

# **BIRMINGHAM CITY COUNCIL**

## **LICENSING SUB-COMMITTEE C**

**WEDNESDAY, 13 JULY 2022 AT 12:00 HOURS**  
**IN ON-LINE MEETING, MICROSOFT TEAMS**

*Please note a short break will be taken approximately 90 minutes from the start of the meeting and a 30 minute break will be taken at 1300 hours.*

### **A G E N D A**

#### **1 NOTICE OF RECORDING/WEBCAST**

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's meeting You Tube site ([www.youtube.com/channel/UCT2kT7ZRPFCXq6\\_5dnVnYlw](http://www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

#### **2 DECLARATIONS OF INTERESTS**

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

#### **3 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

**3 - 30**

#### **4 LICENSING ACT 2003 PREMISES LICENCE – GRANT LEA HALL LOCAL, 149 LEA HALL ROAD, GARRETTS GREEN, BIRMINGHAM, B33 8JS**

Report of the Interim Assistant Director of Regulation and Enforcement.  
N.B. Application scheduled to be heard at 12:00pm.

#### **5 OTHER URGENT BUSINESS**

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



## BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<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 13<sup>th</sup> July 2022</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>Lea Hall Local, 149 Lea Hall Road, Garretts Green, Birmingham, B33 8JS</b>
<b>Ward affected:</b>	<b>Garretts Green</b>
<b>Contact Officer:</b>	<b>Bhapinder Nandhra, Senior Licensing Officer, <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 initially sought to permit the Sale of Alcohol (for consumption off the premises) to operate from 06:00am until 12:00midnight (Monday to Sunday).

After discussions with West Midlands Police, the applicant has agreed to amend the scope of the application, with the Sale of Alcohol to operate from 07:00am until 11:00pm (Monday to Saturday) and 08:00am until 11:00pm (Sunday).

Premises to remain open to the public from 07:00am until 11:00pm (Monday to Saturday) and 08:00am until 11:00pm (Sunday).

**2. Recommendation:**

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

**3. Brief Summary of Report:**

An application for a Premises Licence was received on 26<sup>th</sup> May 2022 in respect of Lea Hall Local, 149 Lea Hall Road, Garretts Green, Birmingham, B33 8JS.

Representations have been received from other persons.

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

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

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

Pakeerathan Sivasubramaniam applied on 26<sup>th</sup> May 2022 for the grant of a Premises Licence for Lea Hall Local, 149 Lea Hall Road, Garretts Green, Birmingham, B33 8JS.

Representations have been received from other persons, which are attached at Appendices 1 – 3.

The application is attached at Appendix 4.

Amended times as agreed with West Midlands Police and the applicant, are attached at Appendix 5.

Site Location Plans at Appendix 6.

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 – 3

Application Form, Appendix 4

Amended times as agreed with West Midlands Police, Appendix 5

Site Location Plans, Appendix 6

**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.

**From:**  
**Sent:** 09 June 2022 08:29  
**To:** Licensing  
**Subject:** URGENT- Alcohol License

Dear whom this may concern,

I am writing to you about my concerns about 149 Lea Hall roads application for the sale of the consumption of alcohol. I am writing to you as a neighbour of this premises and also the owner of the off-licence next door.

My main concerns are if they get a licence then the times that they operate in will not be controlled, therefore they could be operating from 6am to 12pm. To avoid this happening we request that you reject the license.

We as a family who live next door do not want the hours to be extended as this will invite unwanted nuisance and even more crime and anti-social behaviour to our area. I have an elderly mother whom we are planning to make our front living room into a bedroom for as she is starting to become more and more physically unable. However with extended opening hours will also extend the drinking times of people in the area, meaning that people will be outside our house during any time of the night.

Currently because we own the off-licence next door we are able to discourage anti-social behaviour. Also due to many concerns of the residents we have assured them that we will not be extending our hours to reduce anti-social behaviour within our community.

The property applying for the licence has a history of selling Class A drugs from their premises and we are worried that this may become an issue again with extended opening hours.

I would appreciate an urgent response as we only have until 13th June. You can call me on if you want to discuss further.

Kind Regards,

**From:**

**Sent:** 17 June 2022 13:15

**To:** Licensing

**Subject:** NOT AGREEING to the proposed 24 hour license to sell alcohol

Good afternoon

Could I let you know I have concerns in regards to a 24 hour license if given to 149 Lea Hall Road .

This is a disappointment disastrous for the area.

We do not want this to go ahead and I am very opposed to this ridiculous idea. I am not discriminating in any shape or form I am just simply raising my concerns and I have spoken to many other residents in my area who all agree with me. I have spoken to Councilor Mr Sadday and he too agrees the 24 hr license is not acceptable for the area.

We live in a very deprived area with lots of HMO around us and also with future new buildings for over 60s been built on the old council yard back of Latelow Road, this will be putting more vulnerable people at risk of others causing anti social problems for them and it would have a detrimental affect on many people and childrens lives to say the least.

Children will suffer with their education and safeguarding children is paramount and foremost the most important here.

