT 10:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

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/WEBCAST

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

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

3 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

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4 LICENSING ACT 2003 TEMPORARY EVENT NOTICE TAQIS GRILL, UNIT A, 272 MONTGOMERY BUSINESS PARK, 272 MONTGOMERY STREET, SPARKBROOK, BIRMINGHAM, B11 1EN

Report of the Interim Assistant Director of Regulation and Enforcement.
N.B. Application scheduled to be heard at 10:00am.

5 **OTHER URGENT BUSINESS**

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

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Interim Assistant Director of Regulation and Enforcement
Date of Meeting:	Tuesday 3rd May 2022
Subject:	Licensing Act 2003 Temporary Event Notice
Premises:	Taqis Grill, Unit A, 272 Montgomery Business Park, 272 Montgomery Street, Sparkbrook, Birmingham, B11 1EN
Ward affected:	Sparkbrook and Balsall Heath East
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer licensing@birmingham.gov.uk

1. Purpose of report:

To consider the objection notice to the Temporary Event Notice (TEN), which initially sought to permit the provision of late night refreshment to operate on the 8th May 2022 until 14th May 2022, from 11:00pm until 4:00am each day, with activities to cease at 11:59pm on Saturday 14th May 2022.

After discussions with West Midlands Police the applicant has agreed to amend the scope of the TEN, with the provision of late night refreshment to operate as follows:

- Monday to Thursday: 11:00pm until 1:00am indoors, 1:00am until 2:00am takeaways/delivers through a hatch.
- Friday to Sunday: 11:00pm until 2:00am indoors, 2:00am until 3:00am takeaways/delivers through a hatch.

2. Recommendation:

To consider the objection notice made by Environmental Health.

3. Brief Summary of Report:

A Temporary Event Notice was submitted by Salah Bakeel Abdul-Rahman and received on 21st April 2022 in respect of Taqis Grill, Unit A, 272 Montgomery Business Park, 272 Montgomery Street, Sparkbrook, Birmingham, B11 1EN.

An objection notice has been received from Environmental Health.

<p>4. Compliance Issues:</p> <p>When carrying out its licensing functions, a licensing authority must have regard to the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.</p> <p>4.1 Consistency with relevant Council Policies, Plans or Strategies:</p> <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>
<p>5. Relevant background/chronology of key events:</p> <p>A Temporary Event Notice was submitted on 21st April 2022 by Salah Bakeel Abdul-Rahman, in respect of Taqis Grill, Unit A, 272 Montgomery Business Park, 272 Montgomery Street, Sparkbrook, Birmingham, B11 1EN, which was served on the responsible authorities on the 22nd April 2022.</p> <p>The Temporary Event Notice is attached as Appendix 1.</p> <p>An objection notice has been received from Environmental Health, which is attached at Appendix 2.</p> <p>Amendment to the TEN agreed with West Midlands Police and the applicant, see Appendix 3.</p> <p>Site location plans are attached, see Appendix 4.</p> <p>Under the licensing system of TENs, no actual permission is required to carry out a licensable activity on a temporary basis. An applicant must merely give notice of his intentions to operate a licensable activity to the licensing authority.</p> <p>However, the police or local authority exercising environmental health functions may intervene to prevent such an event taking place or agree a modification of the proposed arrangements, and their intervention may in some cases result in the licensing authority imposing conditions on a TEN.</p> <p>Where a TEN is submitted, the licensing authority must consider the objection(s) at a hearing before a counter notice, or a notice including a statement of conditions can be issued.</p> <p>Conditions may only be applied if the TEN is in connection with licensable activities at licensed premises. It must be noted a Premises Licence is not currently in force for Taqis Grill, Unit A, 272 Montgomery Business Park, 272 Montgomery Street, Sparkbrook, Birmingham, B11 1EN.</p> <p>When giving a TEN, consideration should be given to the following four licensing objectives:</p> <ol style="list-style-type: none"> 1. The prevention of crime and disorder 2. Public safety 3. The prevention of public nuisance; and 4. The protection of children from harm

6. List of background documents:

Temporary Event Notice, attached at Appendix 1.
Objection notice from Environmental Health, attached at Appendix 2.
Amendment to the TEN agreed with West Midlands Police, Appendix 3.
Site location plans, Appendix 4.

7. Options available

To issue the TEN
To issue a Counter Notice



Birmingham
Temporary Event Notice
Licensing Act 2003

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

* required information

Section 1 of 9

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 you would prefer not to be contacted by telephone

Are you:

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

☐ Applying as an individual

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

Applicant 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.

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 9

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

Have you had any previous or maiden names?

☐ Yes

☒ No

* Your date of birth

/ /
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Continued from previous page...

