

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

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B

TUESDAY, 27 JUNE 2017 AT 10:00 HOURS
IN COMMITTEE ROOM 1, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

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

A G E N D A

1 NOTICE OF RECORDING

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

2 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

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3 LICENSING ACT 2003 PREMISES LICENCE – GRANT LONDON INTERNATIONAL SUPERMARKET, 235 – 237 LOZELLS ROAD, BIRMINGHAM, B19 1RJ

Report of the Acting Director of Regulation and Enforcement.
N.B. Application scheduled to be heard at 10:00am

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4 LICENSING ACT 2003 PREMISES LICENCE – GRANT THE MONASTERY, 173 – 174 DIGBETH HIGH STREET, DERITEND, BIRMINGHAM, B12 0LD

Report of the Acting Director or Regulation and Enforcement.
N.B. Application scheduled to be heard at 11:30am

5 OTHER URGENT BUSINESS

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

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Tuesday 27th June 2017
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	London International Supermarket, 235 – 237 Lozells Road, Birmingham, B19 1RJ
Ward affected:	Lozells and East Handsworth
Contact Officer:	Shaid Yasser, Senior Licensing Officer, 0121 303 6920, licensing@birmingham.gov.uk

1. Purpose of report:
<p>To consider relevant representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption off the premises) to operate 24 hours (Monday to Sunday).</p> <p>Premises to remain open to the public 24hours (Monday to Sunday).</p>

2. Recommendation:
<p>To consider the representations that have been made and to determine the application.</p>

3. Brief Summary of Report:
<p>An application for a Premises Licence was received on 11th May 2017 in respect of London International Supermarket, 235 – 237 Lozells Road, Birmingham, B19 1RJ.</p> <p>Representations have been received from West Midlands Police, as a responsible authority, and from other persons.</p>

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:

Shukriya Zardary applied on 11th May 2017 for the grant of a Premises Licence for London International Supermarket, 235 – 237 Lozells Road, Birmingham, B19 1RJ.

A representation has been received from West Midlands Police, as a responsible authority. See Appendix 1.

A representation has been received from other persons, which is attached at Appendix 2.

The application is attached at Appendix 3.

Site Location Plans at Appendix 4.

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

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

6. List of background documents:

Copy of the representations as detailed in Appendices 1 & 2
Application Form, Appendix 3
Site Location Plans, Appendix 4

7. Options available

To Grant the licence in accordance with the application.

To Reject the application.

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

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

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

Appendix 1

Entered
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From: Abdool Rohomon
Sent: 08 June 2017 07:43
To: Licensing
Cc: bw licensing
Subject: Premise licence application - London International Supermarket

Dear Licensing,

West Midlands Police have received an application for a new premise licence for 235-237 Lozells Road. The application is for a 24 hour off licence, West Midlands Police are objecting to this application on the grounds of the prevention of crime and disorder, public safety and public nuisance. Lozells Road is a hot spot area for West Midlands Police in terms of alcohol related crime and disorder and anti-social behaviour, this has been on the increase and causing significant nuisance in the area, and is growing problem that the local neighbourhood team are trying to tackle, to the point that they are now looking at all legal avenues to curb the amount of alcohol that is on the street. To have another licensed premises on this road, that could be authorised to sell alcohol 24 hours a day will only add to this issue. West Midlands Police would not even endorse a reduction in hours.

On this basis West Midlands Police object to this application and formally request a hearing for this application to be considered

Kind regards

Abs Rohomon

Abs Rohomon

PC 4075 Rohomon
BWC Planning and Licensing
Police headquarters
Lloyd House
Colmore Circus
Birmingham
B4 6NQ

Website: www.west-midlands.police.uk
Twitter: www.twitter.com/brumpolice
Facebook: www.facebook.com/westmidlandspolice
YouTube: www.youtube.com/westmidlandspolice

Vision statement - Serving our communities, protecting them from harm

Entered
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From: Heath Thomas <
Sent: 06 June 2017 11:35
To: Licensing
Subject: Representation against grant of premises licence to Shukriya Zardary in respect of London International Supermarket, 235-237 Lozells Road, Birmingham B19 1RJ

Dear Sirs

I am instructed on behalf of Mr Mahir Akgul of 233 Lozells Road, Birmingham B19 1RJ to object to the grant of a premises licence by Shukriya Zardary on the grounds of crime and disorder.