If this goes ahead Parents and families will be able to go and purchase alcohol through the night is NOT acceptable Especially in this area, then not getting their children to school because they got too drunk and can't get up for the school day and running out of money to feed their children.

The time restrictions should be considered when selling alcohol in a residential area. I don't want cars pull-up.. I don't want anti social behaviour at the nearest bus stop outside this shop.

Also I have a sister who lives 2 roads from this shop and she has mental health and self harms through drinking alcohol.. she is seeing someone from alcoholic team in kitts green. Now my concern is if she were to go on a bender and she makes her way to that shop which would be open early hours through the night she will go for more alcohol and be anti social on her way there and back .. my sister knows I am telling you all this and she's agreed I can as a personal experience that after drinking heavily one night she self harmed and cut all her arm waking up to a mass of blood splattered around her bungalow.

So please help the people of Lea hall and let my voice be heard .. I am willing to come to any meeting to discuss this matter with you .

I hear there is a zoom meeting so can I have the link to this as j have a lot more to say

Also there is a petition and over 100 signatures on there to oppose this 24 hour license so I do hope you take this into consideration too.

I look forward to hearing from you shortly and could I ask for an email to confirm you have and will be dealing with my concerns.

Kind regards

**From:**

**Sent:** 19 June 2022 23:07

**To:** Licensing

**Subject:** New petition to you: Reject application for sale of alcohol for consumption off 149 Lea Hall Road, Stechford

## Reject application for sale of alcohol for consumption off 149 Lea Hall Road, Stechford



105 have signed. Let's get to 200!

At 200 signatures, this petition is more likely to be featured in recommendations!

First name

Last name

Email

As residents of Stechford/ Lea Hall to object to the application for the sale of alcohol for consumption off 149 Lea Hall Road, Stechford, Birmingham, B33 8JS applied for by Arka consultants on behalf of Pakeerathan Sivasubramaniam.

Our concerns being:

Stechford and Lea Hall/Village are already suffering from high rates of crime and anti-social behaviour.

There is a supply of alcohol available from Good Cheers Cellars (151 Lea Hall Road, next door), Texaco Leaway Service Station (24 hours, 0.3 miles), Jet (38 Flaxely Road, 0.3 miles), Shokers off licence (108 Kitts Green Road, 0.4 miles), Asda (Meadway, 0.4 miles)

The shop is close in proximity to several educational establishments ( The Oval School, Lea Forest School, Mirfiels pre-school, Hallmoor School) and religious establishments (ST Richards C&E Church, Kitts Green Church, All Saints Church)



The shop is in close proximity of many new and existing Housing associations which provide accommodation to many vulnerable and assisted living residents. There has been no consultation with local residents. They have displayed the blue proposal on 21st May 2022 for an application for a license to sell alcohol before submitting an application on 26th May 2022

There is no demand or need for another off-licence in a growing Muslim community that do not consume alcohol.

#### Reasons for signing

- i would not want to go in for my papers and be stood in there with people who are drinking  
• people who want to drink should go to an off license or a public house

3  
Report

- Leccys is the best off licence around & not only that he is a freind of the whole Community  
I will never forgot what you done for our family when our mom past   Anything you need please let me no ... Read more

2  
Report

- 5 comments were added to the list

We only need 1 off licence and lecs has been the best and ill stand by their side

1  
Report

- This shop is amazing and the staff are lovely there is no need for the 2 local shops to both sell alcohol

0  
Report



- I support the cause.

Q•  
Report

- isn't needed and just encourages crime and underage drinking

Q•  
Report

- Locals dont need the hassle of a late license with a late license available 400yards up the road

Q•  
Report



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

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

\* required information

**Section 1 of 21**

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Is the applicant:

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

☐ Applying as an individual

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

**Applicant Business**

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

Is the applicant's business registered outside the UK? ☐ Yes ☒ No

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

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.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Applicant Business Address**

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

**Agent Business**

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

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

**Premises Address**

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

☒ Address    ☐ OS map reference    ☐ Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

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

In what capacity are you applying for the premises licence?

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

**Confirm The Following**

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

**Section 4 of 21****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

Family name

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

Right to work share code

Documents that demonstrate entitlement to work in the UK

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?

01 / 07 / 2022  
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.

THIS IS AN ESTABLISHED LOCAL CONVENIENCE STORE AND NEWSAGENTS. THE STORE NOW WILL BE UNDER NEW MANAGEMENT. THE STORE WILL BE REFITTED AND EXTRA PRODUCTS AND SERVICES WILL BE ADDED. ALCOHOL WILL BE PART OF NEW PRODUCTS. APPLICANT LIVES LOCALLY AND HAS EXPERIENCE IN RETAIL OVER 10 YEARS.

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

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes

☒ No

**Section 13 of 21**

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

See guidance on regulated entertainment

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

☐ Yes

☒ No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

☐ Yes

☒ No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

☒ Yes

☐ No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

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



Continued from previous page...

