

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee C</b>
<b>Report of:</b>	<b>Interim Assistant Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Wednesday 22<sup>nd</sup> January 2020</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>Channel Coffe &amp; Restaurant, 145a Stratford Road, Sparkbrook, Birmingham, B11 1RD</b>
<b>Ward affected:</b>	<b>Sparkbrook &amp; Balsall Heath</b>
<b>Contact Officer:</b>	<b>Shaid Yasser, Senior Licensing Officer 0121 303 9896, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### 1. Purpose of report:

To consider representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption on the premises only) to operate from 1:00pm until 11:00pm (Sunday to Thursday) and 1:00pm until 2:00am (Friday and Saturday).

To permit the provision of Late Night Refreshment, to operate indoors only, from 11:00pm until 2:00am (Friday and Saturday).

Premises to remain open to the public from 1:00pm until 11:00pm (Sunday to Thursday) and 1:00pm until 2:00am (Friday and Saturday).

### 2. Recommendation:

To consider the representations that have been made and to determine the application.

### 3. Brief Summary of Report:

An application for a Premises Licence was received on 3<sup>rd</sup> December 2019 in respect of Channel Coffe & Restaurant, 145a Stratford Road, Sparkbrook, Birmingham, B11 1RD.

Representations have been received from Birmingham City Council Licensing Enforcement as a responsible authority and from other persons.

### 4. Compliance Issues:

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

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

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

Betty Bayu applied on 3<sup>rd</sup> December 2019 for the grant of a Premises Licence for Channel Coffee & Restaurant, 145a Stratford Road, Sparkbrook, Birmingham, B11 1RD.

A representation has been received from Birmingham City Council Licensing Enforcement as a responsible authority. See Appendix 1.

Representations have been received from other persons. See Appendices 2 - 5.

The application is attached at Appendix 6.

Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 7.

Site Location Plans at Appendix 8.

When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-

- a. The prevention of crime and disorder;
- b. Public safety;
- c. The prevention of public nuisance; and
- d. The protection of children from harm.

## **6. List of background documents:**

Copies of the representations as detailed in Appendices 1 – 5  
Application Form, Appendix 6  
Conditions agreed with West Midlands Police, Appendix 7  
Site Location Plans, Appendix 8

## **7. Options available**

To Grant the licence in accordance with the application.  
To Reject the application.  
To Grant the licence subject to conditions modified to such an extent as considered appropriate.  
Exclude from the licence any of the licensable activities to which the application relates.  
Refuse to specify a person in the licence as the premises supervisor.

24/12/19  
Entered JS

**From:** Sarah Lavender  
**Sent:** 24 December 2019 00:30  
**To:** Licensing  
**Subject:** Channell Coffe and Restaurant, 145a Stratford Road, Birmingham, B11 1RD

Good afternoon,

With regard to the application submitted by Mr Rahman for the grant of a premises licence at the above premises, Licensing Enforcement received a complaint regarding the premises on 17/06/2019 alleging the premises were carrying out licensable activities without a licence mainly the serving of alcohol.

A visit to the premises was conducted by Licensing Enforcement in July 2019 in company of colleagues from Environmental Health, West Midlands Police and West Midlands Fire Service, the following matters were identified -

Gary Callaghan Licensing Enforcement Officer gave advise to the premises writing on traders notice 25836/7 by Licensing enforcement regarding the requirement to obtain a premises licence for licensable activities after a speaker was playing recorded music and alcohol was found in a fridge and also in the hallway, see attached photos.

Steve Graham Fire Safety Inspecting officer identified the following matters -

- The rear fire exit door was covers by a roller shutter. This exit is required due to the depth of the building.
- The fire alarm and detection system was not working due to having no power going to the alarm panel. It had not been serviced for some time. The fire extinguishers had not need serviced.
- Although a fire risk assessment need not be recorded, the owner had not carried one out. I will be sending a letter the business owner and the landlord to get the issues sorted.

