

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A

MONDAY, 03 JUNE 2019 AT 09:30 HOURS
IN MEETING CANCELLED , [VENUE ADDRESS]

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 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

4 APPOINTMENT OF SUB-COMMITTEE

To note the appointment by the City Council of the Committee and Chairman for the Municipal Year 2019/20.

Members of the Sub-Committee may nominate another member of their respective Party Group on the Licensing and Public Protection Committee to attend in their place.

Any Member nominated must have had formal training as set out in Paragraph 6.1 of the Licensing Committee Code of Practice for Councillors and Officers.

5 MINUTES

To confirm and sign the Minutes of the meeting held on 4 February 2019.

To note the public part of the Minutes of the meeting held on 18 February

2019.

To note the public part of the Minutes of the meeting held on 4 March 2019.

To note the public part of the Minutes of the meeting held on 1st April 2019.

To confirm and sign the Minutes of the meeting held on 4 April 2019.

6 **DELEGATIONS TO SUB-COMMITTEE**

To note the delegations to the Sub-Committee as follows:-

To determine matters relating to the Licensing Act 2003, the Gambling Act 2005, hackney carriage licences private hire licences and such business as may be referred by the Assistant Director of Regulation and Enforcement.

35 - 68

7 **LICENSING ACT 2003 PREMISES LICENCE – GRANT NORTON’S BUILDING, 43-45 MERIDEN STREET, BIRMINGHAM, B5 5LS**

Report of the Assistant Director of Regulation and Enforcement.
N.B. Application scheduled to be heard at 09:30am.

APPLICATION HAS BEEN WITHDRAWN

8 **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.

9 **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:-

Exempt Paragraph 3

PRIVATE AGENDA

1 **MINUTES**

To note the private section of the Minutes of the meeting held on 18 February 2019 and to confirm and sign the Minutes as a whole.

To note the private section of the Minutes of the meeting held on 4 March 2019 and to confirm and sign the Minutes as a whole.

To note the private section of the Minutes of the meeting held on 1st April 2019 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

<p>LICENSING SUB – COMMITTEE A 4 FEBRUARY 2019</p>

**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD
ON MONDAY 4 FEBRUARY 2019, AT 0930 HOURS, IN ELLEN PINSENT
ROOM, COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM, B1 1BB**

PRESENT: - Councillor Barbara Dring in the Chair;

Councillors Bob Beauchamp and Martin Straker-Welds.

ALSO PRESENT

Bhapinder Nandhra – Licensing Section
Parminder Bhomra – Legal Services
Katy Townshend – Committee Services

NOTICE OF RECORDING

1/040219 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

DECLARATIONS OF INTERESTS

2/040219 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 to be recorded in the minutes of meeting.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/040219 No apologies were submitted.

**LICENSING ACT 2003 PREMISES LICENCE (REVIEW) – BARTLEY GREEN
CONVENIENCE STORE, 2 GENNERS LANE, BIRMINGHAM, B32 3JL**

Report of the Acting Director of Regulation and Enforcement.

(See document No. 1)

The following persons attended the meeting.

On behalf of West Midlands Police

PC Ben Reader – West Midlands Police

On behalf of the Premises Licence Holder

Imran Sadiq – Premises Licence Holder
Royston Seempalai – Business Owner
Patrick Burke – Agent

Those Making Representations

Garry Callaghan – Licensing Enforcement Officer
Nicola Swadkins – Home Office Immigration

* * *

The Chair made introductions and outlined the procedure to be followed.

Bhapinder Nhandra, Licensing Section, made introductory comments relating to the documents submitted.

On behalf of Licensing Enforcement, Mr Garry Callaghan made the following points:-

- a) That they had concerns regarding the running of the premises and the business owner.
- b) They received intelligence from the Home Office Immigration Officer that they had the wrong sign on the shop when they carried out an investigation.
- c) That there was a male Indian National working behind the counter – whom did not have the correct immigration checks. They asked the Indian National who his employee was and he responded “Royston”, whom was later contacted and appeared in the shop later on.
- d) That it was all done under caution.
- e) That the gentleman also advised he was only being paid 6 pound an hour, which gave the officer cause for concern.
- f) When Royston later arrived in the shop he was unable to produce a summary of licence (premises licence), and subsequently they issued a Traders Notice.
- g) That the Premises Licence Holder (PLH) also owned the shop next door, but he was on holiday.
- h) That Royston said he had took over the business at the end of August, but no transfer of Premises Licence had taken place.

- i) That the primary function was to enforce the objectives yet that man detained did not have the correct immigration status.
- j) That they had concerns in regard to the running of the premises.
- k) That the Traders Notice was issued to Mr Sadiq however, they were not sure if he had even been made aware.
- l) That they carried out a further visit on 21st November and none of the previous issued has been rectified, including breaches of the licence conditions. They requested CCTV which they were told was not available as they didn't have the pin code and they still did not have the summary licence available.
- m) That the police officer accounted further evidence.
- n) That under the Section 182 Guidance employing illegal workers was serious... the same category as possession of firearms, pornography. (quoted Paragraph 11.27)
- o) That Patrick Burke (agent for the PLH) forwarded the passport of the worker and this gave them huge concern over its validity. They were extremely concerned that it was counterfeit as it had a different date of birth and a different name to the man who had been detained.
- p) That since the visit Royston had supposedly took over yet there was no transfer of licence application submitted to Birmingham City Council (BCC) Licensing Team. They asked Royston to confirm where he applied to, to which he replied Dudley.
- q) Then in January there was a transfer application submitted, which was incomplete, and therefore, rejected.
- r) That there were also outstanding fees on the licence from last year – some £70.00.
- s) That the gentleman that was detained informed the officers he had been there just a week.
- t) That in result of all of the offences, revocation was the reasonable action.

On behalf of West Midlands Police PC Reader made the following points:

- a) That he was really surprised, BCC were leading on the immigration review.
- b) That £6p/h was undercutting the minimum wage and was a conscious decision by the manager as they knew the person did not have the right to work in the UK.

- c) That the payslips provided proved nothing, they were not payslips for the guy in question, which further proved he was working illegally.
- d) That Royston didn't hold a position of accountability for the premises.
- e) That Imran was the PLH/DPS and Royston was the business owner.
- f) That WMP carried out an inspection and Royston was present, therefore, they explained the reason for the visit. Royston explained he was the business owner and was managing the business on a commission basis for Imran. However, there was no contract and it was an informal agreement. Mr Imran Sadiq owned the Pizza place next door.
- g) That Royston clearly had a financial motivation, and no accountability.
- h) That because the licence wasn't his, there was no reason for him to abide by the licensing objectives. That whilst Royston had advised he was a personal licence holder, with vast experience when WMP asked to see his personal licence he failed to provide it. This disappointed the officer.
- i) That Royston, when asked, could not recite the Licensing Objectives.
- j) That the PLH was not comply with conditions of licence, and in January he was still not complying with them. The refusals book was empty, signage wasn't in position, little poly bags used for drug deals were found, disposable cups were also found.
- k) They also found loose balloons which were strange.
- l) That they had zero confidence in Royston, but all the accountability lay with Mr Sadiq.
- m) That the payslips provided were for Royston's other business.
- n) That even with the Traders Notice issued, they had still done nothing to rectify the issues.
- o) That they were asking for revocation.

In answer to Members questions, PC Reader made the following points:-

- a) That they found no drugs, but the fact the balloons were there and the way the premises was being managed raised questions.
- b) That 2 Trader's Notices were served on the PLH.
- c) That they just ignored what Gary told them.
- d) That there was no signage, which was a condition on the licence.

- e) That the licence should be revoked on the grounds of crime and disorder.

