

Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C

WEDNESDAY, 27 SEPTEMBER 2017 AT 09:30 HOURS
IN COMMITTEE ROOM 1, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

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

Chairman 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 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3 - 20

3 MINUTES

To note the public part of the Minutes of the meeting held on 23 August 2017.

21 - 48

4 LICENSING ACT 2003 - PREMISES LICENCE - GRANT, BREKKIE & BURGER CO, 180 HIGH STREET, DERITEND, BIRMINGHAM, B12 0LD

Report of the Acting Director of Regulation and Enforcement.
N.B. Application Scheduled to be heard at 0930 hours.

5 OTHER URGENT BUSINESS

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

6 EXCLUSION OF THE PUBLIC

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded

from the meeting:-

Minutes - Exempt Paragraphs 3 and 4

P R I V A T E A G E N D A

1 MINUTES

To note the private part of the Minutes of the meeting held on 23 August 2017 and to confirm and sign the Minutes as a whole.

2 OTHER URGENT BUSINESS (EXEMPT INFORMATION)

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

BIRMINGHAM CITY COUNCIL

**LICENSING
SUB COMMITTEE C -
WEDNESDAY 23
AUGUST
2017**

**MINUTES OF A MEETING OF
LICENSING SUB COMMITTEE C
HELD ON WEDNESDAY 23 AUGUST 2017
AT 0930 HOURS IN COMMITTEE
ROOM 1, COUNCIL HOUSE,
BIRMINGHAM**

PRESENT: - Councillor Alex Buchanan in the Chair

Councillors Mike Leddy and Ian Cruise

ALSO PRESENT

Shaid Yasser, Licensing Section
Joanne Swampillai, Committee Lawyer
Katy Poole, Committee Manager
Phil Wright, Committee Manager

NOTICE OF RECORDING

01/230817 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there were confidential or exempt items.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

02/230817 There were no nominee members.

MINUTES

03/230817 That the public section of the minutes held on 26 July were noted.

**LICENSING ACT 2003 PREMISES LICENCE – GRANT PREMISES AT 183
COLE VALLEY ROAD, HALL GREEN, BIRMINGHAM, B28 0DG.**

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

(See Document No. 1)

The following persons attended the meeting.

On behalf of the applicant:

Surinder Bains – Applicant
Mohammed Abrar – Cost Cutter Manager
Gurdeep Bria – In support of the applicant
Aipall Bains - In support of the applicant & brother

Making Representations in respect of the application

Cllr Liz Clements (On behalf of the residents).

Following introductions by the Chairman, the main points of the report were outlined by Shaïd Yasser, Licensing Section.

In response to members questions Mr Surinder Bains and Mohammed Abrar made the following points:

1. That the store had been under-going a £80,000 refit, which was nearly completed.
2. That the premises will be operating as a Cost Cutter.
3. That the objections submitted are based on past history with previous owners.
4. That they don't want the focus to be on the past; Mr Bains is a new owner, with no connection to the previous owners.
5. That Mr Mohammed Abrar, of Cost Cutter shall be over seeing the premises himself.
6. That compliance is important to Mr Abrar.
7. That Cost Cutter carry out spot checks, ensure staff receive relevant training and the premises will have CCTV installed, as well as an alarm system.
8. That if new conditions were proposed at the meeting then they will take them on board.

9. That there had been a local need for the store; it will be a convenience store, offering daily house hold goods as well as a post office.
10. That the post office will be welcomed by the local community as the nearest one was over 2 miles away.
11. That the premises expected turn over weekly was £15,000 and 30% was expected to come from licensable activities.
12. That the premises have put CCTV cameras (18 of them) in place and had an alarm fitted which was linked to the police in order to prevent crime and disorder.
13. That they have not done much outside the premises yet, but if conditions are included today, they will be willing to do what is conditioned.
14. That the local off-licence in the area opens from 10-2 and that the premises wishes to operate longer than this.
15. That the premises will not contribute to crime and disorder and that the previous issues were in relation to different owners who were attracting the wrong crowd due to the owner doing the wrong things.
16. The area was managed really well, it was an affluent area therefore, they do not believe the opening times will be an issue.
17. That they were absolutely confident it will not add to the crime and disorder in the area.
18. That the previous issues of crime and disorder went further than just the premises itself. There had been issues with gangs and cars hanging around outside and on the frontage of the premises previously.
19. In order to address the issues outside the premises they have had CCTV installed which encompasses the driveway, the frontage, the doors and the side of the property including the pathway leading into the area. To which neighbours had agreed, the CCTV installation had already lessened the anti-social behaviours outside the property.
20. That they had issues with cars pulling up for no reason, and doing illicit things, but that they had approached them. This was the reason for installing external cameras.
21. That the CCTV had been installed for 2 months and in that time they had already had an incident of a man holding a machete, to which the CCTV was given to the police to help them with their enquiries.
22. Previously there had been no CCTV installed, to which they had noticed this was an issue that needing addressing – which they have done.
23. That they had a sign up saying “Cost Cutter coming soon”.

24. That they had been having issues with fly tipping outside the shop; which they have cleaned up and since installing the CCTV that has stopped.
25. That they have also installed CCTV facing the roundabout as another measure to maintain order in the local area.

