

Report to:	Licensing Sub Committee C
Report of:	Interim Assistant Director of Regulation & Enforcement
Date of Meeting:	Wednesday 30th June 2021
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Pashaj Mediterranean Charcoal Grill, 373 – 375 Jockey Road, Boldmere, Sutton Coldfield, B73 5XH
Ward affected:	Sutton Vesey
Contact Officer:	Bhupinder Nandhra, Senior Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:
<p>To consider representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption both on and off the premises) to operate from 12:00midday until 9:45pm (Sunday to Thursday) and 12:00midday until 10:45pm (Friday and Saturday).</p> <p>Premises to remain open to the public from 12:00midday until 10:00pm (Sunday to Thursday) and 12:00midday until 11:00pm (Friday and Saturday).</p>

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

3. Brief Summary of Report:
<p>An application for a Premises Licence was received on 6th May 2021 in respect of Pashaj Mediterranean Charcoal Grill, 373 – 375 Jockey Road, Boldmere, Sutton Coldfield, B73 5XH.</p> <p>Representations have been received from other persons.</p>

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

Pashaj Ltd applied on 6th May 2021 for the grant of a Premises Licence for Pashaj Mediterranean Charcoal Grill, 373 – 375 Jockey Road, Boldmere, Sutton Coldfield, B73 5XH.

Representations have been received from other persons, which are attached at 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:

Copy of the representations as 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.

Redacre Road
Boldmere
Sutton Coldfield
West Midland
B73

12th May 2021

General Licensing Regulations & Enforcement
PO Box 17831
Birmingham
B2 2HJ

Dear Sir or Madam

**Re: Application for Alcohol License – Pashaj Mediterranean Charcoal Grill at 373 –
375 Jockey Road, Boldmere, Sutton Coldfield, B73 5XH**

We wish to object to the above application for alcohol to be sold on the above premises for the following reasons.

1. Originally an application was made to Birmingham City Council for change of use of the above premises to an Indian takeaway. After objections by the residents near to this location this was rejected. However, we have only just discovered that change of use to Pashaj Mediterranean Charcoal Grill has now been accepted and that they have applied for an alcohol license.
2. The location of 373 to 375 Jockey Road is a residential area only, with these premises previously being set up as a “Corner Shop” which sold newspapers and groceries. We have lived in this area for 40 years and apart from one delicatessen it has always been a corner shop.
3. The approval of this restaurant is going to cause a lot of problems with parking in the vicinity as we are already dealing with an excess of cars parking on pavements and parking in such a way to cause disruption to other traffic. The shop owner has advised that he will have just 4 parking spaces for use by customers which will be quite inadequate. We are at a loss to understand where these 4 parking spaces are unless they are parking on the pavement immediately outside the premises.
4. We live on Redacre Road which is already used by shoppers or people who visit the local restaurants and public houses in Boldmere Road. At the top end of Redacre Road where you turn right on to Oakwood Road towards Jockey Road (which is just a very short distance to the restaurant above) is a busy and dangerous junction. It is a main route for children going to the local Boldmere Schools. People park on the actual corners (both sides) of Redacre Road and Oakwood Road which blocks the view to safely drive into Oakwood Road. Parking is an issue from this junction and Oakwood Road up to the corner with Jockey Road where this restaurant is located.
5. Boldmere is an area which now has an excess of eating and drinking establishments. Whilst we live at the top end of Redacre Road which is the furthest away from Boldmere Road end, we are constantly troubled by people being very noisy when leaving the pubs and restaurants but also dropping empty fish & chip wrappers, empty bottles and empty pint glasses in our front garden.

6. We note that the alcohol license being sort for Pashaj is Sunday to Thursday from 12 noon until 9.45pm and then on Friday and Saturday from 12 noon until 10.45pm. Whilst the times are not excessive we are still wary of people leaving these premises who may have had too much to drink and who generally walk down or drive down our road upon exiting the restaurant. This is a public nuisance to the residents of this area. It is also a main thoroughfare for children leaving school in the afternoon and the licensing hours suggest that drinking and eating can take place from midday.
7. Whilst the majority of residents in this area park their cars on their drives, the parking of cars of people visiting this restaurant at night is not an acceptable risk to place on residents in this area. General activity involving increased numbers of people and cars is not appropriate for a residential area which could result in an increase in crime.
8. Whilst the granting of these premises for use of a restaurant is out of our hands and one we would have objected to if we had been given notification of this, we totally object to a drinks license which will add to the noise as people leave the restaurant especially if they are drunk or at least had too much to drink.
9. We also concerned about the potential increase in anti social behaviour in the area surrounding peoples' homes and a possible increase in drink driving.