Mrs Nicola Swadkins, on behalf of Home Officer Immigration, made the following points:-

- a) That they had acted on information they received.
- b) That the sign on the outside of premises read “Lifestyle Express”.
- c) That upon visiting the premises she found one single male working and after questioning, he admitted to entering the UK illegally. He had been working there about a week and was employed by Royston. He had not displayed any documents to Royston to show he was legal to work in the UK.
- d) He confirmed he was being paid £6p/h and was working for hours without breaks.
- e) That she had spoken with Royston who said the male was a member of staff and had been working there 2-3 weeks. He also added that the male had displayed a French passport which was currently with the accountant so had no evidence.
- f) That the document was “indeed counterfeit” and was not the same details of the man detained.
- g) The male detained had since been released on bail after submitting further representations to stay in the UK. However, he has been bailed to an address linked to Mr Sadiq.
- h) That she would have major concerns about the premises continuing with a licence under Royston’s name and she supported Garry’s revocation.

PC Ben Reader advised that he would also not be happy with Royston holding the Premises Licence. That the revocation would be for Mr Sadiq’s licence, but Royston was running the premises, and managing it.

At this stage, 1033 hours, the meeting was adjourned to allow all parties and the Members to view some documents submitted which had not been served prior to the hearing. All parties left the meeting with the exception of the Members, Committee lawyer, and Committee Manager.

At 1037 hours the meeting was reconvened and all parties were invited to rejoin the meeting.

On behalf of the PLH, Mr Patrick Burke, made the following points:-

- a) That Royston took over the premises in October and had previously spent many years working at a Tesco’s, and had also ran successful Petrol stations with 24 hour Licenses. He had never had any issues previously.

- b) That he was running the premises prior to taking over the lease which was common practice in those circumstances.
- c) That he had not yet paid for the lease and therefore, that was why the licence had not been transferred.
- d) That the application, once submitted, was rejected, purely due to the review hearing being scheduled.

Mr Bhapinder Nandhra, Licensing Officer, advised Mr Burke that the application was rejected as there were incomplete sections and in addition, there was also an outstanding annual fee for the licence.

Mr Burke continued:-

- a) That what he was saying was that Mr Sadiq would not transfer the licence as the lease was yet to be taken over.
- b) That at the time of the visit from the Home Officer Immigration officer, Royston advised he had a copy of the passport, however, Nicola declined, saying she did not need to see it.
- c) That the man in the shop and the passport were the same person.
- d) That the notice that was missing was one asking customers to leave the premises quietly. He had the signage regarding challenge 25 policy and Royston was unaware of the policy and conditions already on the licence.
- e) That the male presented himself as a previous employee who had worked for Mr Sadiq and Royston also received his national insurance number and passport. The man had only worked there for a week prior to being detained and therefore, there were no payslips.
- f) That the reason they submitted payslips, was to show how he usually ran his businesses.
- g) That Royston did everything he could to avoid committing that offence.
- h) That he thought the passport was legal.
- i) That the man came to Royston and presented himself as the person in the passport.
- j) That £6p/h was false as he hadn't even been paid yet.
- k) He was on minimum wage.
- l) That the bags and balloons sounded suspicious but they were not they were simply sold to students for parties.
- m) That the plastic cups were used for tea and coffee.

- n) That the suggestion that the male had been released and bailed to an address linked to licence holder was something that the licensee knew nothing about. He had never even seen the guy before.

Mr Royston Seempalai advised that he would not have known the real name of the man, as he knew him by his passport name. That he received no notification that the Home Officer was requesting any documentation. That he had also not received the penalty issue.

Mrs Nicola Swadkins responded, by stating that the photograph she submitted was the man she saw.

Mr Royston Seempalai indicated that he looked at the man's facial features, nose, mouth and eyes and determined it was the same as the passport. That was the correct way of identifying someone. He employed 13 or more staff and did not want to employ illegal immigrants. He wanted to take over the company in order to try running a different premises – a convenience store.

Mr Burke added that Mr Sadiq knew nothing about the statement regarding the man being released to an address linked to Mr Sadiq.

Mr Sadiq explained that he had been running the business for 3-4 years but his family owner a pizza shop for over 10 years next door. He got into huge debt with the shop, so Royston took over. At the time of the issues with immigration, he was on holiday and he spoke with Garry. He had no idea that the application for transfer of the licence was going ahead and cooperated fully with Garry when he returned in order to sort it out. That Royston would not know the difference between a genuine and a counterfeit passport. That the shop could not operate without an alcohol licence.

Mr Royston Seempalai concluded that he had cooperated with Garry and had done all the things Garry had mentioned to him. Additionally he was ambitious and wanted to do the right thing.

Mr Burke added that the man presented himself to Royston as a previous employee.

In answer to Cllr Straker-Welds Mr Seempalai advised that when he worked for Tesco he often employed people with European passports.

In summing up, Mr Burke, on behalf of the PLH, made the following points:-

- a) That Royston was duped by an individual who was determined to work in the UK illegally.
- b) That he believed it was a genuine passport.
- c) That he has no issues at his other premises.

In summing up Mrs Nicola Swadkins, on behalf of Home Officer Immigration, made the following points:-

- a) That when she spoke with Royston she told him they were there due to information regarding illegal workers. All questions were noted in her pocket book which Royston signed to confirm his answers to the questions. They served notice of liability with Royston when they left.
- b) That the address linked to Mr Sadiq where the man had been bailed to was the flat above the Pizza shop.

PC Ben Reader, on behalf of WMP, made the following points:-

- a) That it was great that they had replaced the notices, but it had taken 3 visits.
- b) That it was a concern that Royston was not aware of the conditions on the licence, yet he was running the premises.
- c) That the employee was employed previously at the shop and therefore, that was the first offence.
- d) That there was no documentation for the employee, or for the lease.
- e) That Mr Sadiq was having financial trouble and needed to give the premises up, yet no contract in place to sublet the premises. It could not be that critical. Why would anyone let someone run a premises on their behalf and not have a contract in place.
- f) That everyone was blaming someone else.

Mr Garry Callaghan, on behalf of Licensing Enforcement, made the following points:-

- a) That in communication about the licence transfer he asked Royston about how long he had been at the premises, he said since August, yet today they were saying October.
- b) That the transfer form was incomplete and incorrect.
- c) That he first sent it to Dudley Council.
- d) That he did not have a clue, and did not even know the licensing objectives.
- e) That he had serious concerns over the breaches of conditions, and just had no overall confidence in the management of the premises.

Mrs Nicola Swadkins interjected explaining that they were not given anything on the day of the visit, it was the first she had heard about a National Insurance number.

Mr Garry Callaghan confirmed that they were informed by the man that he was working for £6p/h.

Mr Burke concluded that the documents, including National Insurance Number, was offered at the time of the visit but they said they did not need them.

At 1117 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1159 hours all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

4/040219

RESOLVED:-

That, having reviewed the premises licence held under the Licensing Act 2003 by Imran Ali Sadiq in respect of **Bartley Green Convenience Store, 2 Genners Lane, Birmingham, B32 3JL** upon the application of the Licensing Enforcement Authority, this Sub-Committee hereby determines that the licence be revoked, in order to promote the prevention of crime and disorder objective in the Act.

The Sub-Committee's reasons for revoking the licence are due to concerns by the Licensing Enforcement Authority, Home Office Immigration, and West Midlands Police regarding criminal activity connected to the licensed premises which members noted, should be treated particularly seriously as per section 182 Home Guidance at paragraphs 11.27 and 11.28.

The Sub Committee heard from all parties and concluded that the premises licence holder who holds ultimate responsibility was not managing the premises in accordance with the above mentioned licensing objective. Members were concerned to find there was no documentation in place to support the claims of an agreement in respect of running the licensee's business by another party for a number of months. This was further exacerbated by the fact both individuals were premises licence holders that appeared to have no knowledge of the conditions of the premises licence and appeared to abdicate their responsibility in carrying out due diligence checks of past and present employees at the licensed premises in question.

There was too many discrepancies in the verbal accounts given by two premises licence holders, and excuses for the way the premises was being managed which the members could not attach any meaningful weight to.

Members found the Responsible Authorities submissions in respect of the individuals persuasive instead. The Responsible Authorities had no confidence in both individuals concerned to uphold and promote the licensing objectives despite the various visits undertaken at the premises and traders notice issued since the discovery of an illegal worker.

The Sub-Committee gave consideration as to whether it could modify the conditions of the licence, remove the Designated Premises Supervisor or suspend the licence for a specified period of not more than 3 months, but was not satisfied

given the evidence submitted, that the licensing objective would be properly promoted following any such determination.

