

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C

WEDNESDAY, 31 MARCH 2021 AT 10:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

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

A G E N D A

1 **NOTICE OF RECORDING**

Chair to advise meeting to note 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**

1 - 22

4 **MINUTES**

To confirm and sign the Minutes of the meeting held on 22 January 2021.

To confirm and sign the Minutes of the meeting held on 3 February 2021.

23 - 48

5 **LICENSING ACT 2003 PREMISES LICENCE – GRANT ERINA CAFÉ, 39 BIRCHFIELD ROAD, BIRMINGHAM, B19 1SU**

Report of the Interim Assistant Director of Regulation and Enforcement.

6 **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

<p>LICENSING SUB-COMMITTEE C 22 JANUARY 2021</p>

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE C HELD ON FRIDAY 22 JANUARY 2021 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Mike Leddy in the Chair;

Councillors Nagina Kauser and Mike Sharpe

ALSO PRESENT

David Kennedy – Licensing Section
Joanne Swampillai – Legal Services
Mandeep Marwaha – Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

1/220121 **NOTICE OF RECORDING/WEBCAST**

The Chair advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public would record and take photographs except where there are confidential or exempt items.

2/220121 **DECLARATION OF INTERESTS**

Members were reminded that they must declare all relevant and 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.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/220121 Apologies were submitted from Councillors Straker-Welds and Neil Eustace. Councillors Nagina Kauser and Mike Sharpe were noted as nominee Members.

4/220121 **MINUTES**

The minutes of the meeting held on 23 September, 16 October and 16 December 2020 were circulated, confirmed and signed by the Chair.

LICENSING ACT 2003 PREMISES LICENCE – GRANT 24-7 365 LOCAL, 109 VILLA ROAD, LOZELLS, BIRMINGHAM, B19 1NH

Report of the Interim Assistant Director of Regulation and Enforcement was submitted:-

(See document No. 1)

On Behalf of the Applicant

Mr Duncan Craig – Barrister, Citadel Chambers
Mr Samuel Berhane – Applicant

Those Making Representations

PC Abdool Rohomon – West Midlands Police (WMP)

* * *

The Chair introduced the Members and officers present and he asked if there were any preliminary points for the Sub-Committee to consider. There were no preliminary points to consider.

The Chair then explained the hearing procedure prior to inviting the Licensing Officer, David Kennedy to outline the report.

The Chair invited Mr Craig to outline the representation on behalf of the applicant made the following points: -

- a) The application was originally submitted for a 24-hour licence.
- b) Following various conversations with the applicant, Mr Craig was instructed to scale back the scope of the application. i.e. The sale of alcohol by retail reduced from 24 hours to 11am -2am.
- c) Mr Craig noted, WMP had concerns in relation to street drinking therefore the opening time had been adjusted to 11am. The 11am was specifically designed to tackle the street drinking issue.
- d) Mr Craig stated the operating schedule (opening hours of the premises to the public), was fairly comprehensive. He did not agree with the assertion made by the police that the premises had not taken matters into account. He felt the operating schedule dealt with matters adequately subject to the further conditions that had been proposed.

- e) Mr Craig referred to the condition on CCTV being installed on the premises, (page 48 of the document pack). He noted in WMP evidence raised concerns around youths loitering in the area and if the CCTV was to the satisfaction of WMP at the premises, this would assist in the promotion of the prevention of crime and disorder licensing objective.
- f) Mr Craig referred to the representations made by Licensing Authority; Environmental Health. He confirmed the conditions suggested by the two responsible authorities had been agreed. This would form part of conditions on the licence if granted.
- g) Reference was made to the proposed conditions;
 - Proposed condition 1 - he noticed there was no reference to an incident book which he thought this would be appropriate as WMP had concerns around the crime in the area.
 - Proposed conditions 4 & 5 - addressed illegal workers. There were no issues with employment of illegal workers at the premises albeit there had been issues within the area.
 - Proposed conditions 2 & 3 - both dealt with the issue of street drinking. He noted people who engage with street drinking tend to gravitate towards the higher strength beers; lagers and ciders. It was noted the premises would not stock or sell any beers or ciders with an ABV of greater than 6.5%. Street drinkers frequently worked on begging for money from people to get buy single cans. Proposed condition 3 prohibits the sale of single beers or ciders from the premises.
- h) Mr Craig had visited the premises on three separate occasions.
- i) One visit was on the same date as PC Alistair Wood (5th January 2021). He confirmed whilst he visited the premises, two WMP Officers entered the premises.
- j) Mr Craig referred to WMP representations, where it stated there was not enough Police resources in the area, yet two officers came into the premises.
- k) Mr Craig noted the WMP officers were in the local area delivering posters related to Covid-19 and maximum numbers allowed in the shops.
- l) Mr Craig found it encouraging to see officers on the ground especially in this area.
- m) Mr Craig described the premises being small.
- n) Mr Berhane had acquired the shop in the hope to secure the licence.
- o) Mr Berhane's view was the viability of the shop was questionable without the licence. Mr Craig noted the business would not be viable without a licence as it was not big enough to function. It was a small premise and easier to manage.