FRIDAY

Start 06:00

End 00:00

Start

End

SATURDAY

Start 06:00

End 00:00

Start

End

SUNDAY

Start 06:00

End 00:00

Start

End

Will the sale of alcohol be for consumption:

- ☐ On the premises ☒ Off the premises ☐ Both

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

State any seasonal variations

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

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

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

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

**Name**

First name

PAKEERATHAN

Family name

SIVASUBRAMANIAM

Date of birth

dd mm yyyy

Continued from previous page...

**Enter the contact's 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"/>
Personal Licence number (if known)	<input type="text" value="LBHIL2866"/>
Issuing licensing authority (if known)	<input type="text" value="LB OF HILLINGTON"/>

**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.

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

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

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

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

#### Section 18 of 21

#### LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

*Continued from previous page...*

List here steps you will take to promote all four licensing objectives together.

1. A Comprehensive recordable CCTV system will be installed and maintained covering the trade areas whilst encompassing all ingress and egress to the premises. The system must continually record whilst the premises is open for licensable activities and during all times when customers remain at the premises. The system must be capable of providing pictures of evidential quality, in particular facial recognition. All recordings must be stored for a minimum period of 31 days with date and time. Recordings must be made available immediately upon the request of a Police or Authorised Officer.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police or authorised officer recent data or footage with the absolute minimum of delay when requested.
3. A Challenge 25 proof of age scheme, shall be operated at the premises where the only acceptable forms of identification shall bear their photograph, date of birth and a holographic mark.
4. Premises to keep up to date records available for inspection of staff training in respect of age related sales.
5. A diary log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the licensing authority at all time whilst the premises are open.
6. The premise shall ensure that reasonable and adequate staff training shall be carried out and properly documented in relation to, dealing with incidents and prevention of crime and disorder: sale of alcohol (to underage, persons over 18 purchasing for underage, drunks etc.) prior to being allowed to sell alcohol

b) The prevention of crime and disorder

AS DETAILED ABOVE

c) Public safety

AS DETAILED ABOVE

d) The prevention of public nuisance

AS DETAILED ABOVE

e) The protection of children from harm

AS DETAILED ABOVE

**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 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

1

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

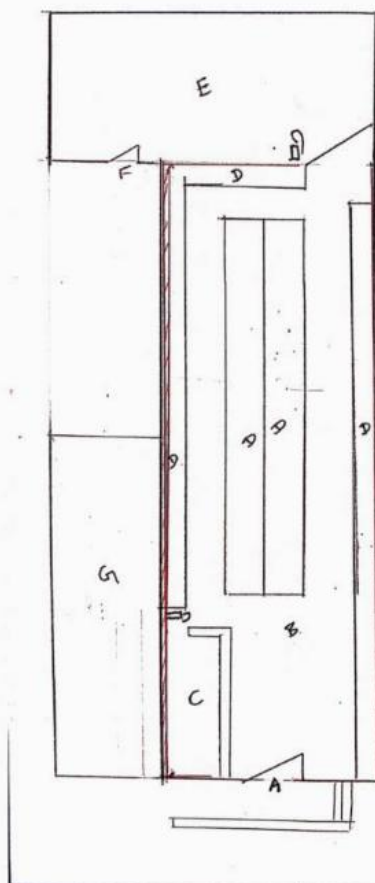
Once you're finished you need to do the following:

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**



LEAHALL LOCAL 149 LEAHALL ROAD BIRMINGHAM B33 8JS
SCALE 1:100
A: MAIN ENTRANCE - RAISED
B: RETAIL FLOOR
C: SALES COUNTER
D: DISPLAY SHELVES
E: STORE ROOM
F: FIRE EXIT
G: GARAGE (PRIVATE)
ALCOHOL DISPLAY
LICENSABLE AREA
FIRE EXTINGUISHERS

Scanned with CamScanner

**From:** Mark Swallow  
**Sent:** 01 June 2022 12:07  
**To:** ARKA LICENSING  
**Cc:** Licensing  
**Subject:** RE: [External]: Re: Lea Hall Local, 149 Lea Hall Road, Birmingham, B33 8JS

Good Afternoon Licensing,

With regard to the premises license application for Lea Hall Local. 149, Lea Hall Road, Birmingham B33 8JS. West Midlands Police have reviewed this application and are happy that if the below hours for licensable activity are added to the licence then the licensing objectives will be met and promoted. The hours for licensable activity have been agreed with the applicant as per below email chain who is also copied in to this email.

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

Regards and thanks

MARK SWALLOW  
WEST MIDLANDS POLICE,  
BIRMINGHAM CENTRAL LICENSING TEAM.

**From:** ARKA LICENSING  
**Sent:** 01 June 2022 09:56  
**To:** Mark Swallow  
**Subject:** Re: [External]: Re: Lea Hall Local, 149 Lea Hall Road, Birmingham, B33 8JS

Good morning Mark,

Agreed.

Thank you

Consultant  
Arka Licensing  
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**From:** Mark Swallow  
**Sent:** 01 June 2022 08:31  
**To:** ARKA LICENSING  
**Subject:** RE: [External]: Re: Lea Hall Local, 149 Lea Hall Road, Birmingham, B33 8JS

Nira,

Re the Sunday would your client be happy to compromise on 0800-2300 with the other six days being 0700-2300.

Mark.