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 review, the written representations received and the submissions made at the hearing by the applicant, premises licence holder and their representative, and other responsible authorities.

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. The determination of the Sub-Committee does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the appeal is disposed of.

**LICENSING ACT 2003 PREMISES LICENCE (TIME LIMITED – GRANT) –
JAMAICA EXPAT ASSOCIATION CIC, SUMMERFIELD PARK, SELWYN
ROAD, WINSON GREEN, BIRMINGHAM, B16 0HN**

Report of the Acting Director of Regulation and Enforcement.

(See document No. 1)

The following persons attended the meeting.

On behalf of the Premises Licence Holder

No one attended.

Those Making Representations

PC Deano Walker – West Midlands Police
Jennifer Downing – WMP Solicitor
Charlie Merrett – Barrister for WMP
Martin Keys - Environmental Health
Sheetal Panchmatia – Officer – West Midlands Police Fire Service (WMPFS)
David Elliot – WMFS Solicitor

* * *

The Chair made introductions and outlined the procedure to be followed.

Prior to the hearing convening, the Senior Licensing Officer, Bhapinder Nandhra advised he had a preliminary point, which was in relation to the legal requirement for the applicant to have a notice issued in the newspaper. Mr Nandhra had contacted the applicant on several occasions with no success, in order to ascertain whether the applicant had proof of the newspaper notice. Whilst the applicant had complied with the blue notice requirements, and on the signed declaration on his application form that he has placed a public notice in a newspaper, he was however, not in attendance this morning to clarify the position.

The Committee Lawyer advised that if no proof was available, the Licensing Authority could not be satisfied the applicant has complied with the Regulations in respect of the Form etc of Applications and any Notices. Consequently, the Licensing Authority could not proceed with the hearing on the basis of there being a non-compliance with the Regulations that invalidated the application.

At this stage the Chairman advised that as it stood, the application was not validated and therefore, they would not be hearing the matter.

The meeting ended, and all parties left the meeting room.

5/040219

OTHER URGENT BUSINESS

There were no matters of urgent business.

The meeting ended at 1225 hours.

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CHAIRMAN

BIRMINGHAM CITY COUNCIL

<p>LICENSING SUB - COMMITTEE A - 18 FEBRUARY 2019</p>
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**MINUTES OF A MEETING OF
LICENSING SUB-COMMITTEE A HELD
ON MONDAY 18 FEBRUARY 2019
AT 0930 HOURS IN ELLEN PINSENT ROOM,
COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Barbara Dring in the Chair;

Councillors Bob Beauchamp and Martin Straker-Welds

ALSO PRESENT:

Chris Arundel– Licensing Section
Sanjeev Bhopal – Legal Services
Katy Poole – Committee Services.

NOTICE OF RECORDING

- 1/180219 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.
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DECLARATIONS OF INTERESTS

- 2/180219 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 are declared a Member must not speak or take part in that agenda item. Any declarations to be recorded in the minutes of meeting.
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APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/180219 No apologies were submitted.
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4/180219 **MINUTES**

That the Minutes of meeting held on 17 December 2018 were circulated, and confirmed and signed by the Chairman.

That the Minutes of meeting held on 24 January 2018 were circulated, and confirmed and signed by the Chairman.

5/180219 **ANY OTHER URGENT BUSINESS**

There were no matters of urgent business.

EXCLUSION OF THE PUBLIC

6/180219 **RESOLVED:**

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:-
(Paragraphs 3 & 4)

BIRMINGHAM CITY COUNCIL

<p>LICENSING SUB – COMMITTEE A 4 MARCH 2019</p>
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**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD
ON MONDAY 4 MARCH 2019, AT 0930 HOURS, IN ELLEN PINSENT ROOM,
COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM, B1 1BB**

PRESENT: - Councillor Barbara Dring in the Chair;

Councillors Bob Beauchamp and Martin Straker-Welds.

ALSO PRESENT

Shaid Yasser – Licensing Section
Parminder Bhomra – Legal Services
Katy Townshend – Committee Services

NOTICE OF RECORDING

- 1/040319 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

DECLARATIONS OF INTERESTS

- 2/040319 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 to be recorded in the minutes of meeting.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/040319 No apologies were submitted.

MINUTES

- 4/040319 That the Minutes of meeting held on 7 January 2019 were circulated, confirmed and signed by the Chairman.
- That the Minutes of meeting held on 18 January 2019 were circulated, confirmed and signed by the Chairman.
- That the Minutes of meeting held on 21 January 2019 were circulated, confirmed

and signed by the Chairman.

That the public section of the Minutes of meeting held on 11 February 2019 were noted.

**LICENSING ACT 2003 PREMISES LICENCE (GRANT) – BAR SHQIPONJA2,
145 DUDLEY ROAD, BIRMINGHAM, B18 7QY**

Report of the Acting Director of Regulation and Enforcement.

(See document No. 1)

The following persons attended the meeting.

On behalf of the Applicant

Mirela Vuka – Applicant
Ben Rexhaj – Appliant partner
Rob Edge – Agent

On behalf of West Midlands Police

PC Deano Walker – West Midlands Police

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The Chair made introductions and outlined the procedure to be followed.

Shaid Yasser, Licensing Section, made introductory comments relating to the documents submitted.

On behalf of West Midlands Police, PC Deano Walker made the following points:-

- a) That they were considering withdrawing their representations as since the police inspection things had been put into place which had mitigated concerns; including “tweaking” of conditions. They had a concern about the entrance and exit not being monitored; however, the applicant had made changes in order to alleviate their concerns.
- b) That they were worried regarding the operating times but were not aware they had put the times back, so therefore that was no longer a concern.

On behalf of the applicant, Mr Rob Edge went through the new conditions in order to aid Members.

PC Walker advised that the issue was under 18s having to walk past the bar due to where the entrance/exit was located; however the wording of the condition had been changed in order that it would not be an issue.

Mr Rob Edge, on behalf of the applicant, confirmed PC Walkers statement and advised that all the relevant assessments such as, fire assessments, electrical assessments had all been carried out successfully with no issues. The fire service had a few concerns but 10 days following the assessments those issues were rectified and they withdrew their representation.

That they had included conditions regarding CCTV and challenge 25 policy and all to the satisfaction of West Midlands Police.

In answer to Members questions Mr Rob Edge made the following points:-

- a) That the capacity of the premises was small – 25.
- b) That the staff behind the bar had full vision of the entire space.
- c) That the fire service had withdrawn their representations after the premises had met all the requirements.
- d) That the stairwell was a good size, and would be able to comfortably accommodate 2-3 abreast.

The Committee Lawyer asked if anyone had any final submissions, or anything to add, and all parties concluded that they had nothing further.

At 1020 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1043 hours all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

4/040319 **RESOLVED:-**

That the application by Mirela Vuka for a premises licence in respect of **Bar Shqiponja2, 145 Dudley Road, Birmingham, B18 7QY** be granted subject to additional conditions as agreed with West Midlands Police immediately prior to the hearing as follows:

1. No under 18's at any time unless accompanied, and children not allowed to approach or stand at the bar except for access and egress from the premises.
2. An additional CCTV camera to be situated on the inside of the entrance upstairs so that it can be monitored by staff downstairs who is entering and leaving the premises.

And those conditions listed 1 to 9 by Environmental Health in their representation

at Appendix 4 in the report including the following:

Modification of hours – Alcohol (and regulated entertainment)	The hours for the supply of alcohol for consumption on the premises, and provision of Regulated Entertainment consisting of live music and recorded music to operate indoors only shall apply as follows: <ul style="list-style-type: none">• 12:00midday until 11:30pm (Monday to Sunday)
Opening hours	The premises to remain open to the public as follows: <ul style="list-style-type: none">• 09:00am until 12:00midnight (Monday to Sunday).

in order to promote the public safety, and the protection of children from harm objectives in the Act.

The Sub-Committee sought reassurances from the applicant's agent in order to clarify how the above mentioned objectives would be promoted for reasons given below.