Alison Whelan From Environmental Health identified the following matters -

- They were warned and given advisory information regarding the Sheesha (smoking in a smoke free premises)
- Due to the presence of cockroaches in the premises and the fact that it was operating as a food business the premises was served with a Hygiene Emergency Prohibition Notice to cease trading. A revisit was conducted on 11/07/19 and has shown that cockroaches are still active so a Hygiene Emergency Prohibition Order was granted to cease the premises until the risk to health has been removed.
- I have a suspicion they may have traded but at the moment it is only a suspicion.

I am aware that complaints have been made to Environmental Health about noise emanating from the premises but they have been unable to investigate the matter as it is my understanding that the complainant did not wish to make the matter formal.

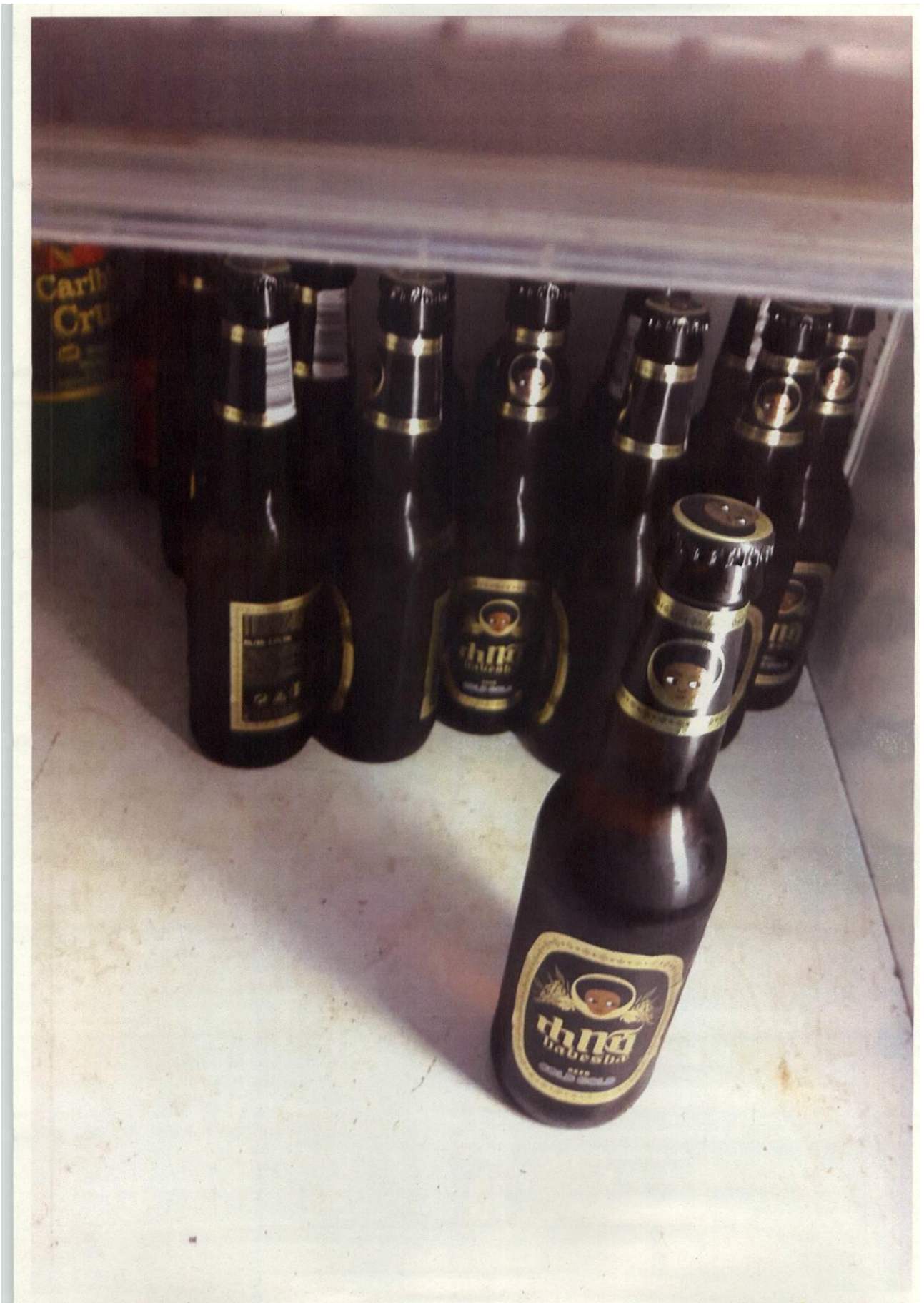
I have seen the conditions that have been agreed with West Midlands Police and these do go some way towards measures that will ensure the premises uphold the licensing objectives however licensing enforcement do still have concerns given the previous issues identified and will be seeking further information to be submitted from responsible authorities regarding the current situation, due to annual leave I have been unable to clarify this matter with them currently.