- p) Visibility and supervision within the shop was clear as it was small shop with a central isle.
- q) 5th January 2021 visit – Mr Craig noted there was some alcoholic products in the fridge display. He stated this was a misapprehension and there was no suggestion that Mr Berhane had sold any alcohol.
- r) Mr Berhane's understanding was that he could display the alcohol but not display for sale. Reference was made to the offence on section 137 of the Licensing Act, displaying alcohol for sale.
- s) Since the 5th January 2021, Mr Craig had visited the premises and on two further separate occasions where no alcohol was on display.
- t) Mr Berhane had removed the alcohol from display and was 'sorry' as he wasn't selling the alcohol. Mr Craig requested for the Sub-Committee to attach little weight to this.
- u) Mr Craig noted that every visit he made to the premises; the members of staff had been wearing masks.
- v) On the 5th January 2021, as some people cannot communicate with their mask on, Mr Berhane was speaking to WMP Officers with his mask off.
- w) Mr Berhane had been in the UK since 2015 and had no issues with the Police.
- x) In Mr Craig's view, the WMP representations did not deal with the application itself as the witness statements from PC Alistair John Wood and the redacted statement were both dated 2019.
- y) The application from Mr Berhane was submitted in the autumn of 2020, therefore the witness statements pre-dated the application by approximately a year.
- z) Mr Craig stated each application should be dealt with on its own merits which was enshrined in the statement of Licensing Policy as well as 1.17 in section 102 guidance. He struggled to see what weight the Sub-Committee could attach to these witness statements as he felt these did not deal with this application.
- aa) Mr Craig referred to the statement from PC Alistair Wood which clearly identified issues within the area. He noted this area was not a cumulative impact area however, he added WMP had enormous influence within BCC Statement of Licensing Policy in terms of Cumulative Impact Areas.
- bb) Mr Berhane had no objections made against him and no suggestions that he would run a premises contrary to the way a normal business would operate. He was trying to survive in these difficult times by offering a service.
- cc) Mr Craig added robust structured conditions were added to the licence (operating schedule) and had been agreed with the two responsible authorities.

- dd) Mr Craig referred to the lack of WMP resources and this was not Mr Berhane's fault.
- ee) He added if the business was closed because it was not viable, this would not be good for the local community as there would be lack of supervision i.e. no additional CCTV in the area.
- ff) Mr Craig referred to the witness statement of PC Alistair Wood's and highlighted some points;
- Paragraph 25 - 'Police logs, reports from the community, CCTV from businesses' – He stated, if there was no business at this premises, there would be no CCTV to detect or prevent crime. There was no requirement for a CCTV system however, if this was enshrined in the licence as a condition then this would be a legal requirement.
 - Paragraph 29 – 'Joint visit was conducted with Trading Standards as a result of examining intelligence logs and witness breaches taking place during Targeted Area Patrol (TAP).....' – He presumed this did not relate to this premises. Mr Craig added this paragraph did not make any sense to the application and it looked like it was copied and pasted from a previous statement as it referred to a 'closure order'. If this premises had been subject to a closure order at any time, explicit reference should have been made therefore he questioned what was meant by this.
 - Paragraph 34 – Refers to reduction in crime which was welcomed and there was an improving picture in the area.
 - Paragraph 48 – 'Residents premises above the shop and directly opposite the shop' – The premises were not proposing to sell alcohol 24 hours now. No representations had been made by the residents and therefore it was clear that local residents did not feel they would be impacted by this application.
 - Paragraph 49 – Dealt with the issue of 'need.'
 - Paragraph 50 & 51 – referred to visits made by WMP Officers on the 4th and 5th January 2021 – Mr Craig had already covered this in earlier points.
 - Paragraph 53 - 'if alcohol licence was granted to this premises it will have a negative impact on the work that has gone into the area' – The Neighbourhood Officer was not in attendance to question against this point, however, there was no evidence contained within these statements that would direct to the point stated. These were nebulous references to issues in the wider area. This was not a cumulative impact area and he did not understand how this point was being supported.
- gg) Mr Craig invited the Sub-Committee to consider the points raised and a more robust and structured application had been placed forward.

hh) There were no representations from any other responsible authorities, and these had been addressed by a way of agreement. The decision cannot be based on the lack of resources within WMP which was not fair on people to operate a legitimate business.

ii) Mr Craig invited the Sub-Committee to grant the application.

In response to Members questions Mr Craig and Mr Berhane made the following points:

- 1) Mr Craig informed the Sub-Committee the premises were operating as a convenience store. It was a small premise selling groceries, household goods, milk etc and it was proposed to remain as this going forward as well as selling alcohol if the licence was granted.
- 2) Mr Craig added alcohol would be a significant proportion of the business.
- 3) Mr Berhane informed alcohol would be approximately 25% of the business.
- 4) The previous business at the premises was a hairdresser.
- 5) Mr Berhane stated he had experience in selling alcohol as he had a previous bar business in Newtown.
- 6) The opening hours of the premises would be 11am – 2am.
- 7) Mr Berhane stated if he saw people who were drunk after 11pm, he would not serve them. This would discourage them from buying more alcohol.
- 8) Mr Craig added this was a modest application, very small premises. There would be greater restrictions on this premises than other premises in the area due to the conditions that were suggested i.e. single cans and ABV.
- 9) Mr Craig indicated when he had visited the premises, there were youths loitering around as well as in neighbouring areas. This was an issue within the area, and he felt by opening another viable business, this would make it less likely for issues to occur. A closed premise would raise more concerns.
- 10) Given what was being applied for and the restrictions placed upon the business, he suggested this would not add to the concerns.
- 11) Mr Berhane confirmed he lived in Quinton (B32).
- 12) Mr Craig noted Lozell's was a challenging area and it was good to see WMP Officers on the ground which acted as a deterrent to people selling drugs on the streets. It gave local businesses, residents a degree of comfort to detect and prevent crime.
- 13) Mr Craig and Mr Berhane confirmed the opening hours would be consistent with the sale of the alcohol timeframe. Both would be from 11am – 2am. He suggested

the Sub-Committee could review the hours and grant whatever time they deemed appropriate.