Members had concerns in relation to the initial fire risk assessment submitted by West Midlands Fire Service and queried whether those issues relating to public safety had been resolved. In response, the applicant's agent advised that a new fire risk assessment had been submitted and approved by the Responsible Authority this morning, who had now withdrawn their initial representation as the outstanding concerns, had been resolved.

In relation to the initial written representation of West Midlands Police, PC Walker advised two new conditions had been agreed with the applicant and her agent as of this morning which mitigated their originals concerns that arose from a previous inspection of the premises.

The Sub-Committee as such considered the agreed conditions to be appropriate, reasonable and proportionate that addressed the concerns raised by Members, and the Responsible Authorities. Those matters detailed in the operating schedule with the exception of the condition outlined at Part M (e) - '*No children allowed at the bar serverly area*', the relevant mandatory conditions under the Licensing Act 2003 will form part of the licence to be issued.

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 information in the application, the written representations received and the submissions made at the hearing by the applicant's agent 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.

5/040319 **OTHER URGENT BUSINESS**

There were no matters of urgent business.

EXCLUSION OF THE PUBLIC

6/040319 **RESOLVED:**

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:-
(Paragraphs 3 & 4)

.....
CHAIRMAN

BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE A 1 APRIL 2019

**MINUTES OF A MEETING OF
LICENSING SUB COMMITTEE A
HELD ON MONDAY 1 APRIL 2019
AT 0930 HOURS IN ELLEN PINSENT ROOM,
COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Barbara Dring in the Chair

Councillors Bob Beauchamp and Martin Straker-Welds

ALSO PRESENT

Chris Arundel – Licensing Officer
Parminder Bhomra, Committee Lawyer
Marie Reynolds, Committee Manager

NOTICE OF RECORDING

- 1/10419 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

DECLARATIONS OF INTERESTS

- 2/10419 Members were reminded that they must declare all relevant and 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 to be recorded in the minutes of meeting.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/10419 There were no Nominee members.

MINUTES

- 4/10419 The Minutes of the meetings held on 28 January 2019 and 25 February 2019 and the public section of the Minutes of 8 March 2019 were confirmed and signed as correct records.

OTHER URGENT BUSINESS

5/10419 There was no items of urgent business raised.

EXCLUSION OF THE PUBLIC

6/10419 **RESOLVED:**

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:-

Exempt Paragraph 3

BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE A 4 APRIL 2019

**MINUTES OF A MEETING OF
LICENSING SUB COMMITTEE A
HELD ON THURSDAY 4 APRIL 2019
AT 0930 HOURS IN ELLEN PINSENT
ROOM, COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Barbara Dring in the Chair

Councillors Bob Beauchamp and Mike Leddy.

ALSO PRESENT

David Kennedy, Licensing Section
Parminder Bhomra, Committee Lawyer
Sarah Stride, Committee Manager

NOTICE OF RECORDING

- 1/040419 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

DECLARATIONS OF INTERESTS

- 2/040419 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 meeting.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/040419 No apologies were submitted.

**LICENSING ACT 2003 PREMISES LICENCE (SUMMARY REVIEW) PRIVA, 23
ESSEX STREET, BIRMINGHAM, B5 4TR**

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

Daniel Rowe - Licence Holder

Frank Fender - Agent for the Licence Holder

Those making Representations

PC Reader – West Midlands Police.

Following introductions by the Chair, David Kennedy, Licensing Section, introduced the report and advised that PC Reader has requested that the CCTV be shown in private session with the licence holder and his agent present but not the press.

Due to the on-going criminal investigation (Regulation 14(1) (2), The Licensing Act 2003 (Hearings) Regulations 2005) the Chair and Members agreed to the request.

EXCLUSION OF THE PUBLIC

That in view of the nature of the business to be transacted which includes exempt information the public be now excluded from the meeting.

The representative from the press left the meeting.

On behalf of West Midlands Police PC Reader showed the CCTV footage to Members.

READMITTANCE OF THE PUBLIC

At 1015 hours the press officer was recalled to the meeting.

On behalf of West Midlands Police PC Reader advised that Mr Fender wished to discuss a number of issues that were not included in the original hearing because he and the licence holder were unable to attend.

He confirmed that all SIA numbers of the security personnel involved on the night in question had now been provided by the licence holder and an incident report had also been forwarded to the Police. All checks were now complete and it was ascertained that the man in the black shirt was not an employee of Priva but was an SIA doorman from a different venue who had turned up to talk to a friend on the door at Priva and had become involved in the altercation.

PC Reader confirmed that all conditions have applied since the last hearing and no fights or anti-social behaviour had occurred on the premises since 3 March 2019 and the licence holder wanted the venue to commence trading as soon as possible. PC Reader confirmed that 9 conditions have been put forward by the licence holder and his agent to mitigate any altercations in the future and they

have been agreed by West Midlands Police. The premises had been closed since the last hearing.

In response to a question raised by the Chair, PC Reader confirmed that he was satisfied that all persons involved in the altercation were SIA security and that their badges had been checked.

In a follow up question from the Chair he confirmed that all SIA personnel involved will be investigated and the licences of those involved in the altercation will be suspended. The Security Industry Authority (SIA) had viewed the CCTV footage and had taken the offence very seriously.

Mr Fender addressed the Sub-Committee and stated that at the last hearing the decision had indicated that there had been a breach of licence and he asked PC Reader to expand on this issue.

PC Reader confirmed that he now had all the relevant information that was required and that he was satisfied that no breach of licence had taken place.

Mr Fender continued and stated that the events that happened on the evening of 3 March 2019 was unforgiveable behaviour. The level of violence that took place was, in his opinion, appalling. The licence holder was also appalled and wanted those responsible to be prosecuted. He pointed out that Mr Rowe did not have any involvement whatsoever in the events that took place on the evening in question and neither did he encourage such behaviour.

Priva is a late night bar and after party venue. Many customers are staff from other venues that attend after their work shift had ended. Mr Rowe had become the premises licence in 2014. In June 2014 he extended his licensing hours to 4am and then again in January 2015 to 8am which the current licence allowed. This was completed and agreed in conjunction with West Midlands Police. Mr Rowe had been the premises licence holder at Priva for 5 years.

He confirmed that he and Mr Rowe had viewed the CCTV footage and Mr Rowe had been informed of the expedited review of the Priva premises. He explained that he himself and Mr Rowe were unable to attend the original hearing because it was short notification and neither was available to attend on that day. However, both were extremely concerned and will be taking the matter further. Both understood that since the last expedited review hearing the licence for Priva had been suspended and that this was their first opportunity to explain their version of events.

Mr Fender confirmed that no explanations could justify the attack on the individual that happened further down the road from Priva. The Somalian gentleman concerned was not a customer of Priva. He was seen on CCTV starting outside Priva and preying on individuals to steal from them. He stole a neck chain from another young man which started the fracas. He questioned whether it was right for the door staff from Priva to intervene and claimed that they were 'damned if they do and damned if they don't' due to insurance limitations. Some SIA door staff had claimed that their insurance will not pay out if they leave the venue premises which is the reason why a lot of SIA door staff do not intervene.

Mr Fender pointed out that the Police report had stated that Mr Rowe was at the location and had witnessed the incident but in fact Mr Rowe was in fact inside the premises closing down the venue when the door staff left the premises and ran down the street to intervene in the fracas. Mr Rowe was alerted to the fight and went outside and shouted at the door staff to return but he was ignored. He then walked down the street and instructed them to return to Priva which they then did so. He examined the male that had been attacked before walking back to Priva and instructed the SIA door staff to remove their jackets and not return to Priva. Mr Rowe had dismissed the SIA door staff.

Mr Fender stated that the young male that had his neck chain stolen by the Somalian had tried to enter Priva but was refused because he was wearing trainer shoes that are not the dress code for Priva. The young man then walked down to Rileys and was accosted by the Somalian who was assaulted and tried to seek refuge in Priva which the door men allowed. The door staff from Rileys did not intervene or assist at any point. The person that was seen running from Priva was not a Priva employee but was a visitor and a friend of an SIA doorman at Priva.