Regards

Sarah Lavender  
 Licensing Enforcement Officer





















Entered RJ

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**From:**  
**Sent:** 10 December 2019 11:27  
**To:** Licensing  
**Subject:** Licensing application channel cafe 145A Stratford Road

Dear sir / Madam

I am writing to you to register my absolute & complete rejection, resentment to the idea of giving channel cafe 145A Stratford road the license to have late night refreshment, allowing them to use music , parties & a lot more to harming & disturbing our neighborhood as they were doing since they opened the cafe. As I am on of the residents who lives on the flats around this cafe we completely reject this idea as they turned the area around to place from hell. You can check with your fellow Birmingham council ( Alison Whelan) on how many complaints were filed about them , regarding music nuisance, using their cafe as focal point for prostitute gathering , young drug dealers & they sale some sort of drugs too, also they make the whole street dirtier by disposing the garbage out side their cafe. You can check how many complaints about them. So they are damaging the whole neighborhood & we completely reject the idea of extending their license as we preposed to the council before to evict them from the premises to have better neighborhood. My name is \_\_\_\_\_ & lives at \_\_\_\_\_ stratford road on the \_\_\_\_\_  
Please help us & rescue the neighborhood & their residents from the hell times coming if you gave them the license.  
Thanks.

ENTERED  
RJ

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**From:**  
**Sent:** 10 December 2019 13:06  
**To:** Licensing  
**Subject:** Licensing application channel caffe 145A Stratford Rd

Dear sir/ madam,

I am writing with connection to the blue notice which is display on the front of Channel caffe. 145A Stratford rd, Birmingham, B11 1RD,

I am srtongly regret the idea of giving the above license.

I am the owner of Stratford Rd, and I am being on bussieness trading from this address for more than 14 years, and I have riot seen such a bad behavior and loud music, gathering of many people at different time of the day enen in the late and early mornings,

This led to be a place for such a bad people, such as drug dealers, prostitute, also, we have been complaining too many times about this cafe before and I you would like you can check with Birmingham city council complaints department?

Finally, I emphasize my complete rejection of granting them the propose license.

If you need any further information, please do not hesitate to contact me on my direct mobile number or my email address, and my bussienn address.

Stratford Rd  
Sparkbrook  
Birmingham  
B11  
Yours faithfully,



Entered 27/12/19  
DK.

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**From:**  
**Sent:** 24 December 2019 19:54  
**To:** Licensing  
**Subject:** Licensing application Channel Café 145A Stratford Road

Hi,

I'm a local resident and have been living here for over 20 years. This area suffers from high crime and members of gangs. I'm concerned if a licence for alcohol is issued this will further fuel social unrest. This area is well known to the police for its disturbance. We want this area family friendly and safe. I believe alcohol licensing will not help our social cohesion. Please take my comments in consideration.

Thanks,

Received 31/12/2019  
Entered 2/1/2020  
JS.