- 14) Witness statement from PC Alistair Wood stated, paragraph 47 stated 'Street drinking was a persistent problem....' – Mr Craig noted comments and the specific conditions suggested by the applicant were specifically targeting this issue. Mr Berhane understood and accepted there was an issue with street drinking in the area.
- 15) Mr Berhane informed the Sub-Committee if there were any issues or problems with the street drinkers, he would inform the Police.
- 16) Mr Berhane stated he previously managed another premise on Breeley Street in Newton and he was responsible for this premises for more than 3 years.
- 17) Mr Berhane classed himself as a businessman and if the licence to sell alcohol was not granted, this would impact his business and the community.
- 18) Mr Berhane had acquired the premises, 109 Villa Road for the past 3-4 months.
- 19) It was noted, though Mr Berhane stated he was an experienced businessman, however, on 4th January when the premise was visited by WMP Officers, there was no Covid-19 restrictions implemented. Mr Berhane added the shop was closed and not ready for opening when the Officers came in. The premises was opened one, two hours only.
- 20) The Chair referred to the statement from PC Alistair Wood (4th January) where four persons were in the frontage of the shop and door of the premises was opened to allow access. It was noted the till was on. The 4 people in the shop were not wearing face coverings in breach of Covid-19 regulations. The alcohol was clearly on display. The Chair noted as an experienced shop owner, Covid-19 regulations should have been in place as this was the law.
- 21) Mr Berhane confirmed the 4 people in the premises on the 4th January did not live in the same household. Only 2 people lived in the same household.
- 22) Mr Craig added the shop was stocked up and subsequent visits made after the 5th January visit, the staff had masks on. Notices had been placed on the doors (indicating maximum of 3 people in the shop at any one-time including staff).
- 23) Mr Craig referred to his local Tesco who at times did not comply to the Covid-19 regulations. He had witnessed a discernible improvement in the past month at the premises concerned.
- 24) The Chair referred to the community of Lozell's who had been heavily affected by Covid-19 and the deaths amongst the extended households had been horrendous. He added, if Mr Berhane was starting off as a new business owner, he could accept errors. However, as a 'supposedly experienced business shop owner' it was exasperating to hear there was no adherence to the law particularly during a difficult time.

25) Mr Craig accepted the point made by the Chair; however, he had visited the premises the night before this Committee (20th January), and he stated he wouldn't have gone back if he never felt it was safe.

26) No questions were raised by the Committee lawyer.

Afterwards, the Chairman invited PC Rohomon to outline the representation on behalf of WMP and PC Rohomon made the following points: -

- a) PC Rohomon asked Mr Berhane to confirm the details of the previous premises managed by him. Mr Berhane confirmed the previous premises was at 105 Breeley Street.
- b) PC Rohomon addressed issues on Villa Road for WMP, local community and businesses.
- c) He noted Villa Road was a small area and there were several issues and referred to PC Alistair Wood's witness statement;
 - Paragraph 9 – Villa Road was approximately 600 metres long. The impact area was only 200 metres in length of 600 metres of Villa Road. This had placed a significant impact on policing.
 - Paragraph 10 – The map of the neighbourhood for comparison, the area highlighted in red was the CPW exclusion area. Out of 600 metres of Villa Road, the 200 metres caused significant issues.
 - He disagreed with Mr Craig comments around the weight of the statement as PC Alistair Wood and his team worked in this area every day. This was clearly demonstrated in his impact statement.
- d) He reminded the Sub-Committee; licence applications were for the applicants to demonstrate how their business would not lead to the impact the licensing objectives in that area and not the WMP or other responsible authority (as referenced in the 182 guidance sections 8.41 – 8.46).
- e) PC Rohomon referred to point 8.46 of the 182 guidance which referred to seeking expert advice on the application. It was noted there was no consultation on this application and a generic application was submitted by the agent.
- f) He noted Mr Berhane did not live in Lozell's but lived in Quinton. There was no effort made to identify the issues within this area. No effort had been made to explore the concerns raised by various authorities.
- g) The original application was for 24 hours, 7 days a week for the sale of alcohol. He added the applicant probably realised the opening time was too long therefore adjusted this to 11am – 2am which did not address the issues in the area.
- h) Initially, there was no consultation with the authorities, and if issues had been explored, this was not evident in the licence applied for.

- i) The issues in this area was readily available and just required communication to the relevant authorities e.g. WMP, other Neighbourhood Teams, websites etc.
- j) There was no Cumulative Impact Policy in this area as well as any part of Birmingham. This was due to the issues with the Local Government Association and Home Office (i.e. in terms of where the impact areas can be extended for Licensing Policies).
- k) A Cumulative Impact Policy was not required as there was enough issues in the area.
- l) An application for Cumulative Impact for this area was being worked upon prior the National Policy going through. As there was no Cumulative Impact Assessment for this area, WMP had to highlight these concerns to the Sub-Committee hence the detailed statement from PC Alistair Wood was submitted. PC Alistair Wood worked in the area and dealt with the day to day issues e.g. problems, crime, queries from Councillors, residents and businesses in the area.
- m) There was no need to have a Cumulative Impact Assessment to demonstrate that there were concerns.

- Paragraph 18 – Referred to PC Alistair Wood's statement which had a graph showing the offences Control Works log data for the types of offences on Villa Road over a 6-month period (March 2020 – August 2020). On 23 March 2020, the first lockdown due to Covid-19 and the Government announced only essential shops would remain open. This premises was a grocery shop, therefore 3 months ago this would be classed as an 'essential shop'.

During the lockdown periods it was noted, crime fell as people stayed indoors. However, July 4th, relaxation of the lockdown rules, it was noted over the 200 metres radius of Villa Road crime, disorder and Anti-Social Behaviour was fluctuating.

- Intelligence – A lot of information was received through intelligence as people would report information without reporting a crime. It was noted Community intelligence (ASB), drugs and totals were very high from a pre-Covid-19 period (September 2019 -August 2020).

There were a number of incidents ranging from drug offences, robberies, weapons, anti-social behaviour, alcohol related ASB in a very small location.

- n) Due to the nature of issues in this location, WMP had to go to the next stage of dedicating resources; ensuring policing plans with partners and businesses was in place to tackle issues which was significant measures taken by WMP.
- o) CCTV added on this premises would not make any difference to the issues in the area. CCTV had to be fit for purpose.

- p) Closure Order referred to at paragraph 29 was not against this premises however, it indicated how much work goes into to control the issues in this location by getting closure orders. Problems related to drug dealing, ASB, beggar's, prostitutes etc.
- q) Paragraph 50 – 5th January, Mr Craig went to the premises and there was a small amount of alcohol on display which was not intended for sale and Mr Craig stated no offences had occurred. However, PC Rohomon noted two offences had occurred; section 136 (selling alcohol without authority of a licence) and section 137 (exposing alcohol for sale without the authority of a licence) – the alcohol was on display.