In response to members questions Cllr Liz Clements, on behalf of the residents, made the following points:

1. That on the 5th June she had submitted her first written objection, however the first and second application had been withdrawn. To which she suggested was due to unfamiliarity of the licencing objectives and framework, as it was due to errors of procedure that they had to withdraw.
2. That it had taken her over 3 months to become familiar with the premises and the residents' concerns.
3. Residents had raised concerns regarding the reoccurrence of the previous problems.
4. That she wanted members to take into consideration the "lengthy written considerations".
5. That Cole Valley Road was a residential area.
6. That the residents take great pride in their area, mowing the verges, planting flowers.
7. Parking on verges had already been an issue.
8. That the longer operating hours are a concern for residents, taking into consideration the pre-existing off licence operating hours.
9. That the residents would welcome a post office and convenience store, but questioned why the premises then needed to sell alcohol.
10. That the concerns raised by residents were concerning the past history.
11. That they had agreed with the conditions suggested by the police, and were happy with these.
12. That the previous issues regarding under age sales were a real concern for residents and they wanted to know what the premises was going to do to prevent this problem reoccurring.
13. That irrespective of who had held the licence, there had been a history of withdrawal of licence due to under age sales and that the landlord had been the same for much of the period of crime and disorder during this time.

14. That the premises had been a huge attraction to youths, who congregate outside in cars, revving engines late into the night.
15. That the residents had huge concerns about the licence being granted till 2300 hours.
16. That the residents also raised concerns regarding the litter which they had previously cleaned up themselves.
17. That there was no cumulative impact in this area.
18. That the residents do not want another licenced premises when there is already a specialist off licence down the road.
19. That she wanted clarity from Mr Bains in regard to crime and disorder and what he will do to prevent this.
20. That she also wanted to know what steps Mr Bains had taken to listen to residents and introduce himself and maintain contact.
21. That she had attended the meeting in order to raise objections on behalf of the residents and in relation to the licencing objectives. That she felt this had raised the case concerns that the police had not really understood or looked at the history appropriately. But that she was aware that the Committee must take into consideration the recommendations and conditions the police had put forward, and that the police have endorsed the licence.
22. That she would like the following conditions:
 - a. That the hours be reduced for the sale of alcohol.
 - b. That the licence be issued on a temporary basis for 1 year. (If this was possible)

The Chairman advised Cllr Clements that the police do not endorse licences, they have put conditions forward to address the concerns raised and to ensure the licencing objectives are maintained. Mr Shaid Yasser, Licensing Officer, confirmed that a temporary licence is not a valid condition, and that it would not be possible to issue a temporary licence.

Cllr Clements continued:

23. That the other Cllrs who have objected to this application have not spoken with the police of PCSOs in the area.
24. That there is already an issue in the area regarding the lack of police coverage. This raises concerns that should the previous anti-social behaviour return, there would not be enough police on the ground to deal with it.
25. Cllr Clements wanted clarification as to whether the police set standard conditions for every application.

26. Shaid Yasser, Licencing Section, advised that standard conditions of licence are not as such, the police tailor them to each individual application.
27. That the residents won't be happy about this decision should it be granted as they have raised objections and concerns.
28. That the sale of alcohol 8am -11pm is a major concern which will have to be looked at and restricted. That she proposed 11am – 9pm would be her recommendation to the Committee. She further suggested that a break within the time period also.

In summing up Cllr Liz Clements made the following points:

1. That it had been reassuring that the premises would be operating as a convenience store and post office.
2. However, she failed to see why the premises wanted or needed an alcohol licence.
3. That they had serious concerns regarding the previous track record and being a magnet for crime and disorder, public nuisance and ensuring the protection of the public and children.
4. That the quality of life in the local area was important to the community.
5. That she wanted the objections and representations taken seriously.

In summing up Mr Bains and Mr Abrar made the following points:

1. That they had tried to resolve the issues previously brought to their attention.
2. That there was a genuine need for the premises to sell alcohol.
3. That they carry out spot checks and refresher training courses every 8 weeks to ensure no underage sales occur.
4. That they will conduct a week's induction training at their head office on how to run a convenience store, licencing, and temperatures so on.
5. That they will use refusal books and ensure that steps are in place to minimise problems arising.
6. That they have been in contact with residents and out of over 200 residents only 4 have complained.
7. That they have even given their personal numbers out in case of any problems.

8. That the cameras are live streamed to their mobile phones, so they can see everything. If there was any problems they are able to get security their within 15 minutes.
9. That they need to further communicate with residents as without their feedback they cannot put any measures in place.
10. That the residents they have already made contact with have been happy with the implementations they have put in place so far.
11. That they have to take ownership of the shop and ensure that they do not allow people to cause nuisance outside. They will also be checking IDs for anyone who looks under 21.
12. That they are aware that people are buying cigarettes for under age people outside; they now have cameras to monitor this.

Cllr Buchanan addressed concerns raised by Cllr Liz Clements in regards to the objections being significantly more than the applicant had expressed, by stressing that members had read, and noted the objections and of course would take them on board.