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**From:**  
**Sent:** 31 December 2019 16:55  
**To:** Licensing  
**Subject:** Licensing application Channel Café 145A Stratford Road  
**Attachments:** IMG\_20191231\_164708.jpg

Hi,

Please find attached a list of local businesses that object to the alcohol license being granted to the above named cafe. Thank you



We, the owners and managers of local business of Stratford Road in the Sparkbrook area object to the issuing of an alcohol licence in the vicinity. It has recently come to light that the Channel Restaurant and Café, 145a Stratford Road, Sparkbrook, Birmingham have applied for a licence to sell alcohol. We believe this will be exceptionally detrimental to local businesses. We currently have a significant issue with attracting families and women to the area, with there being a general concern by locals for safety; which is centred around the open use of drugs and alcohol. This is particularly prevalent in and around the numerous café's in the area. It may also be pertinent to mention that alcohol is also currently bought and sold in the area without license. Below are our names and contact details. We would be happy to discuss our concerns with you further, if you so require.

Name of Business	Owner/Manager Name	Address	Signature
bunna cafe		B111RD Stratford Road	
MIDDEAST SAT No. 1		STRATFORD RD B11 1RD	
AL F		STRATFORD	
MJ Desert		STRATFORD RD	
Rose Bakery		Stratford RD	
		Stratford RD	
shellys Hair + Beauty		Stratford Road	
DFC		Stratford	
Ben Saad series Ltd.		Stratford rd B11 1RD	
The vision clinic opticians		Stratford rd	
		Main Street B11 1RD	
SPARKBROOK PHARMACY		(Stratford) B11 1RD	
Chelle chips		Stratford RD	
Mr. Pounel		STRATFORD RD	
Texaco Petrol Station		Stratford Road	



**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

**Applicant Details**

\* First name

Betty Gabraie

\* Family name

Bayu

\* E-mail

Main telephone number

Other telephone number

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

Is the applicant:

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

☒ Applying as an individual

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



Continued from previous page...

**Address**

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text" value="1"/>

**Agent Details**

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

Include country code.

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

Are you:

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

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

**Agent Business**

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

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

Registration number	<input type="text" value="7021919"/>
Business name	<input type="text" value="Optimised Training Centre"/>
VAT number	<input type="text" value="-"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text" value="Manager"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Registered Address**

Address registered with Companies House.

Building number or name   
Street   
District   
City or town   
County or administrative area   
Postcode   
Country

**Section 2 of 21**

**PREMISES DETAILS**

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

**Premises Address**

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

☒ Address ☐ OS map reference ☐ Description

**Postal Address Of Premises**

Building number or name   
Street   
District   
City or town   
County or administrative area   
Postcode   
Country

**Further Details**

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

**Section 3 of 21****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

**Confirm The Following**

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

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

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

☒ Yes ☐ No

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

First name

Betty Gabraie

Family name

Bayu

Is the applicant 18 years of age or older?

☒ Yes ☐ No



Continued from previous page...

### Current Residential Address

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

☒ Yes

☐ No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### Applicant Contact Details

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

☒ Yes

☐ No

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

E-mail

Telephone number

Other telephone number

\* Date of birth

 /  / 

dd mm yyyy

\* Nationality

Eritrea

Documents that demonstrate entitlement to work in the UK

Right to work share code

Right to work share code if not submitting scanned documents

Add another applicant

### Section 5 of 21

#### OPERATING SCHEDULE

When do you want the premises licence to start?

 /  / 

dd mm yyyy

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

 /  / 

dd mm yyyy

Provide a general description of the premises

*Continued from previous page...*

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

Cafe

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

**Section 6 of 21**

**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

**Section 7 of 21**

**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes

☒ No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

*Continued from previous page...*

Will you be providing recorded music?

☐ Yes ☒ No

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**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes ☒ No

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**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes ☒ No

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**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

☒ Yes ☐ No

**Standard Days And Timings**

MONDAY	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.
	Start <input type="text"/>	End <input type="text"/>	
TUESDAY	Start <input type="text"/>	End <input type="text"/>	
	Start <input type="text"/>	End <input type="text"/>	
WEDNESDAY	Start <input type="text"/>	End <input type="text"/>	
	Start <input type="text"/>	End <input type="text"/>	
THURSDAY	Start <input type="text"/>	End <input type="text"/>	
	Start <input type="text"/>	End <input type="text"/>	
FRIDAY	Start <input type="text" value="23:00"/>	End <input type="text" value="02:00"/>	
	Start <input type="text"/>	End <input type="text"/>	



Continued from previous page...