WMP Officers had attended the premises on 4th January 2020 whilst undertaking Covid-19 regulation checks and advised to remove the alcohol from display. Mr Berhane said he was closing shortly and will remove the alcohol yet he hadn't removed this 24 hours later when WMP officers visited the premises again. The alcohol was still on display.

- r) The premises was open with alcohol on display without a licence which indicated this was not the action of a responsible operator.
- s) Covid-19 issues in the area were profound and the premises was open therefore compliance with Covid-19 regulations was required. He added there was a lot of weight attached to the two visits made by WMP Officers.
- t) The plan submitted with the application was very limiting and only indicated a section of the counter. It did not indicate where the alcohol was on display.
- u) Mr Craig stated the alcohol would be a significant proportion of the business, yet Mr Berhane indicted this would be only 25% sales of his business therefore conflicting information.
- v) He confirmed, 109 Villa Road was previously a hairdresser/ barbers and had never been a grocery shop or a licensed premise.
- w) PC Rohomon referred to the second witness statement from PC Alistair Wood (page 75) dated 2019. There were two statements dated 2019 as this formed part of a package that justified problem policing area. It was highlighted street drinkers congregated on Villa Road between 11am – 6pm and the premises had curtailed their hours 11am – 2am which puts them into the bracket when street drinkers were around. The premises owner had not listened or adopted concerns of the Police. He just changed the opening hours from 24 hours to 11am -2am.
- x) PC Rohomon noted that Mr Berhane stated there was a night hatch. No reference was made to this in the application or the operating schedule. Night hatches were not preferred in business as people from the inside cannot make a good assessment of customers on the outside purchasing items.

- y) PC Rohomon did not have an issue with Mr Berhane operating as a grocery store, but he did not agree with having another premise selling alcohol due to the ongoing problems in the area and resources available.
- z) The impact statements from PC Alistair Wood and redacted local residents' statements in 2019 carry a lot of weight as they were background to the work around the issues in the area. On this basis, he invited the Sub-Committee not to grant the licence.

In response to Members questions PC Rohomon made the following points:

- 1) PC Rohomon stated there was around two WMP Officers and a couple of Community Support Officers allocated to the area. It was not a large team.
- 2) Hotspots within the patch – Soho Road was the defining line between the two policing areas; Lozells and East Handsworth on one side and Nechells on the other. Both sides of the area had substantial issues and require a substantial amount of police resources. In total, this was a very demanding area for policing and not just restricted to Villa Road.
- 3) There were challenging shopping parades within these areas. Villa Road was just one stretch. The section of the Villa Road WMP Officers were concentrating on was only 200metres long out of 600 metres.
- 4) Impact of an additional licence in the area – PC Rohomon stated by placing extra supply of alcohol in the area, the availability becomes easy. This links to more drug dealers, increase people going there; increase in ASB, beggars and drug dealing.
- 5) Currently on Villa Road, there were 6 licenced premises and he shared these with the Sub-Committee. These were generating several the problems.
- 6) No questions were raised by the Committee lawyer.

In summing up PC Rohomon made the following points: -

- He referred to the evidence placed before the Sub-Committee and there was factual evidence from the police officers who deal with the day to day issues in the area.
- The application did not reflect the concerns or issues of the area.
- The amended proposed conditions had been submitted by the applicant because of the objections made by WMP.
- Considering Mr Berhane stated he was an experienced operator, the responses he gave to the visits made on 4th and 5th January 2021 were not of an experienced operator. Covid-19 measures were not in place and unlicensed alcohol was on display.
- PC Rohomon could not see Mr Berhane as a licenced owner on the previous premises; 105 Breeley Street. Mr Berhane was not listed as the Designated Premises Supervisor or the Premises Licence Holder on the public register in relation to this premises.

Licensing Sub-Committee C – 21 January 2021

- 4th January, Mr Berhane did not take the advice from WMP Officers to remove the alcohol.
- 5th January, the alcohol had not been removed from display.
- Right to work was a legal requirement therefore should not duplicated or enhance as a condition.
- Proposed adjusted times of opening hours and selling alcohol was 11am – 2am which was still within the hours when street drinking issues occurred.
- The premise would not stock, sell beers or ciders with an ABV in excess of 6.5%. This was a useful tool.
- This area had a significant problem to the detriment to the community, other businesses and required an exorbitant amount of work for all parties to maintain it.
- On behalf of WMP, PC Rohomon invited the Sub-Committee not to grant the licence.

In summing up Mr Craig made the following points: -

- Mr Berhane had instructed Mr Craig to advise him on the application and the appropriate advice had been given. Mr Craig had tried to recalibrate the application to make it more appropriate. He felt this should be welcomed by the Sub-Committee.
- Mr Craig stated the alcohol would be a significant part of the business and Mr Berhane said this would be 25%. He did not agree with PC Rohomon point around conflicting information as 25% would be a significant proportion for any business. Therefore, there were no diversions between him and his client.
- Mr Craig disagreed with PC Rohomon's legal analysis on the 136/137 offences.
- The two visits 4th and 5th January were 24 hours apart and not over the longer period. The issues had been addressed and weight should not be attached to the alcohol on display. Mr Berhane misunderstood the law.
- This premises was not in a cumulative impact area and had been acknowledged by the police. WMP may have ambitions for the area, however the application should be treated as if it was an application from another part of the city. It should not be denied of the licence due to police resources.
- There were issues across the area which extend beyond the stretch of these shops. This should not determine the outcome of this application.
- Proposed conditions 4 & 5 do enhance of legal requirements in advance of employment - Right to work checks.
- The application does discharge the requirement of local area; promoting licensing objectives in purposeful and considered way.
- This was modest application responding to the representation made by other responsible authorities and WMP.
- The premises would not add issues to the area.
- He referred to the guidance 1.17 – every application was considered on its own merits and WMP had provided generic information that does not address this premises. Some of the information provided by WMP pre-dates the application by a year.
- The application tackled the issues in the area; modestly framed; addressed the concerns raised by WMP; had already addressed concerns raise by

environmental health and licensing authority therefore the licence should be granted subject to the Sub-Committee being comfortable with the opening hours. If the hours were to be scaled back, then this was for the Sub-Committee to decide.