At 1027 hours the Chairman requested that all present, with the exception of Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1111 hours, after an adjournment, all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

04/230817

RESOLVED:-

That the application by Surinder Singh Bains for the grant of a premises licence in respect of

183 Cole Valley Road, Hall Green, Birmingham, B28 0DG

BE GRANTED

subject to the following conditions:

- The opening hours of the premises to be 0600 hours at the earliest, to 2300 hours at the latest, daily
- The hours for the sale of alcohol to be from 1000 hours at the earliest, to 2300 hours at the latest, daily
- The frontage of the premises to be swept daily
- The premises to operate a Challenge 25 policy (not 'Challenge 21')

Those matters detailed in the operating schedule and the relevant

mandatory conditions under the Licensing Act 2003 will also form part of the licence issued, together with those conditions as agreed with West Midlands Police in their email dated 13th July 2017, and thereafter amended by the Sub-Committee, namely:

- CCTV to be installed/updated to the specifications and recommendations of West Midlands Police. CCTV to be fully downloadable and made immediately available to any of the Responsible Authorities on request. CCTV to record for a minimum of 28 days throughout the whole of the licensable activity times and show the correct time & date stamp
- All staff to be trained in their responsibilities under the Licensing Act 2003, the licensing objectives and the Challenge 25 policy. Staff training to be documented, signed by both the trainer and trainee; this documentation to be made immediately available to any of the Responsible Authorities on request. No staff to work in the premises when licensable activity is taking place without such documented training, with the exception of Personal Licence Holders
- Challenge 25 signage to be prominently displayed on the entrance door and point of sale area
- Refusals register to be signed off weekly by the DPS
- No drinks allowed on the premises in open containers

The Sub Committee examined the operating schedule put forward by the applicant and the likely impact of the application, including the agreed conditions, and concluded that by granting this application, the four Licensing Objectives contained in the Act will be properly promoted.

The Sub-Committee was reassured that the new management appeared to want to run the shop carefully, to become part of the community and to offer a service to local residents. Mr Bains had twenty years' experience of running these types of shops, including some in high-crime areas. He would be assisted by two younger men, one of whom was his grown-up son. The two assistants had undertaken a great deal of the preparation for opening the shop, including clearing up flytipped rubbish dumped in the vicinity, and making the arrangements for operating the CCTV.

The shop was to be part of the 'Costcutter' national chain of convenience stores. A full refurbishment of the premises had been completed, at a cost of some £80,000, as the premises had been near-derelict following previous poor management by other persons. The new management had also been in discussions with the Post Office about potentially introducing a Post Office counter into the shop, which a local councillor confirmed would be welcomed by local residents. The premises' numerous CCTV cameras had already been put into operation (in advance of the shop opening for business), and appeared to have already reduced instances of anti-social behaviour occurring in the vicinity. The new management had

offered to make their CCTV recordings available to Police, following reports in the local press of a crime suspected to have occurred in the area.

Members carefully considered the representations made by other persons, but were not convinced that there was an evidential and causal link between the issues raised and the effect on the Licensing Objectives. Whilst it was accepted that there had been problems at the premises in previous years, which had culminated in the revocation of the Licence, that was when the premises were under entirely different management. There was no connection whatsoever between Mr Bains and the previous operator.

A number of written representations had been received, but the Sub-Committee considered that the apprehensions of local residents could be allayed by curtailing the hours for the sale of alcohol, such that alcohol was not on sale early in the morning. The residents' main fear seemed to be about the recurrence of crime and disorder if the shop were to be permitted to sell alcohol, as it was felt that the underage sales which had been permitted by the previous operator had been the cause of this; however the Sub-Committee considered that Mr Bains was a suitable and experienced person who would manage the premises properly and carefully control sales of alcohol.

In reaching this decision, 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 application for a premises licence, the written representations received and the submissions made at the hearing by the applicants, their adviser and by those making representations.

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.

LICENSING ACT 2003 PREMISES LICENCE – GRANT ROTI & CO., 86 OLD SNOW HILL, BIRMINGHAM, B4 6HW.

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

(See Document No. 1)

The following persons attended the meeting.

On behalf of the applicant:

Jaydeep Purewal – Applicant
Patrick Burke – PMB Licensing

Making Representations in respect of the application

Mr Jeremy Powell – Local Resident
Kevin Grealy – Supporting Mr Powell

Following introductions by the Chairman, the main points of the report were outlined by Shaïd Yasser, Licensing Section.

In response to members questions Mr Jaydeep Purewal and Mr Patrick Burke made the following points:

1. That Roti & Co. is mainly about food; it is a catering service for weddings and parties. It is an outside service whereby the food is made on site and delivered to the events.
2. That they had wanted to use to shop front to let people “wine and dine” with them, and this would give guests the opportunity to try the foods and wines and then hopefully chose Roti & Co’s services.
3. That they will also be doing a takeaway service using Deliveroo to deliver their products. So their food and drink will be deliverable to customers.
4. That the premises will not be running as a bar and instead will only be for invited guests.
5. That the idea is that if people wanted to hold an event they could ring Jaydeep and come and try the food, see the prices and discuss the services that are on offer.
6. That Mr Purewal has a wealth of experience in the trade; his family own a brewery and other food establishments which they have never had any issues with.
7. That they have been in discussions with the police and have decided that there will be a 20 person limit on the capacity for the premises.
8. That they would be happy for it to be a condition of licence that only invited persons will be allowed on the premises.
9. That there will only be one tap on the bar, which will be serving their own, brewed lager.