**SATURDAY**

Start

End

Start

End

**SUNDAY**

Start

End

Start

End

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

☒ Indoors

☐ Outdoors

☐ Both

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

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

State any seasonal variations

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

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

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

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

☒ Yes

☐ No

**Standard Days And Timings**

Continued from previous page...

MONDAY

Start 13:00

End 23:00

Start

End

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

TUESDAY

Start 13:00

End 23:00

Start

End

WEDNESDAY

Start 13:00

End 23:00

Start

End

THURSDAY

Start 13:00

End 23:00

Start

End

FRIDAY

Start 13:00

End 02:00

Start

End

SATURDAY

Start 13:00

End 02:00

Start

End

SUNDAY

Start 13:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

- ☒ On the premises ☐ Off the premises ☐ Both

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

State any seasonal variations

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

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

*Continued from previous page...*

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

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**



**Continued from previous page...**

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

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

None

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

**MONDAY**

Start

End

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...

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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.

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

b) The prevention of crime and disorder

CCTV is installed inside the premises. CCTV will be recording at all times the premises are open for any licensable activities and images will be held for a minimum of 28 days and made available immediately on request by any of the Responsible Authorities. The Premises License Holder will ensure that a trained member of staff will be on duty and be available to download the CCTV to any of the Responsible Authorities.

The Designated Premises Supervisor and their staff will at all times remain aware of their responsibilities for the prevention of crime and disorder on the premises and demonstrate a responsible attitude to the marketing and sale of alcohol. Any person who appears drunk /aggressive will not be permitted on the premises.

c) Public safety

Suitable fire extinguishers, fire alarms and fire exits are maintained.

I will fully support any directives received from the authorities

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

d) The prevention of public nuisance

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

The Designated Premises Supervisor will arrange to monitor levels from both inside and outside the premises and remedial action will be taken as appropriate. Doors and windows will be kept closed as deemed necessary by the Designated Premises Supervisor. An incident log will be maintained.

e) The protection of children from harm

*Continued from previous page...*

We recognise the importance of protecting children from harm and this is supported by our commitment to health and safety in the operation and maintenance of the premises and also our approach to managing the risk of under age drinking. The Designated Premises Supervisor and staff will at all times remain aware of their responsibilities under the objective, including that alcohol shall not be sold to anyone under the age of 18. Staff on duty will be trained and made aware of a challenge 25 policy and the requirements and the need to demand an acceptable form of age id.  
No adult entertainment is permitted at these premises  
The premises will operate Challenge 25 policy. Refusals register will be maintained.

#### **Section 19 of 21**

#### **NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

##### **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

##### **Documents which demonstrate entitlement to work in the UK**

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



*Continued from previous page...*

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

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

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

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

**Continued from previous page...**

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

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

#### **Home Office online right to work checking service**

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

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

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

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

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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

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

**Continued from previous page...**

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

## **Section 21 of 21**

### **PAYMENT DETAILS**

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

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

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

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00\*

Band E - £125001 and over - £635.00\*

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

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

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

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

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

Capacity 5000-9999 - £1,000.00

Capacity 10000-14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

\* Fee amount (£)