The Chair thanked all parties for their attendance.

At this stage the meeting was adjourned in order for the Sub-Committee to make a decision and all parties left the meeting.

The Members, Committee Lawyer and Committee Manager conducted the deliberations in private and the decision of the Sub-Committee was sent out to all parties as follows;

5/220121 **RESOLVED:-**

That the application by Mr Samuel Berhane for a premises licence in respect of 24-7 365 Local, 109 Villa Road, Lozells, Birmingham B19 1NH **BE REFUSED**.

In reaching this decision, the Sub-Committee was mindful of the promotion of the licensing objectives in the Act, particularly the prevention of crime and disorder in a difficult area, namely the Villa Road vicinity of Lozells.

The Sub-Committee's reasons for refusing this application for a premises licence are due to concerns expressed by West Midlands Police regarding the impact of the proposed operation on the particular locality of the premises, in an area renowned for street drinkers, begging and houses in multiple occupation.

The Police documents in the Report gave the full picture of the situation facing the neighbourhood policing team, particularly the prevalence of street drinkers. Whilst the applicant had offered to reduce the hours of operation to 11.00 – 02.00, this was still to a very late hour, and included the times of day when street drinking was known to be a problem in Villa Road. The additional conditions, offered by the applicant in advance of the meeting, were also unsatisfactory in the view of the Police, and indeed included some matters which were already covered by legislation.

All of these were issues likely to place the crime and disorder objective at risk without very careful management by the licence holder. However, the Police were particularly concerned about the applicant's personal suitability in this regard. The Sub-Committee heard from the applicant and his legal representative that Mr Berhane was a businessman who had had previous experience in operating alcohol licensed premises, namely a bar. However, the attention of the Sub-Committee was drawn to two visits to the premises, undertaken by Police on the 4th and 5th January 2021, which were described in the Report.

Upon entering the premises on the 4th January 2021, Police found bottles of alcohol on the shop shelves, despite no alcohol licence having been granted. The Sub-Committee was taken aback by this; as a personal licence holder, Mr Berhane should have been more than aware that he could not do this, and should

definitely not have required advice from the Police about it. Moreover, the alcohol bottles on the shop shelves were observed on two consecutive days, despite advice being given on the first day. Equally worrying was the complete lack of Covid-safe measures, required by law, in the ongoing pandemic which had dominated all News bulletins for the past ten months. The Sub-Committee therefore had very little confidence in the applicant as a responsible person.

The Sub Committee carefully considered the operating schedule put forward by the applicant, and the likely impact of the application, but were not persuaded that either the applicant or the proposed operation of the premises were capable of upholding the licensing objectives given the challenges of Villa Road.

The Sub-Committee gave consideration to whether any measures could be taken to ensure that the licensing objectives were adequately promoted and that therefore the licence might be granted; however Members considered that neither modifying conditions of the licence (beyond that which had already been offered by the applicant), refusing the proposed Designated Premises Supervisor, nor excluding any of the licensable activities from the scope of the licence would mitigate the concerns raised by those making representations.

The Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the information contained in the application, the written representations received and the submissions made at the hearing by the applicant, his legal adviser, and those making representations (namely West Midlands Police).

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

Please note, the meeting ended at 1206.

.....
CHAIRMAN

BIRMINGHAM CITY COUNCIL

<p>LICENSING SUB – COMMITTEE C 03 FEBRUARY 2021</p>
--

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD ON WEDNESDAY 03 FEBRUARY 2021, AT 1000 HOURS, AS AN ONLINE MEETING

PRESENT: - Councillor Mike Leddy in the Chair;

Councillors Mary Locke and Martin Straker Welds.

ALSO PRESENT

Shaid Yasser – Licensing Section
Joanne Swampillai – Legal Services
Mandeep Marwaha – Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

NOTICE OF RECORDING

- 1/030221 The Chair advised the meeting of housekeeping for online meetings and confirmed that the meeting was public and would be live streamed via Birmingham City Council's website (www.civico.net/birmingham). Members of the press/public may record and take photographs except where there are confidential or exempt items.

DECLARATIONS OF INTERESTS

- 2/030221 Members were reminded that they must declare all relevant pecuniary and non-pecuniary interests arising from any business discussed at the 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.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/030221 An apology was submitted on behalf of Councillor Neil Eustace and it was noted that Councillor Mary Locke was the nominated substitute member.

4/030221

LICENSING ACT 2003 PREMISES LICENCE – GRANT PREMISES AT UNIT 2210, ACCESS SELF STORAGE, APPLEBERRY FOODS, 180 SHERLOCK STREET, BIRMINGHAM B5 7EH

The following report of the Interim Assistant Director of Regulation and Enforcement was submitted:-

(See document No. 1)

The following persons attended the meeting:

On behalf of the Applicant

Mr Bobby Nakum (agent) - representing the applicant (Mr Bhavinkumar Inamdar)

Those Making Representations

PC Abdool Rohomon – West Midlands Police (WMP)

* * *

The Chair introduced the Members and officers present and asked if there were any withdrawals of representation.

The Chair invited preliminary points.

PC Rohomon noted the supporting evidence from WMP was not present in the published pack. The Chair confirmed that all supporting evidence (the additional 10 pages) had been received and were now published.

The Chair explained the hearing procedure prior to inviting Licensing Officer, Shaid Yasser to outline the report.