10. That in regards to the objections, Mr Powell explained he was representing over 30 people, but failed to mention that there are over 92 flats in the area. There had also been no evidence that he was representing the amount he had stated.
11. That the premises won't be open to the general public.
12. That they are aware there have been issues with drinking and drug abuse in this area – however these individuals or any of the general public will not have access to the premises.
13. That the premises may have weeks where no one is invited, and weeks where it is busy – it won't always be in use.
14. That the representations refer to Mr Powell's flat being sandwiched between 2 food facilities, which were not relevant.
15. That the representations' regarding an abundance of alcohol being sold in that area is also no relevant. The objections regarding alcohol related crimes are further not relevant, as the police have made no objections, nor have they raised any concerns.
16. That they do not wish to operate as an open bar, there is one round the corner therefore there is no need for one.
17. That the representations regarding noise should not be an issue as the premises will only have invited guests for a few hours and at maximum there will only be 20 in there at a time.
18. That Mr Purewal wants to do this application properly, he could easily give customers food and alcohol free, without any regulation but he does not want to do that.
19. That Mr Purewal is going to charge people for visiting his premises to enjoy the food and wine, and then if they book a package with him or use his services, he will deduct that expense from the entire bill. That doing this will ensure people do not abuse the premises or his services. Further, ensuring that they avoid certain clientele.
20. That the delivery service they will be providing will be using Deliveroo, who have their own rules and regulations regarding the sale of alcohol and the challenge 25 policy.
21. That they have discussed this service with the police who raised no concerns.
22. That the order is paid for by card payment and the card has to be in the name of someone over 25 for the transaction to be successful, if they have ordered alcohol.
23. The delivery company are then responsible for making sure that when they deliver the food that the person receiving it is over 25.

24. That it was a service that Deliveroo already do, and they already have measures in place.
25. Ultimately it is the premises responsibility to ensure they are not selling alcohol to under age persons.
26. That they will keep a refusal book and that the delivery drivers have CCTV in their cars.
27. That the Premises Licence Holder shall be notified should any issues arise.
28. That the seating area in the premises is adaptable to the number of guests attending. Therefore, it is shaped in a U style with a table in the middle. That the table arrangement seats up to 15 people, but additional chairs can be added.
29. That the boundary of the lease on the premises means people are only allowed outside to smoke, people will not be allowed to take drinks outside.
30. That if members find the delivery service a problem Mr Purewal, would be happy to do the delivering himself – therefore ensuring that he can manage the challenge 25 policy himself.
31. That he was also happy not to deliver alcohol if that was an issue for members.

In response to members questions Mr Jeremy Powell, on behalf of the residents, made the following points:

1. That the location of the premises used to be a social enterprise owned by the council trying to get people back into work, however, it failed so it moved on.
2. That the area was full of supported living persons who have alcohol and drug related issues and therefore alcohol and drug use was a serious problem and it was only getting worse.
3. That the funding for homelessness was provided by us all.
4. That there are 7 hostels within a quarter mile radius of the premises.
5. That the premises are attached to supported living accommodation, and it had a shared access.
6. Therefore, they have serious concerns for the licencing objectives.
7. That they have spoken to the local police officer and he explained that complaints had been made regarding the noise late at night from the flat next door to the premises.

8. That the floor plan for the premises was indicating that the shared access is licensable activity and that they are disputing this. The boundary there needs changing.
9. That they are unsure why you would apply for an alcohol licence and then not open it up to the public. Therefore, they explained they think Mr Purewal will open it up to the public once he gets a licence.
10. That night time was the major problem in that area.
11. That they were also disputing the capacity, as they feel it has capacity for 50-60 people standing.
12. That there has been access issues due to the limited space and the number of school children and members of the public who congregate in that area.
13. That in terms of public nuisance they are concerned that if the licence was granted people will be smoking outside, littering, and making a mess out the frontage.
14. That the premises do not have a smoking area, and therefore people will be going outside onto the pavement to smoke.
15. That the premises has limited parking of about 4/5 spaces, which were not allocated purely for customers.
16. That there are a huge number of hostels and homeless people in the area.
17. That in his opinion the location was all wrong for this premises, if it was attached to any other building it would not be a problem, but due to it being attached to the supported living, there are highly vulnerable people having to see this premises operating.
18. That the 35 people/residents he was representing did not know this was taking place and therefore have not made individual representations.
19. That he has been living in the flat for 18 months.

In response to members questions Mr Kevin Grealy, made the following points:

1. That his area of concern was the prevention and safety of homeless people.
2. That he has worked in homeless support for the past 12 years and had previously been a homeless person himself, along with a drug and alcohol abuser.
3. That there are always people trying to turn their lives around and they struggle when faced with people drinking. They will make routes to walk to avoid going

past pubs or off licences. Therefore, to have a bar attached to the building was not helpful. It was not encouraging the prevention of homelessness.

4. That he had been homeless until he was 30 years old and he was one of the most troublesome as he had significant alcohol dependency issues.
5. That these homeless people are individuals who have lost the ability to communicate and socialise in any normal capacity. They only feel safe going home in the evening and then they could now be faced with a bar.
6. That it shows complete disrespect to the homeless people.

Cllr Alex Buchanan, Chairman, advised that although the above comments were extremely emotive and expressive. The members must focus on the impact of the licencing objectives and whether they can be met. Further, Cllr Buchanan addressed the concerns about the premises operating as bar, and in fact reminded the objectors that in fact it would be an invite only operation, and would not be open to the public. Members congratulated Mr Grealy for his achievements in turning his life around.

Mr Grealy continued.