190.00

### **DECLARATION**

**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.

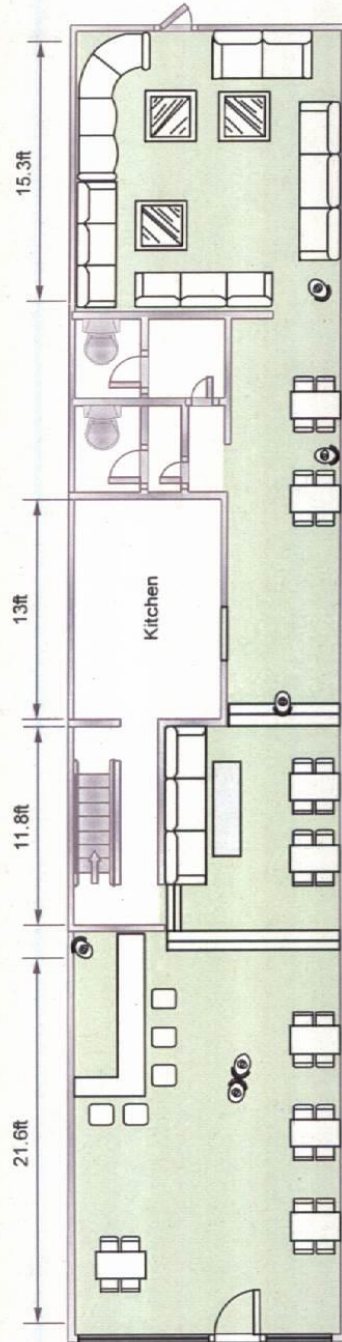
**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**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**



Scale 1:100

Channel Coffe & Restaurant  
145A Stratford Road  
Birmingham  
B11 1RD



Key:

CCTV Camera

Licensable  
Area

---

**From:** Optimised Training Centre  
**Sent:** 11 December 2019 15:12  
**To:** bw licensing; Licensing  
**Subject:** RE: GRANT - CHANNEL COFFE & RESTAURANT, 145A STRATFORD ROAD, BIRMINGHAM, B11 1RD

Dear Chris,

I have discussed the conditions as listed below and are happy to have these added to the premises licence. I have included the licensing department to the email and request that these conditions are added to the schedule.

If you require any further information please do not hesitate to contact me.

Kind regards  
Mij

Optimised Training Centre Ltd  
Six Ways Business Centre  
Room 210A  
1 Guildford Street  
Birmingham  
B19 2HN

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Registered in England, Company No:7021919  
Please consider the planet before printing this email

On 9 December 2019 at 09:21:05 -00:00, bw licensing < wrote:

Good Morning Mij,

West Midlands Police have reviewed the application for Channel Coffee & Restaurant 145a Stratford Rd. B11 1RD and would request the below conditions adding to the premises licence which are deemed appropriate and proportionate to meet and promote the licensing objectives.

- Alcohol will only be sold to customers who are seated by waiting staff, with the exception of those customers seated on the 5 bar stools shown on the original premises plan dated December 2019. There will be no vertical drinking within the premises.
- When trading past 23.00hrs the last entry to the premises will be at 00.45hrs. Signage to be displayed on the entrance door to inform customers of this.
- CCTV will be installed / updated to the recommendations and specifications of West Midlands Police.
- If for any reason the CCTV hard drive needs to be replaced the old/previous hard drive will be held on the premises for a minimum of 28 days and made immediately available to any of the responsible authorities on request.
- No children under the aged of 16 will be allowed on the premises after 20.00hrs unless accompanied by an appropriate adult. Staff are not to be left in sole charge of any child under 16.
- The premises fire risk assessment will be made available immediately on request of any of the responsible authorities.
- All staff will be trained in their responsibility of the licensing act, challenge 25 policy and premises operating conditions. This training will be documented and signed by both the trainer and trainee. No staff to work at the premises while it is carrying out licensable activity without this documented training (with the exception of personal licence holders). All training records to be made immediately available to any of the responsible authorities on request.
- The premises will risk assess the need to deploy SIA registered door staff.
- If SIA door staff are deployed at the premises then they will sign on & off duty. A profile of all door staff will be held by the premises which will include a copy of their SIA badge and photographic ID. If photographic is not available then a utility bill no older than 3 months may be accepted. Signing in books and profiles will be held at the premises for a minimum of 3 months and made immediately available to any of the responsible authorities on request.

Please liaise with your client, awaiting your reply no later than 19<sup>th</sup> December 2019 to give me chance to review the application further.