Mr Fender confirmed that Mr Rowe had employed his own in house door staff at Priva which he now realised was a mistake that he had made. Mr Rowe himself was registered as an SIA front line door man himself and knew the rules and regulations that that position held. He immediately dismissed the in house door man on his return to Priva and asked them not to return.

Mr Fender concluded that no other representations had been made by any other statutory bodies or interested parties and that he and Mr Rowe were happy to impose any further conditions that the Committee felt should be necessary.

Mr Fender listed the following proposed conditions/modifications to the premises licence for Priva that had previously been agreed in conjunction with West Midlands Police:

1. No 'in-house' security staff shall be employed at the premises.
2. Security staff at the premises shall be provided by a recognised security company which must be approved by the Security Industry Authority (SIA) under the SIA's 'Approved Contractor Scheme'.
3. Security staff at the premises shall not cover their faces at any time, in such a manner whereby only part of their faces can be seen by customers.
4. All security staff employed at the premises shall wear body cameras for the duration of their duty. The body cameras must be capable of recording images and audio at all times.
5. (existing CCTV condition to be amended, adding the following: 'These requirements also apply in respect of the body cameras worn by security staff').
6. The premises shall adopt a policy in respect of managing the area immediately outside the premises. The policy shall include a restriction on the number of smokers outside the premises at any one time, a restriction on customers taking drinks outside the premises and requesting drivers of vehicles not to park immediately outside the premises. Security staff

- employed at the premises shall be trained in respect of this policy and be expected to implement such a policy to the best of their ability.
7. The premises shall operate a last entry time of 04.30hrs on any given day, whereby no new customers shall be admitted to the premises after this time.
 8. Licensable activity at the premises shall cease at 06.00hrs on any given day.
 9. The premises shall be closed by 06.30hrs on any given day.

In response to questions raised by Members Mr Fender advised the Sub-Committee that SIA door men cannot stop cars parking outside the premises but they can do so within the best of their ability. They could ask people to voluntarily move along. Taxi's parked outside the premises for customer use can cause problems and minor disruptions if a non-taxi vehicle parked on the double yellow lines outside the premises.

He agreed that the events that occurred on 3 March 2019 were unforgiveable but it was the first incident that had occurred outside Priva within three and a half years. A revocation to Mr Rowe's licence will cause a loss of livelihood and was disproportionate.

In employing new door staff Mr Rowe will liaise with a recognised security company in conjunction with West Midlands Police.

Mr Rowe confirmed that the CCTV footage was taken using a City Council camera and that on returning to Priva after checking that the individual was alright he instructed his partner to call the Police straight away and she called the Police from the Priva venue.

Summary

PC Reader stated that he was surprised that the licence holder did not attend the first hearing but that had now been explained. New evidence had since been provided and West Midlands Police were satisfied with the explanation.

Mr Fender noted the comments made by PC Reader. If the agreed conditions were in place by 3 March 2019 then he felt that the incident would not have happened. Mr Rowe did not want the incident to repeat itself in the future. The decision from the hearing should be an appropriate and proportionate sanction. A revocation would be disproportionate. Mr Rowe did not want his licence to be revoked as his livelihood would be put at risk. Mr Rowe was more than prepared to adopt the new conditions.

At 1133 the meeting was adjourned to discuss the decision. All parties with the exception of Members, the Committee Lawyer and the Committee Manager left the meeting.

At 1221 the meeting was reconvened and all parties were invited back and the decision of the Sub-Committee was announced as follows:-

4/040419

RESOLVED

That having reviewed the premises licence held under the Licensing Act 2003 by MR DANIEL ROWE in respect of PRIVA, 23 ESSEX STREET, BIRMINGHAM, B5 4TR, following an application for an expedited review made on behalf of the Chief Officer of West Midlands Police, this Sub-Committee hereby determines that the licence:

REMAIN SUSPENDED

until West Midlands Police force are satisfied that the licensee can comply with the 9 proposed conditions submitted during the hearing.

The Sub Committee listened carefully to the submissions made by both West Midlands Police and the agent for the premises licence holder regarding the serious disorder that had occurred and in respect of the on-going meaningful dialogues since suspension of the premises licence.

The Sub Committee were pleased to see that good progress had been made since the previous hearing between both parties and that a root and branch review had been undertaken by the licensee's agent which resulted in targeted conditions being offered as an addition to the current robust conditions on the licence.

Members acknowledged Priva was managed well in light of the previous expedited review in 2015 with a good security company contracted for its services, but noted with some concern the licensee's business led decision to employ in-house door supervisors had the opposite untended effect of jeopardising the business through want of better cost savings and friendly customer services. The appalling behaviour of in-house security personnel had undermined the licensee's short lived plans and more importantly the licensing objectives.

Members were agreeable to the proposed conditions (including the amended version of condition 8 to read "All licensable activities") having heard the agent's rationale for presenting them but were mindful of the WMP comments in respect of conditions 6 to 9 and considered it would be appropriate for the suspension to remain in force until the licensing unit of West Midland Police are satisfied the licensee can comply with those new proposed conditions.

The Sub Committee deliberated specifically condition 6 regarding the adoption of a policy in respect of managing the area immediately outside the premises as to whether it could be modified further to include liaison with the local authority over the use of barriers on the pavement, and banning customers from taking drinks outside the premises in order to promote public safety, prevention of public nuisance and crime and disorder. However, members appreciated these two specific issues were not pertinent to the cause of disorder but nevertheless preferred further consideration is given to the points raised in the creation of an external 'sterile area' as indicated by the licensee's agent.

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 2003 Act by the Secretary of State, the application and certificate issued by West Midlands Police under Section 53A of the Act, the written

Licensing Sub-Committee A – 4 April 2019

representations and the submissions made at the hearing by the police constable, the premises licence holder and his agent.

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.

The determination of the Sub-Committee does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the appeal is disposed of.

5/040419

ANY OTHER URGENT BUSINESS

There were no matters of any other urgent business.

The meeting ended at 1224 hours.

.....
CHAIRMAN

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Assistant Director of Regulation & Enforcement
Date of Meeting:	Monday 3rd June 2019
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Norton's Building, 43-45 Meriden Street, Birmingham, B5 5LS
Ward affected:	Bordesley & Highgate
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, 0121 303 9896, 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) to operate from 10:00am until 12:00midnight (Monday to Thursday), 10:00am until 04:00am (Friday and Saturday) and 10:00am until 02:00am (Sunday).

The provision of Regulated Entertainment consisting of plays, films, boxing or wrestling, live music, recorded music and the performances of dance, to operate indoors only, from 10:00am until 12:00midnight (Monday to Thursday), 10:00am until 04:00am (Friday and Saturday) and 10:00am until 02:00am (Sunday).

To permit the provision of Late Night Refreshment, to operate indoors only, from 11:00pm until 12:00midnight (Monday to Thursday), 11:00pm until 04:00am (Friday and Saturday) and 11:00pm until 02:00am (Sunday).

Premises to remain open to the public from 08:00am until 12:30am (Monday to Thursday), 08:00am until 04:30am (Friday and Saturday) and 08:00am until 02:30am (Sunday).

Other dates and times as specified in the application form.

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 April 2019 in respect of the Norton's Building, 43-45 Meriden Street, Birmingham, B5 5LS.

A representation has been received from West Midlands Police as a responsible authority.