1. That he has been associated with that area for over 19 years.
2. That he understands member's comments, but these homeless people have to walk past 20 people drinking as they return to their temporary homes, or when they are leaving. It was a real life challenge for these individuals. They may as well go and buy themselves a bottle of frosty jacks and go down the canal.
3. That the little space on the map was the front door, which was a concern.
4. That they say they will stop people going outside with drinks, but how can they control that.
5. That the application has been submitted without consultation with the residents, which indicated a breakdown of communication.
6. That someone has to stand up for what he felt was right, and he was aware that there are legal issues but that there was also morality issues. However, he was aware that members are bound by legal responsibilities.
7. That they had not been made aware this application was being submitted.
8. That the staffs working with the homeless people are dealing with over 70 chaotic people and therefore they haven't got the time, most of them were not aware of the application.

In summing up Mr Jeremy Powell made the following points:

1. That he has highlighted his concerns regarding the licencing objectives and prevention of the homeless cycle.
2. That he thinks the funding from CCOE needs to be made to work, we need to create a safe environment to protect vulnerable people.
3. The concern had not been the off licence or the food.
4. That if a licence was granted they will use it, that they are trying to show they will use it as a bar, have your cake and eat it comes to mind.
5. That if the licence was granted please can they help these people and safeguard the homeless.

In summing up Mr Purewal and Mr Burke made the following points:

1. That they did not receive the objection until after the submissions, then they sat with the objectors yesterday so they had been made fully aware of the concerns.
2. That as a result of the meeting they have come up with resolutions that meet them half way. Such as:
 - a. Excluding the shared access from the licensable activity.
 - b. Ensuring that blinds are fitted on all windows.
 - c. That the premises will have no external advertising.
3. The conditions above will ensure that the premises excluded their activities from the general public and make sure it is safeguarded from homeless people.
4. That the primary reasons for the hours requested in the application are for the delivery service.
5. That the residents in the area do not pay attention to the premises which was why they did not see the notification of the application outside.
6. That Mr Purewal was happy to help, he feels sorry for the homeless people and will try to always help.
7. That he does not want the hassle of people thinking there is alcohol in the premises and trying to break in.
8. He wants to help and be a part of the community not work against it.
9. He will do everything he can to block it all out so they cannot see what happens inside.

10. That it was an exclusive experience therefore, privacy would also be important to customers.

At 1240 hours the Chairman requested that all present, with the exception of Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1315 hours, after an adjournment, all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

05/230817

RESOLVED:-

That the application by Jaydeep Singh Purewal for the grant of a premises licence in respect of

Roti & Co, 86 Old Snow Hill, Birmingham B4 6HW

BE REFUSED

The Sub-Committee's reasons for refusing this application for a premises licence are due to concerns that the proposed business plan (by a young businessman from the local area, whose family had worked in the licensed trade for a considerable period) was confused in terms of the proposed style of operation. The Sub-Committee was concerned that in order to grant the Licence, they would have to completely redraft the Operating Schedule for the applicant and his adviser.

It appeared on the face of the papers that the premises was a café that wished to offer alcohol, but the applicant and his adviser stated to the Sub-Committee that it was more of an event catering firm that wished to serve sample menus, together with alcohol, to potential clients who were thinking of booking catering services from them. These potential clients would be invited to come to the premises in order to try the food and drinks in the company's own premises; it was not the applicant's intention to be open to the general public. A maximum of 20 potential clients would be served at any one time. The plan was that once the clients had tried some sample dishes and drinks, Mr Purewal would draw up a catering package for their event.

However the premises was also going to offer takeaway food & alcohol. It was not clear whether the takeaways were going to be offered only to the invited persons, or to the general public.

The business plan was further complicated by a proposal to offer a delivery service (of food and alcohol), in which the delivery function

would be provided by an outsourced contractor such as Deliveroo. The delivery service was a particular concern, as Mr Purewal stated that it would be the contractor who would be responsible for ensuring that customers were over 18 years of age. The Sub-Committee expressed reservations about this. Mr Purewal stated that he would conduct the deliveries himself if use of a contractor was not acceptable to the Sub-Committee.

The Sub-Committee also heard representations from other persons. Their submissions were mainly about the risk that homeless people in the area might be faced with temptation. These types of issues could be dealt with easily in the ways suggested by Mr Purewal – namely by placing blinds over the windows, and not displaying advertising on the front of the premises other than the company name. The Sub-Committee was only concerned with whether the operating schedule and business plan were capable of promoting the licensing objectives, and therefore they did not attach significant weight to these representations from other persons.

In reaching the decision, the Sub-Committee determined that whilst they were impressed with Mr Purewal's enthusiasm, and his cooperative attitude towards the objectors and indeed the Sub-Committee, it was the confusion in the proposed arrangements which meant that it was very unlikely that the licensing objectives could be promoted.

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 the proposed operation of the premises had been considered with sufficient thoroughness. As a result they had doubts that the Licensing Objectives could be promoted. This was unfortunate as Mr Purewal was a young businessman from a family with connections to the licensed trade in Birmingham, who was keen to start a new catering firm and to cooperate with requirements. A business plan and operating schedule drafted with the licensing objectives in mind would have reassured the Sub-Committee that the alcohol sales would be carefully controlled. The delivery side of the business plan, specifically the potential for underage sales if a subcontractor were to be used, had caused the majority of the reservations, but also there was rather a lack of clarity over the takeaway service.

The Sub-Committee gave consideration to whether any measures could be taken to ensure that the four licensing objectives were adequately promoted and that therefore the licence could be granted; however Members considered that this would require a complete redrafting of the operating schedule, and even the business plan.

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 adviser and those making representations.

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.

06/230817

OTHER URGENT BUSINESS

There were no matters of urgent business.