I look forward to hearing from you.

Yours faithfully

From:

Sent: 21 May 2021 13:17

To: Licensing

Subject: objections to 373-375 Jockey Road application.

I am sending this Email to explain why I object to the above premises being allowed an alcohol licence.

I live to this property and it will have a massive impact on my quality of life in my home. The noise, vermin, discarded rubbish, cars parking and being left with engines running while people wait for take away food. Oakwood Road is already a busy road that people use as a short cut and so the extra cars are only going to add to the congestion.

I am confused about how a refusal for the business last year can suddenly be seen as acceptable now. When I telephoned the council this morning I wasn't told that the law had changed to allow a change of usage to a food outlet. The gentleman I spoke to said 'There has been no new application since the refusal in November 2020.' So why didn't he just say that the law had changed.

Allowing alcohol is going to cause a lot of problems for the residents of Oakwood and Jockey Road who already have the numerous food and alcohol venues on Boldmere Road to deal with due to the detritus that comes from that road.

Please consider the people who live and work in this area.

Regards



Birmingham
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

System reference 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 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.
 Applying as an individual

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 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

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	<input type="text" value="CEO"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the headquarters of your business is located.
Agent Registered Address		Address registered with Companies House.
Building number or name	<input type="text" value="C.N.A. Risk Management Limited"/>	
Street	<input type="text" value="P.O. Box 13293"/>	
District	<input type="text" value="Great Barr"/>	
City or town	<input type="text" value="Birmingham"/>	
County or administrative area	<input type="text" value="West Midlands"/>	
Postcode	<input type="text" value="B42 9BP"/>	
Country	<input type="text" value="United Kingdom"/>	

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="Pashaj Mediterranean Charcoal Grill"/>
Street	<input type="text" value="373-375 Jockey Road"/>
District	<input type="text" value="Boldmere"/>
City or town	<input type="text" value="Sutton Coldfield"/>
County or administrative area	<input type="text" value="West Midlands"/>
Postcode	<input type="text" value="B73 5XH"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="8,300"/>

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

Details

Registered number (where applicable)

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

* Date of birth / /
dd mm yyyy

* Nationality

[Documents that demonstrate entitlement to work in the UK](#)

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.

History

The applicant is seeking the grant of a New premises License for Pashaj Mediterranean Charcoal Grill which is located on Jockey road at Oakwood Road, in a former convenience/off license premises.
It is a two storey building with the restaurant occupying the ground floor.
The premises were previously licensed to sell alcohol(License 2411 refers). This license was surrendered in May 2019.

Continued from previous page...

Description

The premises have undergone an extensive transformation to create an open plan bar & grill with up to 30 covers in the casual dining restaurant. The premises will be furnished to a high standard.

To the rear of the premises will be an open style kitchen. There is be a unisex toilet with disabled facilities, further to the rear.

To the front of the premises there will be a small bar area, with a casual dining for up to 30 diners.

A small smoking area will be located in the rear garden terrace, also an area for non smokers.

Weather permitting, Diners will also be able to dine outside, they will be attended to by a waitress service.

This area will be monitored later in the evening in relation to noise.

There are car parking facilities for up to 4 vehicles to the front and side of the premises.

Provision

The applicant will be providing its Customers a casual dining experience which they shall enjoy, in a relaxed, family friendly atmosphere. Mediterranean cuisine is the food from the lands around the Mediterranean Sea and its preparation will thrive in bringing this richness to there dishes using only fresh, wholesome ingredients and traditional mix of spices.

Pashaj Mediterranean Charcoal Grill, will be serving up a small selection of special beers, Wines Spirits & Champagne to accompany the finest Greek/Turkish Mediterranean-style cuisine cooked freshly using locally sourced ingredients.

The applicant has only applied for the Supply of alcohol.

The applicant will be seeking to discuss any concerns Environmental Authority may have regards to noise issues.

The applicant believes that this application will not have an adverse effect on the four licensing objectives.