Correspondence 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

UNIT A, 272 MONTGOMERY BUSINESS CENTRE

Street

272 MONTGOMERY STREET

District

SPARKBROOK

City or town

BIRMINGHAM

County or administrative area

Postcode

B11 1EN

Country

United Kingdom

Additional 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

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THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

* Does the premises have an address?

☒ Yes

☐ No

Continued from previous page...

Address

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

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

☐ Yes

☒ No

* Building number or name	UNIT A, 272 MONTGOMERY BUSINESS CENTRE
* Street	272 MONTGOMERY STREET
District	SPARKBROOK
* City or town	BIRMINGHAM
County or administrative area	
* Postcode	B11 1EN
* Country	United Kingdom

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☒ Neither

☐ Premises licence

☐ Club premises certificate

Location Details

* Provide further details about the location of the event

This is an existing businesses premises which proposes now to go for late night opening of late night refreshments. A permanent application has already been submitted and this is to cover temporary trading until this is processed/accepted.

It is located in a mixed industrial and some residential (at least 100m away), although it is important to note that the main entrance is located at the rear of the property facing on to an industrial estate with little or no activity operating after normal business hours. Predominately for take out food and deliveries, there is a small area of seating that accommodates a maximum of 8-10 persons plus a take out seating/waiting area for about 6 persons. Thus the nuisance impact on local residents should be an absolute minimum.

No alcohol is served or allowed to be consumed on site.

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

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

TAKEAWAY FOOD OUTLET WITH LIMITED INDOOR SEATING AREA (UP TO 10 PERSONS)

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

Continued from previous page...

TAKEAWAY FOOD OUTLET WITH LIMITED INDOOR SEATING AREA (UP TO 10 PERSONS)

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LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

[\(see also guidance on completing the form, note 6\):](#)

- ☐ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☐ The provision of regulated entertainment
- ☒ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

[\(See also guidance on completing the form, note 7\).](#)

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 8\).](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 9\)](#)

Event start date

08 / 05 / 2022
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

14 / 05 / 2022
dd mm yyyy

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

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

2300HRS TO 0400HRS, ending on 4am on May 15th

Continued from previous page...

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

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Note that the maximum number of people cannot exceed 499.

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

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- ☐ On the premises only
- ☐ Off the premises only
- ☐ Both

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RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

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

Do you currently hold a valid personal licence? ☐ Yes ☒ No

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PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

☒ Yes ☐ No

State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year

1

Continued from previous page...

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

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

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes ☒ No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes ☒ No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

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CONDITION (See also guidance on completing the form, note 18)		
It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.		
PAYMENT DETAILS		
This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. This formality requires a fixed fee of £21		
DECLARATION (See also guidance on completing the form, note 19)		
<ul style="list-style-type: none">* THE INFORMATION CONTAINED IN THIS FORM IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT IT IS AN OFFENCE:* (I) TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS TEMPORARY EVENT NOTICE AND THAT A PERSON IS LIABLE ON SUMMARY CONVICTION FOR SUCH AN OFFENCE TO A FINE OF ANY AMOUNT; AND* (II) TO PERMIT AN UNAUTHORISED LICENSABLE ACTIVITY TO BE CARRIED ON AT ANY PLACE AND THAT A PERSON IS LIABLE ON SUMMARY CONVICTION FOR ANY SUCH OFFENCE TO A FINE OF ANY AMOUNT, OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING SIX (6) MONTHS, OR TO BOTH. <p><input checked="" type="checkbox"/> Ticking this box indicates you have read and understood the above declaration</p> <p>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?"</p> <p>* Full name <input type="text" value="SALAH BAKEEL ABDUL-RAHMAN"/></p> <p>* Capacity <input type="text" value="DIRECTOR/OWNER"/></p> <p>* Date <input type="text" value="21"/> / <input type="text" value="04"/> / <input type="text" value="2022"/> dd mm yyyy</p> <p style="text-align: center;"><input type="button" value="Add another signatory"/></p> <p>Once you're finished you need to do the following: 1. Save this form to your computer by clicking file/save as... 2. Go back to https://www.gov.uk/apply-for-a-licence/temporary-event-notice/birmingham/apply-1 to upload this file and continue with your application. Don't forget to make sure you have all your supporting documentation to hand.</p>		

From: Martin Key
Sent: 25 April 2022 14:41
To: Licensing
Cc:
Subject: TEN - TAQIs Grill, Unit A 272 Montgomery Street

Hi

I am responding on behalf of the Environmental Health team as a responsible authority. I have received a TEN application from Salah Bakeel Abdul-Rahman in respect of the request to supply late night refreshment at TAQIs Grill, Unit A, 272 Montgomery Business Centre, Birmingham between 8 May and 14 May 2022 between the hours of 23.00 and 04.00. I have tried to contact the applicant to discuss the application however I have not been able to speak with him. We have already been in correspondence about the full licence application for this premises and advised that we would not support the hours requested as they are out of character with the area and are likely to have an adverse impact on the licensing objective in respect of public nuisance and have not had a response to our email yet.