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Wednesday 27th September 2017
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Brekkie & Burger Co, 180 High Street, Deritend, Birmingham, B12 0LD
Ward affected:	Nechells
Contact Officer:	David Kennedy, Principal Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider relevant representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption both on and off the premises) to operate from 07:00am until 11:00pm (Monday to Sunday).

Premises to remain open to the public from 07:00am until 11:30pm (Monday to Sunday).

Other dates and times as specified in the application form.

2. Recommendation:

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

3. Brief Summary of Report:

An application for a Premises Licence was received on 4th August 2017 in respect of the Brekkie & Burger Co, 180 High Street, Deritend, Birmingham, B12 0LD.

Representations have been received from other persons.

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

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

5. Relevant background/chronology of key events:

Brekkie & Burger Co Ltd applied on 4th August 2017 for the grant of a Premises Licence for the Brekkie & Burger Co, 180 High Street, Deritend, Birmingham, B12 0LD.

Representations have been received from other persons, which are attached at Appendices 1 – 4.

The application is attached at Appendix 5.

A Condition has been agreed with West Midlands Police and the applicant, which is attached at Appendix 6.

Site Location Plans at Appendix 7.

It should also be noted that there is now a special policy in force for the Digbeth area. The effect of a special policy is to create a rebuttable presumption that applications for new licences or material variations to existing licences will normally be refused unless it can be shown that the premises concerned will not add to the cumulative impact on the licensing objectives being experienced.

The Council will expect the applicant to demonstrate the steps it will take to promote the licensing objectives. Where relevant representations are made, the Council will consider the application on its individual merits and decide whether to apply the special policy.

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

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

6. List of background documents:

Copy of the representations as detailed in Appendices 1 – 4

Application Form, Appendix 5

Conditions agreed with West Midlands Police, Appendix 6

Site Location Plans, Appendix 7

7. Options available

To Grant the licence in accordance with the application.

To Reject the application.

To Grant the licence subject to conditions modified to such an extent as considered appropriate.

Exclude from the licence any of the licensable activities to which the application relates.

Refuse to specify a person in the licence as the premises supervisor.

Appendix 1

ENTERED
R

From:
Sent: 21 August 2017 10:20
To: Licensing
Subject: Application for alcohol license.

We are residents of high st Deritend Birmingham 12. We would like to take this opportunity to object this alcohol license at 180 high....Brekke and Burger Co.for the following reasons. The noise and disturbance to our residence. Attraction of anti social behaviour. Vehicles obstructing our pedestrian and vehicle access. The noise of the premises being open. I would like to also add that the quality of our life is already being affected around here due to the venues that take place. Something that is to us would greatly impact on us even more. This premises opened on Friday night until 10.30 and we were subjected to drunks coming out of his shop and causing extreme anti social behaviour. We have already been in touch with our MP due to our life being made miserable.

Appendix 2

ENTERED
SY.

From:
Sent: 23 August 2017 18:18
To: Licensing
Subject: Premises licence application 102491

Dear sir/madam

I wish to make a representation against the premises licence application by:

Brekke & Burger Co. Ltd
180 High Street
Deritend
Birmingham
B12 0LD
Registered Company Number 10099538

I understand that an existing cumulative impact policy already covers the area, in order to prevent unnecessary licensed premises in Digbeth/Deritend from operating, given the number of existing vendors.

It is my belief that allowing further vendors into a local market already adequately provided for, will encourage lowering of prices due to increased competition leading to excessive alcohol purchase and consumption.

My concerns are that such economic changes will lead to a significant increase in crime and disorder, particularly on but not limited to weekends.

As a Digbeth resident and professional with clients in close proximity to the site of the licence applicant, I am extremely keen to avoid a jump in the already disproportionately high number of serious alcohol-related incidents resulting in injuries, violence, abuse and criminal damage.

Birmingham City Council also has a duty of care towards the families, senior citizens, and at-risk persons who live, work or travel through the area - all groups of our community who may well be affected by the social issues which arise from alcohol-related crime and disorder.

Regards

Appendix 3

ENTERED.
SY

From:
Sent: 25 August 2017 14:55
To: Licensing
Subject: Premises licence application: 102491

Premises licence application: 102491

Brekkie & Burger Co. Ltd
180 High Street
Deritend
Birmingham
B12 0LD
Registered Company Number: 10099538

Objection to retail off sales due to off license away which is licensed from 06:00 to 02:00.

Cumulative impact policy covers the area which was established to prevent unnecessary licensed premises from opening. The off premises market is already catered for and by allowing further entrants will only encourage lowering of prices due to increased competition thus fuelling further crime and disorder in the surrounding area.

Regards

High Street
Deritend
Birmingham
B12

Appendix 4

ENTERED
54

From:
Sent: 25 August 2017 17:48
To: Licensing
Subject: Application Reference: 102491

Dear sir/madam

I wish to make a representation against the premises licence application by:

Brekkie & Burger Co. Ltd
180 High Street
Deritend
Birmingham
B12 0LD

Application Reference: 102491

I understand that an existing cumulative impact policy already covers the area, in order to prevent unnecessary licensed premises in Digbeth/Deritend from operating, given the number of existing vendors.

It is my belief that allowing further vendors into a local market already adequately provided for, will encourage lowering of prices due to increased competition leading to excessive alcohol purchase and consumption.

My concerns are that such economic changes will lead to a significant increase in crime and disorder, particularly on but not limited to weekends.