The Chair invited the applicant to make their submission. At this stage Mr Nakum requested that Members refer to documentation submitted and made the following points on behalf of the applicant:-

- a) The company had been operating online sales of food and drink for 17 years. Due to increased demand they wanted to expand their service nationwide.
- b) Licensing enforcement conditions had been agreed to include no public access to the premises which is sited within a secure storage building.
- c) Some employees will be employed directly, mainly in London and the South, with other areas using contract couriers.
- d) The Responsible Selling of Alcohol Policy had been emailed to WMP. This policy had been compared to policies in place for Amazon and some supermarkets to demonstrate its robustness.

In response to Members questions Mr Nakum made the following points:-

- 1) In house employees and third party couriers receive training regularly (every 6-12 months) to ensure safeguarding against sale to underage or unsuitable customers.
- 2) Deliveries were made only to the purchasing card holder, with additional verification ID requested on delivery (driver's license or passport). This was undertaken regardless of age.
- 3) Deliveries were made only to home addresses and there was no click and collect facility.
- 4) Specialist couriers would be used (Uber Eats, Yodel, DPD) who had robust policies in place.
- 5) Currently sales included wine and some spirits. The applicant would like to extend this to other alcoholic products but not including high strength cider or cheap alcohol.
- 6) There had been previous operational issues however, these had been resolved. Delivery systems and personnel training for age restricted products were now in place.
- 7) 24-hour live monitoring of all operations w be in place. This system is currently used successfully at the applicant's London premises.
- 8) Wholesale aspects of the business were not related to this application and only operated in London.
- 9) Legal responsibility for the sale of alcohol lies with the Designated Premises Supervisor and the Premises License Holder. The point of sale for online purchases is when the transaction is complete.
- 10) The Responsible Retail of Alcohol Policy addresses prevention of underage sale and consumption. The incidence of this was much lower for online sales and delivery policies and ID checks also assist with this.
- 11) Reference was made to the Challenge 25 Policy. Noted this removed the element of Anti-Social Behavior, street drinking etc.
- 12) Operational details are not yet available for Birmingham as trading has not yet commenced.
- 13) Mr Nakum indicated processes were in place in London (headquarters). These policies and contract examples could be provided to the Sub-Committee if required.

The Chair added examples of the policies and contracts from London should have been shared with this application to assure the Sub-Committee. However, these were not evident or demonstrated in the application submitted.

No questions were raised by the Committee lawyer.

Afterwards, the Chair invited PC Rohomon to outline the representation on behalf of WMP and PC Rohomon made the following points: -

- a) PC Rohomon highlighted he had learned more about this application through the applicant's submissions to the Sub-Committee than in the application in itself.
- b) The Section 182 of the Licensing Act provides guidance on applying for a premises license. The applicant was required to demonstrate how they will meet the licensing objectives, to include knowledge of the local area, risks identified and evidence of consultation.
- c) The application did not address risks or demonstrate how any risks can be mitigated or controlled.
- d) Examples were given about queries still outstanding with regard to the proposed operations, to include access to the site, staffing, security and safety at the premises.
- e) Risks associated with the sale of alcohol had not been acknowledged within the submitted policies and queries relating to this have not been sufficiently addressed, despite requests. Any responses to requests had not provided sufficient detail.
- f) He questioned who the authorized persons were and had access to the premises via pin codes, did this change on a regular basis.
- g) The CCTV was owned by the Self Storage unit therefore the business did not have direct access to this and would have to go through the data protection route to gain access.
- h) PC Rohomon referred to the six points the applicant indicated for the steps he intended to take to promote the four licensing objectives. These were around; premises not to be opened to the general public; sale of alcohol only via online and kept in a storage room accessible via pin code only; 24 hour CCTV; sale of alcohol via internet or mail order subject to age verification and verifying payment method; Challenge 21 age verification policy and training in licensing laws and age verification. These were all very vague and no detail or evidence provided to support these points.
- i) WMP would assist with changing conditions on applications, however they were not expected to write an application.

- j) Email trail between the applicant, agent and PC Rohomon was referred to. WMP had requested points of clarification on the application as basic conditions cannot be a part of the companies' day to day business.
- k) In the emails, Mr Nakum stated WMP were taking a prejudicial stance against his client which PC Abdool strongly disagreed with. PC Rohomon was trying to ascertain online alcohol would be delivered safely therefore required more assurances and clarity to the application.
- l) The conditions outlined in the application were generalized and needed to be specific to this application and premises.
- m) The request to commence trading prior to producing an operational plan is not acceptable as evidence of appropriate trading conditions must be demonstrated prior to the license being granted.
- n) West Midlands Police cannot support the application at the current time or until acceptable evidence of appropriate policies and safeguards are demonstrated.

In response to Members questions PC Rohomon made the following points:

- 1) Age restricted products include knives and corrosive substances, but this matter relates only to the sale of alcohol.
- 2) The applicant had the responsibility to demonstrate how they promote the licensing objectives. Licensing authorities are expected to monitor the promotion of the objectives to ensure compliance.
- 3) Some facts omitted from the application have now been clarified verbally but still do not provide enough detail to increase confidence in this application.
- 4) A robust operational regime which promotes the licensing objectives must be in place prior to a license being granted.
- 5) Policies can be generic for some areas of the business but must address any local challenges and considerations.
- 6) Responsibilities for trading alcohol are applicable regardless of the method of sale and controls must be in place to address and mitigate this.
- 7) Concerns are specific to this application in regard promotion of the licensing objectives.

On being invited to sum up, PC Rohomon clarified his objections to the application due to lack of appropriate risk management, policies and procedures.

In summary Mr Nakum made the following points:

- The applicant requests an opportunity to trade in order to demonstrate a successful business model and is happy for reviews to take place as appropriate.

- Mr Nakum felt that PC Rohomon did not like to be challenged and believed his personal views on the sale of alcohol should not reflect adversely on the application.
- Other applications have been reviewed as a comparison and do not contain the detailed policies sought by WMP.
- More guidance is required about what additional information should be provided.
- The applicant already has a good track record for this type of business.
- Knives and corrosive substances refer to trade to the hospitality industry, which will not take place under this application.
- The application demonstrates how risks will be mitigated and further clarity has been provided verbally today.
- The applicant is prepared to be responsive to challenges as they arise and will accept any conditions and advice forthcoming regarding this application.