I therefore object to the grant of the TEN on the basis of the adverse impact on the licensing objective of the prevention of public nuisance.

Best Regards

Martin Key
Environmental Protection Officer

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

From: Mark Swallow
Sent: 26 April 2022 11:31
To: 'Russell George'
Cc: Licensing
Subject: RE: Taqis Grill, Unit A, 272 Montgomery Street, Sparkbrook, Birmingham, B11 1EN. Temporary Events Notices

Good Morning Licensing,

Reference the above application for TENS

30.4.22-6.5.22

8.5.22-14.5.22

16.5.22-22.5.22

West Midlands Police do not wish to object to the applications. However, it is requested that the timings below are added to the application along with the applicants agreement to be bound by the conditions agreed for the full license. This is agreed with the applicant who is copied into this email.

Mark Swallow.

From: Russell George
Sent: 26 April 2022 11:04
To: Salah Abdul-Rahman; Mark Swallow
Subject: [External]: Re: Taqis Grill, Unit A, 272 Montgomery Street, Sparkbrook, Birmingham, B11 1EN. Temporary Events Notices

CAUTION: This email originated from outside of West Midlands Police. Do not click links or open attachments unless you are sure the content is safe.

With regards to the above, we agree that this applies to the full license as well as all of the temporary events notices.

On Mon, 25 Apr 2022 at 22:57, Russell George wrote

Hi Mark

Thanks for the conversation last week.

In light of this we would confirm/suggest the following:

Mon to Thursday - 1200 to 0100 indoors, 0100-0200 takeaway/deliveries through hatch
Fri to Sun - 1200 to 0200 indoors, 0200-0300 takeaway through hatch

From midnight a member of staff will be deployed outside to alleviate any nuisance issues outside wearing a hiviz

All other conditions mentioned above will be adhered to and in light of this the risk assessments and the training are taking place this week.

On Fri, 22 Apr 2022 at 12:24, Salah Abdul-Rahman wrote:

Begin forwarded message:

From: Mark Swallow

Date: 22 April 2022 at 12:19:12 BST

To:

Subject: Taqis Grill, Unit A, 272 Montgomery Street, Sparkbrook, Birmingham, B11 1EN. Temporary Events Notices

Salah,

I am in receipt of your three applications for temporary events notices for the periods:

30.4.22-6.5.22

8.5.22-14.5.22

16.5.22-22.5.22

As with the application for the premises license I would ask that you consider the following variation in times and agreeing to follow the conditions you have put forward in the original application and the additional ones below. The process for temporary events notices is time limited and therefore I will need a response from you by the latest 0900 26.4.22. Please feel free to consult any advice you see fit.

Mark Swallow.

TIMES FOR LICENSABLE ACTIVITY

Sunday to Thursday midday till midnight

Friday and Saturday midday till 0200

ADDITIONAL CONDITIONS

- **CCTV that is approved by West Midlands police and able to capture images particularly outside under conditions of low lighting will be fitted in the premises. Images will be retained for a period of at least 31 days and will be made available to any of the responsible authorities to view or copies produced on request. If for any reason the CCTV hard drive needs to be replaced the previous / old hard drive will be kept on site for a minimum of 31 days and made immediately available to any of the responsible authorities on request. The CCTV system will be checked each day to ensure that it is working and an entry will be made in the incident log detailing the time of the check, the identity of the person doing the check and the result of it.**

- **Staff deployed on the premises between the hours of 2300 and 0200 will sign on and off duty. Profiles and signing in / out sheets will be kept on the premises for a minimum of 3 months and made available to any of the responsible authorities on request.**
- **The premises will risk assess the numbers of staff required to be on duty the minimum number being 2. The risk assessment will be made available to any of the responsible authorities on request.**
- **All staff will receive training in the Licencing Act 2003 and the Licencing objectives. Staff will not work at the premises until this training has been completed and the required refreshments have been completed. Refresher training should take place once a year.**
- **All staff Licencing Act 2003 and Licencing Objective training will be documented and sign by both the trainer and trainee. No staff to work at the premises until this training has been completed. Training records to be made available to any of the responsible authorities on request.**
- **The premises shall operate an incident register including refusals. Each entry will be signed off by the Premises License Holder. The register will be made available to an employee of West Midlands Police.**
- **Noise nuisance will be minimised by the closure of doors and windows whilst work is being carried out.**
- **The premises will carry out litter patrols every 2 hours when licensable activities are taking place in the vicinity of the premises to clear any litter in that area**

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Kind regards

Russell George, ALL IN SAFETY