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

Yes

No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

Yes

No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

Yes

No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Continued from previous page...	
Will you be providing boxing or wrestling entertainments?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
Section 10 of 21	
PROVISION OF LIVE MUSIC	
See guidance on regulated entertainment	
Will you be providing live music?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
Section 11 of 21	
PROVISION OF RECORDED MUSIC	
See guidance on regulated entertainment	
Will you be providing recorded music?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
Section 12 of 21	
PROVISION OF PERFORMANCES OF DANCE	
See guidance on regulated entertainment	
Will you be providing performances of dance?	
<input type="radio"/> Yes <input checked="" type="radio"/> 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?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
Section 14 of 21	
LATE NIGHT REFRESHMENT	
Will you be providing late night refreshment?	
<input type="radio"/> Yes <input checked="" type="radio"/> No	
Section 15 of 21	
SUPPLY OF ALCOHOL	
Will you be selling or supplying alcohol?	
<input checked="" type="radio"/> Yes <input type="radio"/> No	
Standard Days And Timings	
MONDAY	
Start <input type="text" value="12:00"/>	End <input type="text" value="21:45"/>
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.	

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 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.

Continued from previous page...

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

Name

First name

Family name

Date of birth / /
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.

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

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

State any seasonal variations

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

Continued from previous page...

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

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

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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.

- The applicant has put in place an experienced management team to ensure all staff receive adequate training on a regular basis, relating to the four Licensing objectives, general licencing regulations/Conditions including Fire regulations. A record of the training will be kept by the management.
- The training provided to staff will be recorded and each member of staff will sign and date their training records to confirm they have received and understood the training provided. Training will be refreshed and recorded every 6 months. The staff training records will be kept at the premises and made available to any Responsible Authority upon request.
- Staff will be given on-going training including identification of anti-social or unusual behaviour.
- The Designated Premises Supervisor will provide responsible management at all times.

b) The prevention of crime and disorder

- Customers will not be permitted to carry open bottles or glasses beyond the licensed area.
- CCTV system to be installed fit for the purpose and satisfaction of West Midlands Police.
- Images to be retained for at least 31 Days and shall be made available upon request to officers of the responsible authorities.
- Staff will be given on-going training including identification of anti-social or unusual behavior
- Any alcohol sales to be incidental to the main business of the restaurant and can only be made when purchasing food.
- All incidents occurring inside the premises or immediately outside the premises will be recorded in an incident log and this will be made available to any responsible authority upon request.

c) Public safety

- Adequate Lighting will be provided in all public areas and outside
- Management will ensure that the external areas of the premises are monitored to prevent any anti-social behavior and public nuisance caused by the premises is kept to a minimum.

Continued from previous page...

- Electric, gas and relevant equipment are to be checked and maintained in working order and tested annually.

d) The prevention of public nuisance

- The premises licence holder shall erect prominent, clear and legible signage inside the premises:
 - a) Requesting patrons to be considerate of local residents when leaving the premises; and
 - b) Advising patrons that the consumption of alcohol is not permitted in the unlicensed area outside the front of the premises.
- The premises licence holder shall ensure that when ordering a taxi on behalf of patrons, the drivers are instructed to enter the premises to collect passengers at all times or contact passengers by telephone and not sound car horns unnecessarily.
- All deliveries will be received during daytime to control noise nuisance.
- No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
- The premises licence holder is to maintain adequate ventilation to ensure that odours resulting from the premises do not constitute a Public Nuisance to adjoining properties.
- The Designated Premises Supervisor will provide responsible management at all times
- The Noise from the premises will be monitored so as not to become a public nuisance.
- The disposal of empties and bottles will not be done after 23:00 Hours or before 07:00 Hours.
- The garden area will be monitored when in use for excessive noise

e) The protection of children from harm

- We will adopt the "Challenge 25" age policy
- Management will ensure all employees are fully trained and aware of the challenge 25 rule.
- There will be a provision of sufficient staff to protect children from harm with training on appropriate behavior.
- The premises license holder shall ensure that staff are fully conversant with the legal prohibitions in relation to the sale of alcohol to under 18s
- A refusals register will be kept and maintained at the premises and be made available upon request by any of the Responsible Authorities.
- The refusals register will be signed by the DPS on a monthly basis even if there have not been any refusals.

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

FIRE SAFETY STANDARDS

Doors and partitions required to be fire resisting are to be in accordance with British Standard 476, 1972 as amended.

Fire resisting doors required to resist the passage of smoke at ambient temperatures conditions should, unless tested in accordance with BS476, section 3(1), 1993 be fitted with a smoke seal and intumescent strip plus a positive self closing device.

The fire alarm system where installed is to comply with the British Standard 5829, part 1, 2002. The attention of the Design/Installing Engineer should be drawn to paragraph 3.1 (consultation and records) of British Standards 5266, Part 1, 2002. All Magnetic and magnetic door hold open devices will be connected to the fire alarm system so that on any activation of the fire alarm the devices will fail safe.