At 1135 hours the meeting was adjourned in order for the Sub Committee to make a decision and all parties left the meeting. The Members, Committee Lawyer and Committee Manager conducted the deliberations in private and the decision of the Sub-Committee was sent out to all parties as follows: -

5/030221 **RESOLVED:** -

That the application by Mr Bhavinkumar Inamdar for a premises licence in respect of Appleberry Foods, Unit 2210, Access Self Storage, 180 Sherlock Street, Birmingham B5 7EH, **BE REFUSED.**

In reaching this decision, the Sub-Committee was mindful of the promotion of the licensing objectives in the Act - the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

The Sub-Committee's reasons for refusing this application for a premises licence are due to concerns expressed by West Midlands Police regarding the proposed manner of operation. Whilst some conditions had been agreed in advance between the applicant and Licensing Enforcement, the Police had maintained their objection.

The Police objections were outlined in full in the Report; in addition, the Police attended the meeting to address the Sub-Committee directly. Whilst alcohol delivery services had become a widespread feature of alcohol-licensed premises during the ongoing Covid-19 pandemic, and in general had not proven to be troublesome, the Police had concerns regarding the applicant supplying alcohol very late at night; any proposal to do this required robust policies and procedures to be in place, along with stringent control measures. Having discussed this issue with the applicant's

agent by email in advance of the meeting, the Police were not at all satisfied that this was the case.

The lack of comprehensive policy documents was a concern shared by the Sub-Committee, who agreed with the Police that it was to be expected that the applicant should have comprehensive policies in place - so that the responsible authorities would be able to assess that all the risks had been identified, and all staff would be aware of the need to follow them. The omission of comprehensive policy documents did not reassure Members that the style of operation would be capable of upholding the licensing objectives.

The Sub Committee carefully considered the operating schedule, and the 'Appleberry Foods Policy on Responsible Retailing of Alcohol' document (one and a half pages) put forward by the applicant, and the likely impact of the application, but were not persuaded that that the proposed operation of the premises would uphold the licensing objectives. The applicant's agent addressed the Sub-Committee. The company was a small business which wished to expand into Birmingham as it had been operating online sales of food and drink in London and the south for some 17 years. It was therefore surprising that comprehensive policy documents from its operations elsewhere were not available to be put before the Sub-Committee.

Moreover, the Police drew the attention of the Sub-Committee to paragraphs 8.41, 8.42 and 8.47 of the Guidance issued by the Home Office under s182 of the Licensing Act 2003, and queried whether the applicant had the level of local knowledge to promote the licensing objectives in Birmingham.

The operating hours were to be 24 hours a day, which was an inherent risk. The information under 'general description of the premises' on the application form was also a worry to the Police – the secure storage area was controlled by a PIN code, but there was no confirmation of who would have access to the PIN code, or how often it would be changed; similarly the CCTV system was not Appleberry Foods' own system, but one for the 'Access Self Storage' premises generally.

Whilst the applicant's agent stated that the style of alcohol would be wine and some spirits but certainly not cheap high-strength alcohol, the Police observed that the grant of the licence would of course permit the sale of all types of alcohol. The Police observed that the proposed operation was inherently risky and there was a distinct lack of detail – for example, it was unclear whether the conditions which had been agreed with Licensing Enforcement would also cover the applicant's third-party partners. All in all, it was difficult to feel confident that the operation would be capable of upholding the licensing objectives.

The Sub-Committee gave consideration to whether any measures could be taken to ensure that the four licensing objectives would be adequately promoted and that therefore the licence might be granted; however Members considered that neither modifying conditions of the licence, refusing the proposed Designated Premises Supervisor nor excluding any of the licensable activities from the scope of the licence would mitigate the concerns raised by those making representations.

The Sub-Committee heard submissions from the applicant's agent that they could and should be trusted, and ought to be given a chance to operate in Birmingham; however, as the Police observed, the Sub-Committee could only feel confident in doing that where satisfactory policies and procedures were in place. That was emphatically not the case here; accordingly the Sub-Committee resolved to refuse the application.

The Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the information contained in the application, the written representations received and the submissions made at the hearing by the applicant via his agent, and by West Midlands Police.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

OTHER URGENT BUSINESS

6/030221 There were no matters of urgent business.

The meeting ended at 1148 hours.

.....
CHAIRMAN

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Interim Assistant Director of Regulation & Enforcement
Date of Meeting:	Wednesday 31st March 2021
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Erina Café, 39 Birchfield Road, Birmingham, B19 1SU
Ward affected:	Aston
Contact Officer:	Shaid Yasser, Senior Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

To consider a representation that has been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption on the premises only) to operate from 03:00pm until 11:30pm (Sunday to Thursday) and 03:00pm until 01:30am (Friday and Saturday).

To permit the provision of Late Night Refreshment, to operate indoors only, from 11:00pm until 11:30pm (Sunday to Thursday) and from 11:00pm until 01:30am (Friday and Saturday).

Premises to remain open to the public from 03:00pm until 12:00midnight (Sunday to Thursday) and 03:00pm until 02:00am (Friday and Saturday).

2. Recommendation:

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

3. Brief Summary of Report:

An application for a Premises Licence was received on 11th February 2021 in respect of Erina Café, 39 Birchfield Road, Birmingham, B19 1SU.

A representation has been received from Environmental Health as a responsible authority.

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.