As a Digbeth professional with clients in close proximity to the site of the licence applicant, I am extremely keen to avoid a jump in the already disproportionately high number of serious alcohol-related incidents resulting in injuries, violence, abuse and criminal damage.

Birmingham City Council also has a duty of care towards the families, senior citizens and at-risk persons who live, work or travel through the area - all groups of our community who may well be affected by the social issues which arise from alcohol-related crime and disorder.

Kind regards

Nationwide Security Services

Nationwide Security Services
Gibb St, Birmingham B9 4AA

102491

6.8.2017

11/9/2017

Birmingham City Council, Licensing Section, P.O. Box 17013, Birmingham, B6 9ES

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

We Brekkie & Burger Co Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description		REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED 3 AUG 2017	
180 High Street Deritend		REF NO <u>SB00767241</u> INITIALS <u>000381</u> <u>€190</u>	
Post town	Birmingham	Postcode	B12 0LD

paid 4/8/2017

Telephone number at premises (if any)	<i>Local charge</i>
Non-domestic rateable value of premises	£4,750

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | |
|---|---|
| a) an individual or individuals * | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |

- d) a charity ☐ please complete section (B)
- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)

- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

*** If you are applying as a person described in (a) or (b) please confirm:**

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Brekkie & Burger Co Ltd
Address 180 High Street Deritend Birmingham B12 0LD
Registered number (where applicable) 10099538
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	7	8
2	0	7

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Cafe

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A) ☐
- b) films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☐
- f) recorded music (if ticking yes, fill in box F) ☐
- g) performances of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

Provision of late night refreshment (if ticking yes, fill in box I)

☐

Supply of alcohol (if ticking yes, fill in box J)

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)	
Thur				
Fri				
Sat			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)	
Eri				
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	07:00	23:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	07:00	23:00			
Wed	07:00	23:00			
Thur	07:00	23:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) On New Year's Eve from 07:00 to the end of permitted hours on New Year's Day.		
Fri	07:00	23:00			
Sat	07:00	23:00			
Sun	07:00	23:00			

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

Name Mr Marcin Margol	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).
N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	07:00	23:30	
Tue	07:00	23:30	
Wed	07:00	23:30	
Thur	07:00	23:30	
Fri	07:00	23:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) On New Year's Eve from 07:00 to the end of permitted hours on New Year's Day.
Sat	07:00	23:30	
Sun	07:00	23:30	

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

A C.C.T.V. system is to be installed at the premises, to the specification and recommendations of the Licensing Department at Birmingham Central Police Station. C.C.T.V. is to be operational whilst the premises are open and be recording continually.

The recordings are to be kept for minimum of 28 days.

CCTV images to be made available to any responsible authority immediately on request

Staff to receive training in matters relating to the licensing objectives

All training records for all staff to be maintained and to be available upon request from any responsible authority.

The premises must also record any refusals in a refusals book.

b) The prevention of crime and disorder

c) Public safety

The premises will have an incident book and record all incidents that occur inside or immediately outside the premises. The incident book to be made available to any responsible authority immediately on request.

d) The prevention of public nuisance

Notices will be displayed in prominent positions requesting that our patrons respect our neighbours.

e) The protection of children from harm

The premises will adopt the Challenge 25 scheme, with appropriate signage to be placed at the entrance to the premises and adjacent to any bar servery.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. To follow
- I have enclosed the plan of the premises. ✓
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ✓
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. To follow
- I understand that I must now advertise my application. ✓
- I understand that if I do not comply with the above requirements my application will be rejected. ✓

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	3 rd August 2017
Capacity	Barrister/Duly Authorised Agent

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

**Duncan Craig
Citadel Chambers
190 Corporation Street**

Post town	Birmingham	Postcode	B4 6QD
-----------	-------------------	----------	---------------

Telephone number (if any)	
---------------------------	--

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please 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 or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

BREKKE AND BURGER C.
190 HIGH STREET
SALTEND
BIRMINGHAM
B12 0LD

$$\sum_{i=1}^n x_i = 100$$

LEGENDE

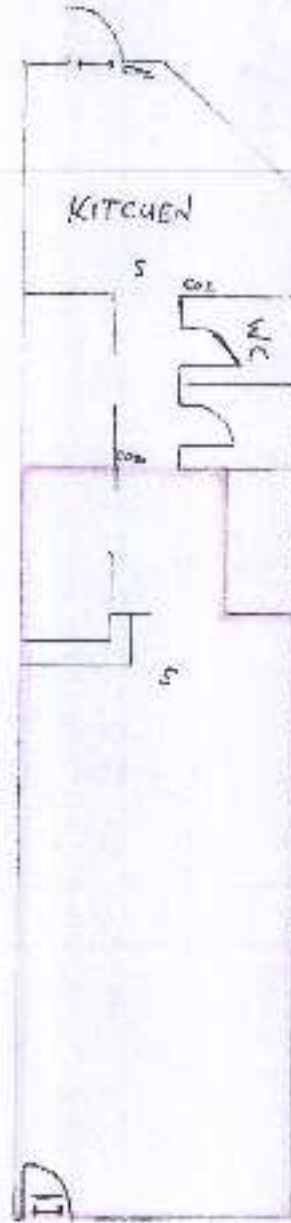
$$A \mapsto \hat{A} = A + i\epsilon \mathbb{1} \in \mathcal{P}(\mathcal{H})$$

— OVERHEAD, 1/4" x 1/4" x 1/4"

3 Small Amino

CO₂ CO₂ FAL EXTRAHTABLE

Sale of ALCOHOL BY RETAIL



Appendix 6

From: Duncan Craig
Sent: 18 August 2017 13:12
To: bw licensing; Licensing
Subject: RE: Brekkie & Burger Co- Grant Application

Dear All

Just to confirm that the below condition is acceptable to the applicant. Apologies for the delay in responding to this email.