The emergency lighting installation is to comply with British Standard 5266, part 1, 1988. The attention of the Design/Installing Engineer should be drawn to paragraph 3.1 (consultation and records) of British Standard 5266, part 1, 1988 as amended.

Certificate of installation test will be required.

Door panic furniture must comply with British Standard EN 1125 panic exit devices operated by a horizontal bar. And be marked above with a signifying "Push Bar To Open".

Fire safety related signs and notices are to conform to British Standard 5499, Part 1, 1990.

Illuminated "EXIT" signs are to conform to British Standard 5260.

Fire fighting equipment is to comply with British Standard E.N. 3-7.

Fire resisting glazing must comply with 'A' grade to best practice in the specification and use of fire resistant glazing systems. Glass and Glazing Federation 2005.

Upholstered seating furniture must satisfy as a minimum standard. Ignition source 9 (cigarette test) a red Crb Ignition Source 5 as specified in British Standard 5822, 1986. Methods of test for Assessment of the ignibility of Upholstered Seating by Smouldering with Flaming Ignition Sources. If in order to secure compliance with the above standards the fabric submitted for test has been tested beforehand with a fire retardant product, the testing laboratory must be instructed to subject the samples to treated to a water seal test, in accordance with British Standard 5851, 1985, paragraph 3, before the BS5822 tests are carried out. A copy of the laboratory test report from an accredited testing laboratory identifying compliance of the furnishing composite with the above mentioned British Standards must be forwarded to this authority before installation and confirmation that the furnishings specified in this certificate have been installed in the premises.

A fire risk assessment in accordance with Regulatory Reform (Fire Safety) Order 2005 will be completed prior to the Premises opening to the public.

- SF simple fastening
- FB fire blanket
- SD Smoke detector
- FR30M structural integrity
- FR30 Fire door 30 minutes resistance
- HD heat detector
- VA visual alarm sounder
- EL emergency lighting
- RM running man illuminated mains maintained fire exit sign
- GVV georgian wired glazed vision panel
- VP vision panel FR glass
- FX fire extinguisher
- 1200mm clear escape widths - doors stairs etc.S/C self closing
- HR FR one hour fire resisting door
- SD smoke detector
- CCTV provision to satisfaction of statutory authorities

email plansurvey@men.com



JOCKEY ROAD



AREA FOR THE SALE AND CONSUMPTION OF ALCOHOL, THE PROVISION FOR SUPPLY OF ALCOHOL.

LICENSING PLAN FOR
 PASHAJ MEDITERRANEAN
 CHARCOAL GRILL
 373 375 JOCKEY ROAD
 BIRMINGHAM B73 5XH
 SCALE 1:100
 MAY 2021

From: Jane Dunsford
Sent: Tuesday, May 18, 2021 3:57 PM
To: Licensing
Cc: Carl Moore
Subject: (LISA-ADD CONDITIONS) FW: Re: 373- 75 Jockey Rd, Sutton Coldfield

Licensing,

Please see conditions agree below.

Regards

Jane

Jane Dunsford
Environmental Protection Officer
Environmental Protection Unit
Regulation & Enforcement
Neighbourhoods Directorate
Birmingham City Council

Visitor and External Postal Address: 1-3 Ashted Lock Way, Birmingham B7 4AZ
Internal Postal Address: PO Box 16977, Birmingham B2 2AE

Our Values

We put citizens first We are true to our word

We act courageously We achieve excellence

From: Carl Moore
Sent: 18 May 2021 14:45
To: Jane Dunsford
Subject: Fwd: Re: 373- 75 Jockey Rd

----- Original Message -----

From: Chero Hamzai
To: Carl Moore
Date: 18/05/2021 13:19
Subject: Re: 373- 75 Jockey Rd

Dear Carl,

Yes I agree on point 1 and point 2.

Kind regards

Chero Hamzai

On 18 May 2021, at 12:56, Carl Moore wrote:

Hi Chero,

Having discussed condition 2 with Jane Dunsford, she has agreed to remove condition 2 relating to numbers in the outside garden area.

We now have the following conditions:

1. Food shall only be served in the outside garden area until 7pm.
2. Smoking shall only take place in the external roofed area marked on the plan. Access to the main garden area (marked on the plan) for smoking shall not be allowed.

Do you agree to the above conditions being placed on the premises license.

Regards

Carl