<p>5. Relevant background/chronology of key events:</p> <p>Negash Tekleab applied on 11th February 2021 for the grant of a Premises Licence for Erina Café, 39 Birchfield Road, Birmingham, B19 1SU.</p> <p>A representation has been received from Environmental Health, as a responsible authority, which is attached at Appendix 1.</p> <p>The application is attached at Appendix 2.</p> <p>Site Location Plans at Appendix 3.</p> <p>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:-</p> <ul style="list-style-type: none"> a. The prevention of crime and disorder; b. Public safety; c. The prevention of public nuisance; and d. The protection of children from harm.
<p>6. List of background documents:</p> <p>Copy of the representation as detailed in Appendix 1 Application Form, Appendix 2 Site Location Plans, Appendix 3</p>
<p>7. Options available</p> <p>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.</p>

From: Martin Key
Sent: 11 March 2021 12:23
To: Licensing ; Licensing Online
Cc:
Subject: Application for Premises License – Licensing Act 2003 - Erina Cafe, 39 Birchfield Road, Birmingham, B19 1SU
Importance: High

Hi

I, Martin Key, as a representative of Environmental Health, formally raise a representation on the above application. My representation concerns the likely effect of the grant of the licence on the promotion of the licensing objective relating to the prevention of public nuisance.

The application refers to the premises being operated as a restaurant and cafe and is seeking late night refreshment and on-sales of alcohol until 23.30 Sunday to Thursday and until 01.30 Friday and Saturday. Although there is no specific application for live or recorded music obviously under the terms of the Act this would be permissible before 23.00 without any specific provision in the licence. There are no specific and effective actions included in the application to address the public nuisance licensing objective. The plan attached to the application does not indicate the location of toilets, does not show any equipment in the kitchen and has no indication of proposed smoking areas. The premises is located on a busy road but there is directly adjacent residential use and I am concerned that the grant of the licence would potentially result in noise nuisance to neighbouring residential properties due to noise breakout from the building, noise from the kitchen extraction system, noise from patrons accessing and egressing the premises and ancillary use of the external areas in conjunction with the licensed activity. There is also the risk of noise and odour nuisance from the cooking of food affecting the locality. This concern is based on the range of activities requested, the absence of any effective operating conditions, the building design and structure, the existing noise environment, the proximity of noise sensitive receptors and the request for operation until 01.30.

Given the location and proposed operation I have checked the current planning position and I can find no valid application for a change of use to a cafe and restaurant, indeed the established use appears to be general retail operation.

On the basis of the proximity of residential uses, the late requested hour and the absence of effective operating conditions I would recommend refusal of the application. I do not believe that this concern can be dealt with by the use of appropriate conditions and therefore object to the licence being granted.

Best Regards

Martin Key
Environmental Protection Officer



Birmingham
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

- ☐ Applying as a business or organisation, including as a sole trader
☒ 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"/>

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"/>	Include country code.
Other telephone number	<input type="text"/>	

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

Are you:

- ☒ An agent that is a business or organisation, including a sole trader A sole trader is a business owned by one person without any special legal structure.
- ☐ A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House? ☒ Yes ☐ No Note: completing the Applicant Business section is optional in this form.

Registration number	<input type="text" value="7021919"/>	
Business name	<input type="text" value="Optimised Training Centre"/>	If your business is registered, use its registered name.
VAT number	<input type="text" value="-"/>	Put "none" if you are not registered for VAT.
Legal status	<input type="text" value="Private Limited Company"/>	
Your position in the business	<input type="text" value="Manger"/>	
Home country	<input type="text" value="United Kingdom"/>	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	Optimised Training Centre
Street	1 Guildford Street
District	
City or town	Birmingham
County or administrative area	
Postcode	B19 2HN
Country	United Kingdom

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name	Erina Cafe
Street	39 Birchfield Road
District	
City or town	Birmingham
County or administrative area	
Postcode	B19 1SU
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	5,900

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

 / /

* Nationality

[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 and restaurant

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

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

Continued from previous page...

SATURDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

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 15:00

End 23:30

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 15:00

End 23:30

Start

End

WEDNESDAY

Start 15:00

End 23:30

Start

End

THURSDAY

Start 15:00

End 23:30

Start

End

FRIDAY

Start 15:00

End 01:30

Start

End

SATURDAY

Start 15:00

End 01:30

Start

End

SUNDAY

Start 15:00

End 23:30

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 15:00

End 00:00

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 15:00

End 00:00

Start

End

WEDNESDAY

Start 15:00

End 00:00

Start

End

THURSDAY

Start 15:00

End 00:00

Start

End

FRIDAY

Start 15:00

End 02:00

Start

End

SATURDAY

Start 15:00

End 02:00

Start

End

SUNDAY

Start 15:00

End 00:00

Start

End

State any seasonal variations

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

Continued from previous page...

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

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

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 restaurant allows for good viewing coverage. CCTV is installed covering and outside 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 at anytime licensable activities take place.

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.

A challenge 25 policy shall be operated. No member of staff shall be permitted to sell alcohol until trained in the operation of the challenge 25 policy.

A record of refusal shall be kept in the refusals register and kept on the premises. This will be made available to responsible authorities on request.

All staff shall be trained on the four licensing objectives and a training record kept on the premises. The training record will be made available to responsible authorities on request.

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 prior to 6pm to control noise nuisance. In conjunctions with the steps

Continued from previous page...

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.

e) The protection of children from harm

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

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

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

[Add another signatory](#)

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

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

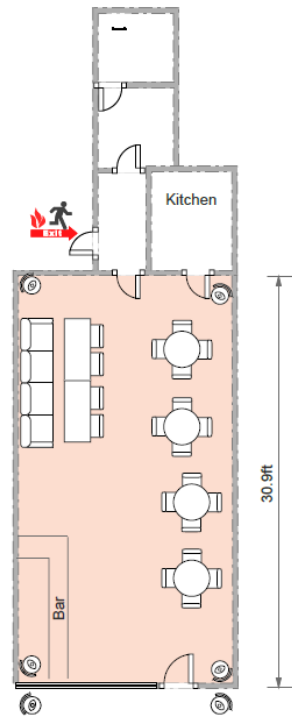
Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE 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

Floor Plan
Scale 1:100

Ref: Erina Jan 2021



Fire Escape



CCTV



Licensable area

Premises Address:

Erina Cafe
39 Birchfield Road
Birmingham
B19 1SU