Many thanks

Regards

*Chris Jones* 55410

Birmingham Central Licensing Team

West Midlands Police HQ

Lloyd House

Colmore Circus

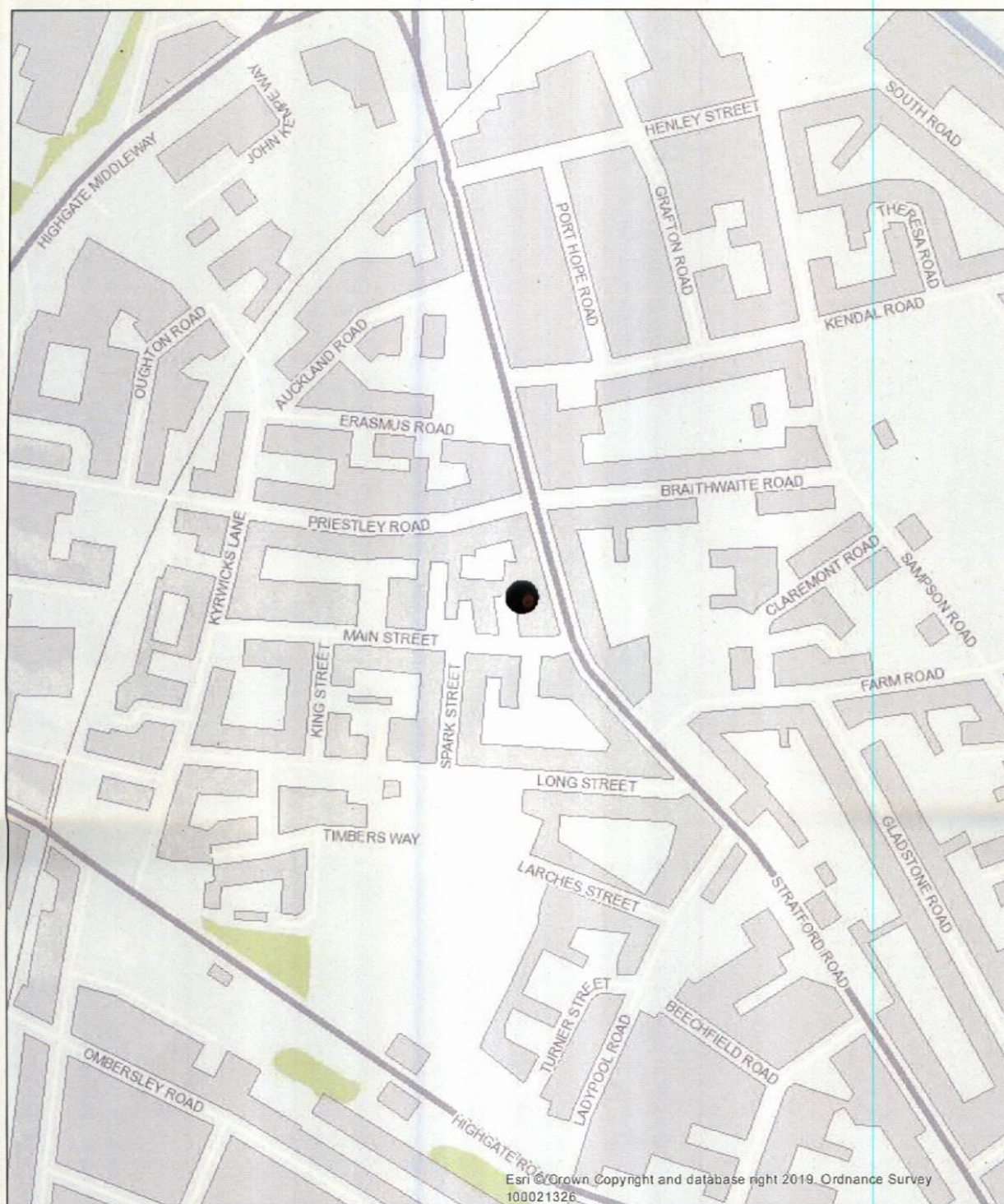
Birmingham

B4 6NQ

(Sat nav postcode B4 6AT)