4. Compliance Issues:
4.1 Consistency with relevant Council Policies, Plans or Strategies:
<p>The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.</p>
5. Relevant background/chronology of key events:
<p>P Connolly Limited applied on 11th April 2019 for the grant of a Premises Licence for the Norton's Building, 43-45 Meriden Street, Birmingham, B5 5LS.</p> <p>A representation has been received from West Midlands Police, as a responsible authority. See Appendix 1.</p> <p>The application is attached at Appendix 2.</p> <p>Site Location Plans at Appendix 3.</p> <p>It should be noted that there is 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.</p> <p>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.</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> <ol style="list-style-type: none"> The prevention of crime and disorder; Public safety; The prevention of public nuisance; and The protection of children from harm.
6. List of background documents:
<p>Copy of the representation as detailed in Appendix 1</p> <p>Application Form, Appendix 2</p> <p>Site Location Plans, Appendix 3</p>
7. Options available
<p>To Grant the licence in accordance with the application.</p> <p>To Reject the application.</p> <p>To Grant the licence subject to conditions modified to such an extent as considered appropriate.</p> <p>Exclude from the licence any of the licensable activities to which the application relates.</p> <p>Refuse to specify a person in the licence as the premises supervisor.</p>

ENTOLAS
R

From: bw licensing
Sent: 09 May 2019 14:06
To: Licensing Online
Cc: Heath Thomas
Subject: NORTONS BUILDING, 43-45 MERIDEN STREET, B5 5LS

Licensing,

Having consulted on this application, WMP are objecting to this licence owing to the application being in a special policy area.

With the size of the event space, the proposed capacity and the hours that the premises are planning to trade, WMP believe that this will add to crime and disorder in the area which the special policy covers.

WMP will continue to engage with the applicant and their solicitor.

Thank you

Ben

Police Constable 2413 Ben Reader
Licensing Department
Birmingham West Local Policing Unit
Police Headquarters,
Lloyd House,
Birmingham,
B4 6NQ

Preventing crime, protecting the public and helping those in need



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

Not Currently In Use

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

Your reference

HT01 PConnolly

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

P Connolly Limited

* Family name

N/A

* E-mail

Main telephone number

Other telephone number

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

Is the applicant:

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

☐ Applying as an individual

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

Applicant Business

Is the applicant's business registered in the UK with Companies House?

☒ Yes

☐ No

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

Registration number

10922367

Business name

P Connolly Limited

If the applicant's business is registered, use its registered name.

VAT number

none

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Owner / operator

Home country

United Kingdom

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

Heath Thomas, Harrison Clark Rickerbys
Solicitors

* Family name

N/A

* E-mail

Main telephone number

Other telephone number

Include country code.

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

Are you:

☒ An agent that is a business or organisation, including a sole trader

☐ A private individual acting as an agent

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

Agent Business

Is your business registered in the UK with Companies House?

☒ Yes

☐ No

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

Registration number

07033248

Business name

Harrison Clark Rickerbys

If your business is registered, use its registered name.

VAT number

GB

979 9180 43

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

P Connolly Limited

Details

Registered number (where applicable)

10922367

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

/ /
dd mm yyyy

* Nationality

n/a

Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

02 / 04 / 2019
dd mm yyyy

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

/ /
dd mm yyyy

Provide a general description of the premises

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

Craft beer bar and event space providing sale of alcohol, regulated entertainment and late night refreshment.

The premises will comprise a ground floor front bar and dining area, with rear bar and event space. The 1st floor will provide a flexible working office space facility.

Continued from previous page...

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

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

Will the performance of a play 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.

Continued from previous page...

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.

Occasional plays may take place in the event space within the premises. Music may be amplified and unamplified depending on the nature of the event.

State any seasonal variations for performing plays

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 performance of a play 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.

Until 04:00 on St Patricks Day and all Bank Holidays and Sundays immediately preceding a Bank Holiday

From the end of permitted hours on New Year's Eve until commencement of permitted hours on New Year's Day

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock.

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

Continued from previous page...

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 04:00

Start

End

SATURDAY

Start 10:00

End 04:00

Start

End

SUNDAY

Start 10:00

End 02:00

Start

End

Will the exhibition of films 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.

Occasional films may be played at the premises, for example Irish Heritage films.

State any seasonal variations for the exhibition of film

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 exhibition of film 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.

Until 04:00 on St Patricks Day and all Bank Holidays and Sundays immediately preceding a Bank Holiday

From the end of permitted hours on New Year's Eve until commencement of permitted hours on New Year's Day

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Continued from previous page...

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

Standard Days And Timings

MONDAY

Start 10:00

End 00:00

Start

End

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

TUESDAY

Start 10:00

End 00:00

Start

End

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 04:00

Start

End

SATURDAY

Start 10:00

End 04:00

Start

End

SUNDAY

Start 10:00

End 02:00

Start

End

Will the boxing or wrestling entertainment 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.

Continued from previous page...

Occasional boxing and wrestling may take place at the premises, for example through the Irish Boxing Association.

State any seasonal variations for boxing and wrestling entertainment

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 boxing or wrestling entertainment 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.

Until 04:00 on St Patricks Day and all Bank Holidays and Sundays immediately preceding a Bank Holiday

From the end of permitted hours on New Year's Eve until commencement of permitted hours on New Year's Day

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start 10:00

End 00:00

Start

End

TUESDAY

Start 10:00

End 00:00

Start

End

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:00

Start

End

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

Continued from previous page...

FRIDAY

Start 10:00

End 04:00

Start

End

SATURDAY

Start 10:00

End 04:00

Start

End

SUNDAY

Start 10:00

End 02:00

Start

End

Will the performance of live music 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.

Live music may be performed in the premises. Performers will be required to use their own equipment. Music will be amplified and unamplified.

State any seasonal variations for the performance of live music

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 performance of live music 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.

Until 04:00 on St Patricks Day and all Bank Holidays and Sundays immediately preceding a Bank Holiday

From the end of permitted hours on New Year's Eve until commencement of permitted hours on New Year's Day

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☒ Yes

☐ No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 10:00

End 00:00

Start

End

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

TUESDAY

Start 10:00

End 00:00

Start

End

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 04:00

Start

End

SATURDAY

Start 10:00

End 04:00

Start

End

SUNDAY

Start 10:00

End 02:00

Start

End

Will the playing of recorded music 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 playing recorded music

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 the premises will be used for the playing of recorded music 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.

Until 04:00 on St Patricks Day and all Bank Holidays and Sundays immediately preceding a Bank Holiday

From the end of permitted hours on New Year's Eve until commencement of permitted hours on New Year's Day

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start 10:00

End 00:00

Start

End

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

TUESDAY

Start 10:00

End 00:00

Start

End

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 04:00

Start

End

SATURDAY

Start 10:00

End 04:00

Start

End

Continued from previous page...

SUNDAY

Start 10:00

End 02:00

Start

End

Will the performance of dance 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.

Occasional performances of dance (e.g. Irish traditional/folk) may take place during an event held at the premises.

State any seasonal variations for the performance of dance

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 performance of dance 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.

Until 04:00 on St Patricks Day and all Bank Holidays and Sundays immediately preceding a Bank Holiday

From the end of permitted hours on New Year's Eve until commencement of permitted hours on New Year's Day

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

Continued from previous page...

MONDAY

Start 23:00

End 00:00

Start

End

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

TUESDAY

Start 23:00

End 00:00

Start

End

WEDNESDAY

Start 23:00

End 00:00

Start

End

THURSDAY

Start 23:00

End 00:00

Start

End

FRIDAY

Start 23:00

End 04:00

Start

End

SATURDAY

Start 23:00

End 04:00

Start

End

SUNDAY

Start 23:00

End 02:00

Start

End

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

☒ Indoors

☐ Outdoors

☐ Both

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

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

Occasional late night refreshment may take place in the premises during an event.

State any seasonal variations

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

Continued from previous page...

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Non-standard timings. Where 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.

Until 04:00 on St Patricks Day and all Bank Holidays and Sundays immediately preceding a Bank Holiday

From the end of permitted hours on New Year's Eve until commencement of permitted hours on New Year's Day

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start 10:00

End 00:00

Start

End

TUESDAY

Start 10:00

End 00:00

Start

End

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 04:00

Start

End

SATURDAY

Start 10:00

End 04:00

Start

End

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

Continued from previous page...

SUNDAY

Start 10:00

End 02:00

Start

End

Will the sale of alcohol be for consumption:

☒ On the premises ☐ Off the premises ☐ Both

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

State any seasonal variations

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

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

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

Until 04:00 on St Patricks Day and all Bank Holidays and Sundays immediately preceding a Bank Holiday

From the end of permitted hours on New Year's Eve until commencement of permitted hours on New Year's Day

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

Name

First name Peter

Family name Connolly

Date of birth
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="SOLPE/104727"/>
Issuing licensing authority (if known)	<input type="text" value="Solihull MBC"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

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

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

None

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start End
 Start End

WEDNESDAY

Start End
 Start End

THURSDAY

Start End
 Start End

FRIDAY

Start End
 Start End

SATURDAY

Start End
 Start End

SUNDAY

Start End
 Start End

State any seasonal variations

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

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.