Kind regards

Duncan Craig

From: bw licensing
Sent: 11 August 2017 12:10
To: Duncan Craig 'licensing@birmingham.gov.uk'
Subject: FW: Brekkie & Burger Co- Grant Application

Hi all,

Following a recent meeting with the applicant and the agent the below condition has been agreed to amend the one offered on the application around CCTV.

- The premises will install / update CCTV to the specifications and recommendations of West Midlands Police. CCTV will record throughout the whole of the licensable activity and be stored for a minimum of 28 days. CCTV images will be downloadable and made immediately available to any of the responsible authorities on request. CCTV will display the correct the correct time and date stamp.

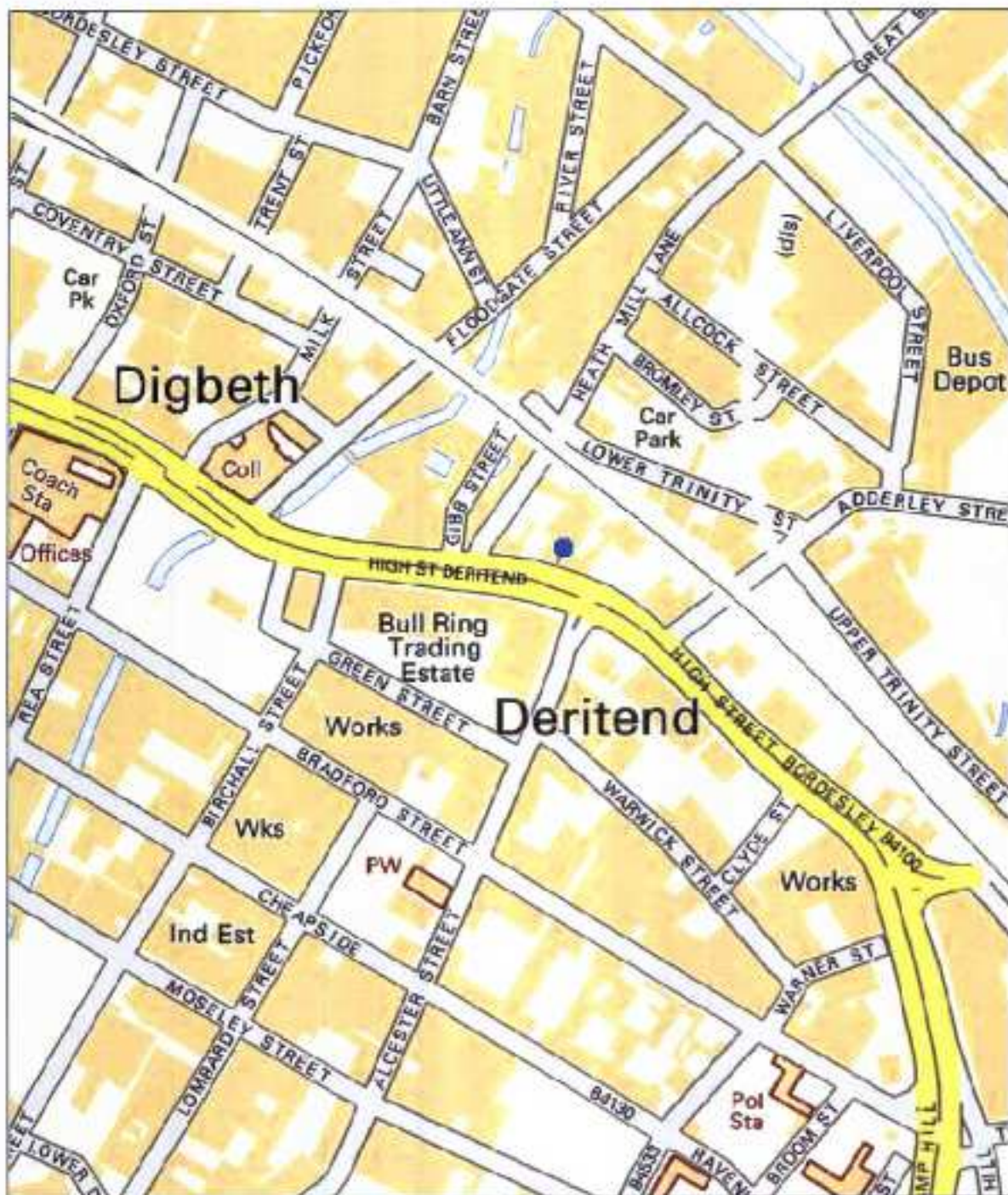
Mr Craig – Can I please ask that that you confirm with the council that this condition is acceptable.

Licensing – Once Mr Craig has confirmed can I please ask that is added to the licence if its granted.

Regards

Deano

PC 1978 Deano Walker
Birmingham Police Central Licensing Team
Birmingham Partnerships
Lloyd House
Federation Health & Safety Lead.



Map Created By:

Notes

Date of Map Creation: 12/09/2017

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Scale:
 1:4,000



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Notes

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1:1,250