Contact us on 999 in an emergency or for all other matters please visit [WMPolice Online](#)





**Birmingham**  
City Council

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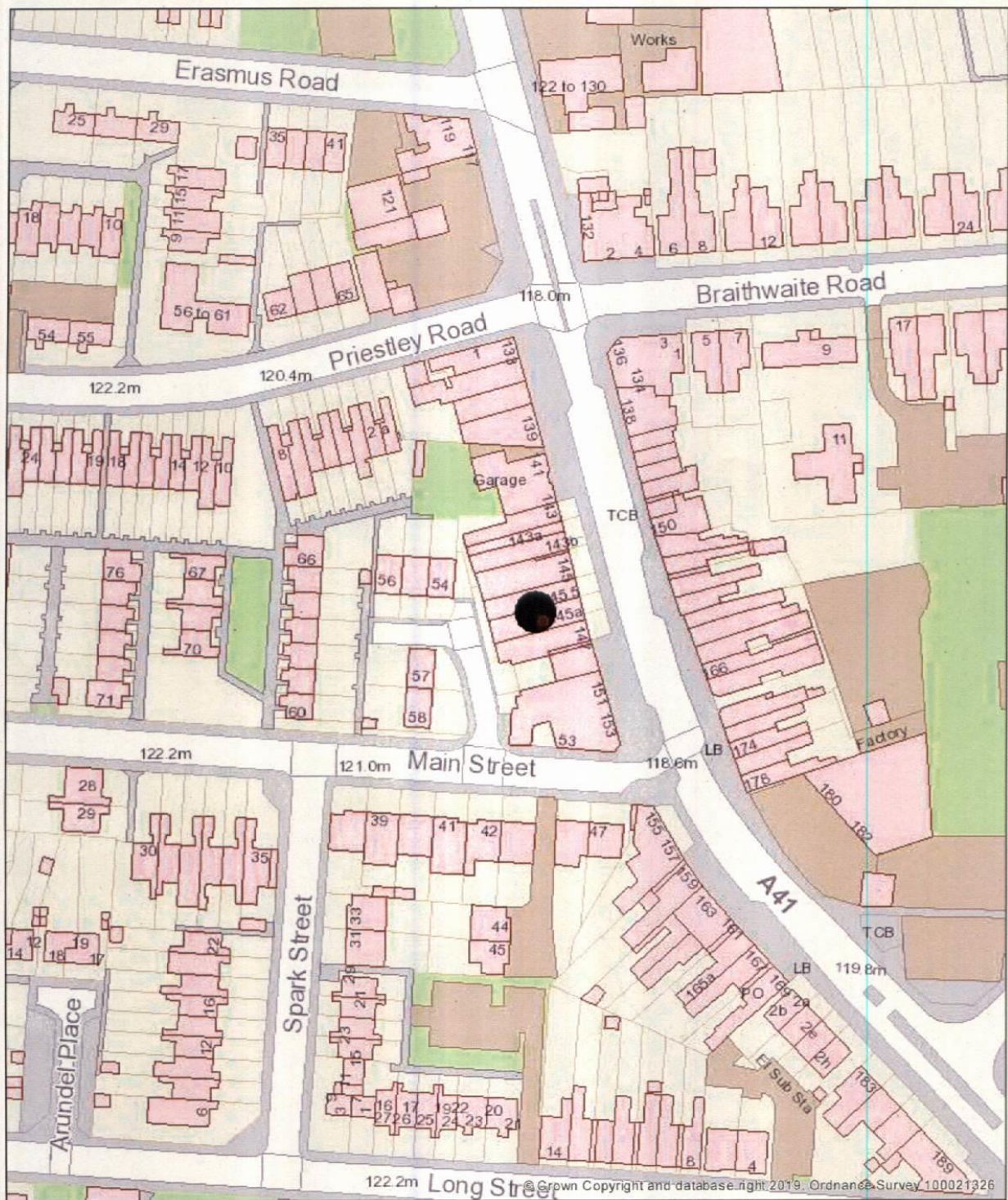
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