Until 04:30 on St Patricks Day and all Bank Holidays and Sundays immediately preceding a Bank Holiday

From the end of permitted hours on New Year's Eve until commencement of permitted hours on New Year's Day

Section 18 of 21

LICENSING OBJECTIVES

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

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

Continued from previous page...

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

Please see below

b) The prevention of crime and disorder

CCTV to be provided and maintained to the reasonable satisfaction of West Midlands Police. Images to be retained for a minimum of 28 days and made available to the authorities on reasonable request.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

Door Supervisors to be engaged at the premises subject to a risk assessment by the premises licence holder or designated premises supervisor.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons

c) Public safety

Due consideration to be given to the advice of West Midlands Police in relation to the use of safety glassware for specified events or occasions.

A fire risk assessment will be conducted and implemented in the premises.

d) The prevention of public nuisance

Prior to use of the premises for regulated entertainment, noise attenuation works to the premises shall be completed in accordance with the recommendations of Blue Acoustics Noise Survey dated 27th March 2019.

If Environmental Health deem it necessary a Noise Limiting Device (NLD) of a type approved by the Environmental Protection Unit of Birmingham City Council shall be fitted to the amplification system and set at a pre-set volume level agreed with the Environmental Protection Section, to ensure the volume of music is pre-set so as not to cause a noise nuisance to the occupiers of nearby buildings. The installation of the NLD shall be notified to the Environmental Protection Section at least 14 days before its' initial operation and shall fulfil the following criteria:

- a) The device shall be fitted in an approved position by a competent person and once fitted shall not be moved from the approved position unless prior approval is given
- b) The device shall be capable of cutting off the mains power to the amplification system if the volume exceeds the pre-set level determined by the Environmental Protection Unit or shall be capable of maintaining the volume of the music at the pre-set level determined by the Environmental Protection Unit and shall not restore power to the sound system until the

Continued from previous page...

NLD is reset by the licensee or their nominated person.

c) The amplification system shall only be operated through the sockets/power points linked to and controlled by the NLD at all times.

d) The NLD shall be maintained in full working order and at the approved pre-set volume whilst the amplification system is operational.

Save for entrance and exit, all external doors and windows shall remain closed during regulated entertainment in the premises.

Clearly legible notices shall be displayed at all exits/entrances to the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

The designated premises supervisor shall be responsible for ensuring that patrons wishing to use any external smoking area do so without causing nuisance to local residents.

The premises shall have a dispersal policy which shall be implemented for dispersal at all times the premises are open for licensable activity. The dispersal policy shall be reviewed periodically or in the case of noise complaints relating to dispersal activities and revised as necessary. A copy of the policy shall be available for inspection by Responsible Authorities.

The premises licence holder/designated premises supervisor shall ensure that a written agreement is made with reputable taxi companies to ensure that when taxis pick-up and drop-off patrons at the premises noise from these vehicles does not cause a nuisance to local residents. Patrons who require a taxi shall be advised to use these nominated companies. Notices shall be displayed in the premises for patrons to view giving contact details of nominated taxi companies.

e) The protection of children from harm

Children to be permitted access to the premises in accordance with the provisions of the Licensing Act 2003.

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

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

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

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

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

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

Capacity 5000-9999 - £1,000.00

Capacity 10000-14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

* Fee amount (£)

190.00

DECLARATION

1

Continued from previous page...

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE

* ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15).

1 THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

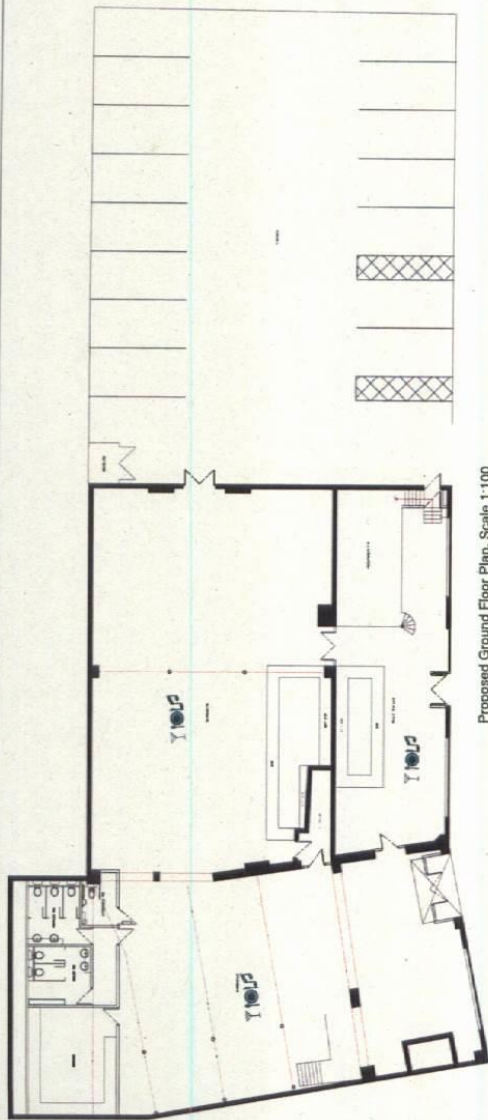
Once you're finished you need to do the following:

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

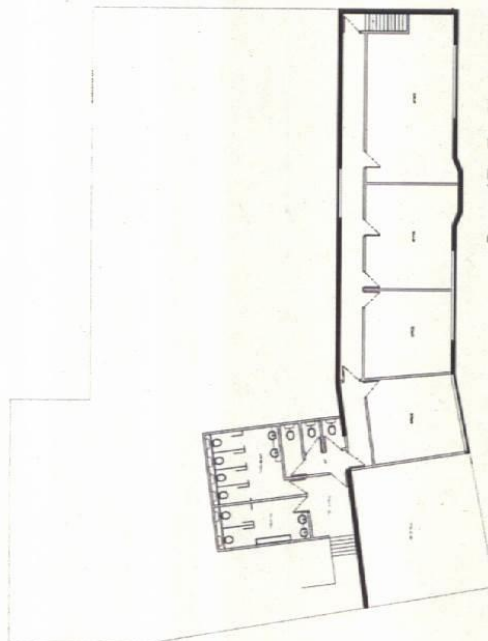
Don't forget to make sure you have all your supporting documentation to hand.

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

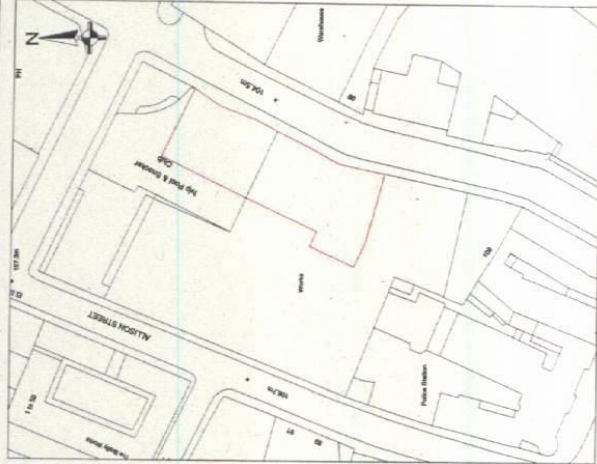
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED



Proposed Ground Floor Plan, Scale 1:100



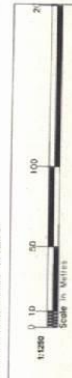
Proposed First Floor Plan, Scale 1:100



Site Plan, Scale 1:500



Block Plan, Scale 1:250

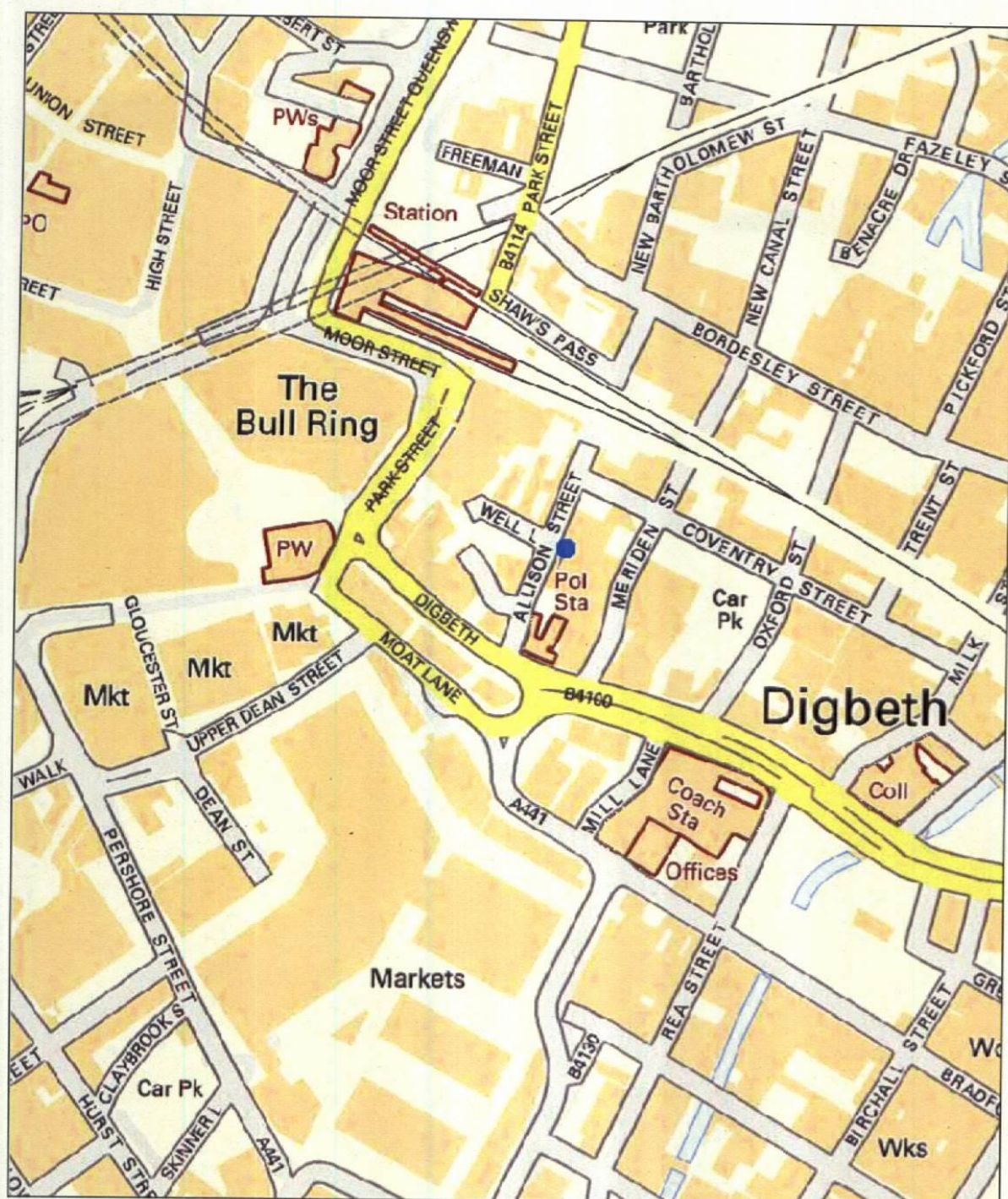


KEY TO LICENSED AREAS

- 1 Sale & Supply of Alcohol
- 2 Late Night Refreshment
- 3 Regulated entertainment
- 4 Outside consumption

Licensing Plan

Client Nortons Building	Drawing No. BP-PL-02	Revision Not Applicable
Location 100m	Project M.L.D.	Date December 2018
Author W. K. Williams	Drawing Title Proposed Overlays	Scale Various @ A1
Checked Not Applicable		



Birmingham City Council

Map Created By:

Notes

Date of Map Creation: 10/05/2019



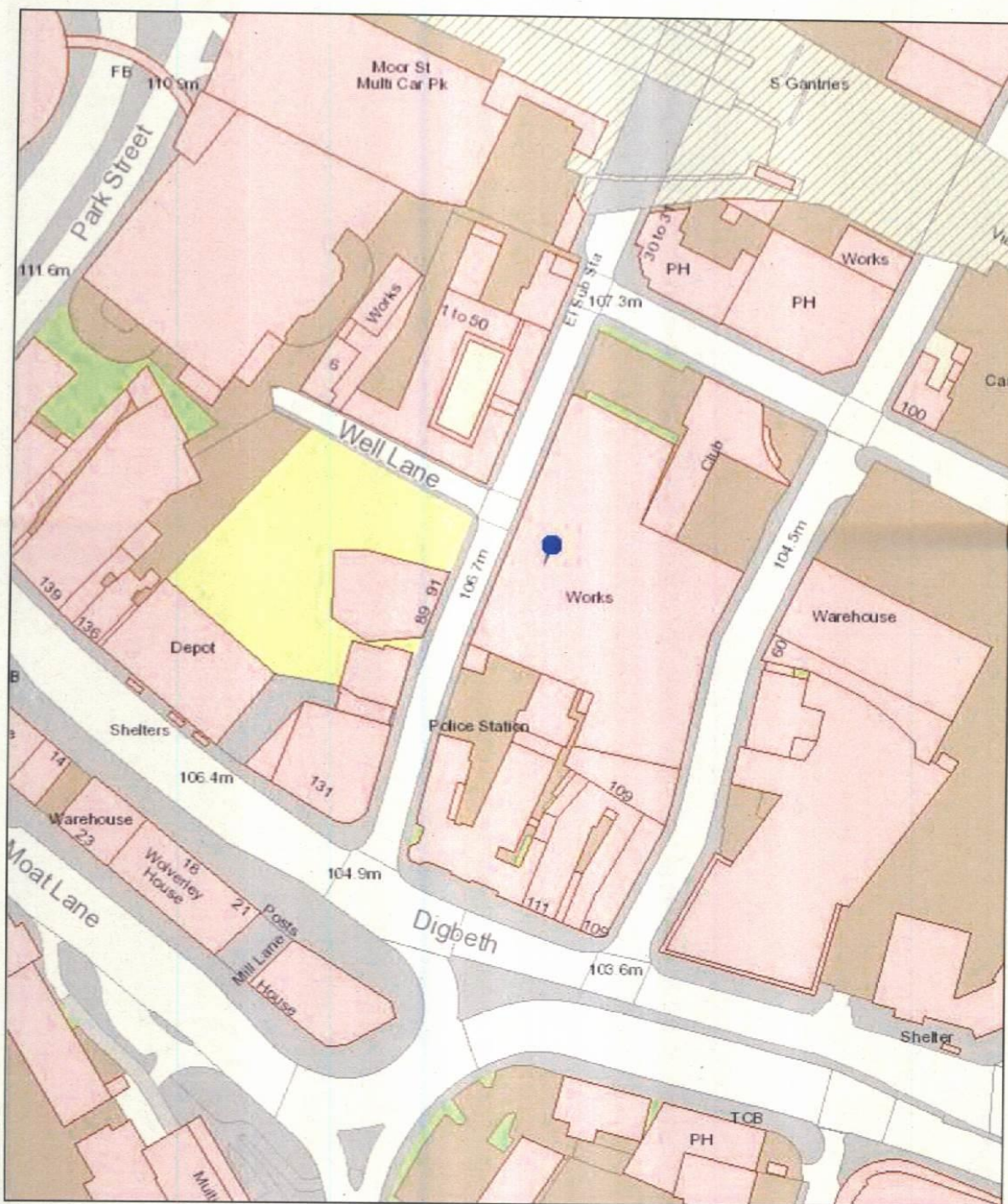
Scale:
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Scale:
1:1,250

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