Shukriya Zardary is associated with the former operator of licensed premises known as International Supermarket, 117 Villa Road, Birmingham B19 1NH whose licence was revoked due to breaches of the crime prevention objective (the sale of illegal/non-duty paid tobacco), and whose application for the grant of a premises licence for 235-237 Lozells Road was withdrawn following objections from Mr Akgul on grounds of crime and disorder. We are instructed that Shukriya Zardary is making this application on behalf of individual(s) who would otherwise be refused the grant of a premises licence due to their criminal activity in connection with licensed premises, namely the sale of smuggled tobacco. This type of activity should be treated particularly seriously. There is a real risk that Shukriya Zardary will permit these activities at London International Supermarket, 235-237 Lozells Road, and use/allow the use of these premises to further crimes. The crime prevention objective is being undermined by this applicant and as such Shukriya Zardary should be refused a premises licence.

Evidence in support of the above will be produced before the Licensing sub-committee in due course.

Yours faithfully


Heath Thomas


Partner
Licensing & Regulatory
For and on behalf of Harrison Clark Rickerbys Limited

Harrison Clark Rickerbys Limited, 5 Deansway, Worcester
Worcestershire, WR1 2JG, United Kingdom

 www.hcrclaw.com

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Birmingham
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

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

☒ Applying as an individual

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

<p>BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED 11 MAY 2017 REF NO _____ INITIALS _____</p>
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Continued from previous page...

Address

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

Agent Details

* First name	<input type="text" value="Patrick"/>
* Family name	<input type="text" value="Burke"/>
* E-mail	<input type="text"/>
Main telephone number	<input data-bbox="507 943 944 981" type="text" value="("/>
Other telephone number	<input type="text"/>

Include country code.

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

Are you:

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

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

Agent Business

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

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

Business name	<input type="text" value="Pmb licensing"/>
VAT number	<input type="text" value="NONE"/>
Legal status	<input type="text" value="Sole Trader"/>
Your position in the business	<input type="text" value="PROPIETOR"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name	DOG AND PARTRIDGE
Street	136 HIGH STREET
District	BRIERLEY HILL
City or town	DUDLEY
County or administrative area	WEST MIDLANDS
Postcode	DY5 3BP
Country	United Kingdom

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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	London International Supermarket
Street	235 - 237 Lozells Road
District	
City or town	Birmingham
County or administrative area	
Postcode	B19 1RJ
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	4,150

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

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

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

☒ Yes

☐ No

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

First name

Shukriya

Family name

Zardary

Is the applicant 18 years of age or older?

☒ Yes

☐ No

Continued from previous page...

Current Residential Address

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

☒ Yes

☐ No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

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

☒ Yes

☐ No

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

E-mail

Telephone number

Other telephone number

* Date of birth

 / /
dd mm yyyy

* Nationality

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?

 / /
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.

General store wishing to sell alcohol along with the other products on offer.

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

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes

☒ No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☐ Yes

☒ No

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PROVISION OF PERFORMANCES OF DANCE

Continued from previous page...

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes

☒ No

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

See guidance on regulated entertainment

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

☐ Yes

☒ No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

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

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 00:00

End 23:59

Start

End

SUNDAY

Start 00:00

End 23:59

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.

none

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.

none

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

Name

First name

Shukriya

Family name

Zardary

Date of birth

/ /
dd mm yyyy

Continued from previous page...

Enter the contact's address

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

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'.

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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

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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.

none

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.

none

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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.

ALL STAFF WILL BE TRAINED WITH REDARDS TO THE LICENCING ACT 2003, THE SERVICE OF ALCOHOL AND TOBACCO. A RECORD WILL BE KEPT OF ALL ATENTIVE PURCHASES BY UNDER 18'S. WE WILL LIASE WITH THE LOCAL POLICE LICENSING OFFICER ON A REGULAR BASIS. ALL STAFF TRAINING RECORDS RELATING THE LICENSING ACT 2003 TO BE DOCUMENTED AND SIGNED BY BOTH THE TRAINER AND TRAINEE. RECORDS TO BE MADE IMMEDIATELY AVAILABLE TO ANY OF THE RESPONSIBLE AUTHORITIES ON REQUEST.

b) The prevention of crime and disorder

PROMINENT SIGNS ARE DISPALYED WITH REGARDS TO ALCOHOL AND TOBACCO SALES.
CCTV CAMERAS ARE INSTALLED AT THE PREMISES WITH THE SPECIFICATIONS AND RECOMMENDATIONS OF THE WEST MIDILANDS POLICE. CCTV RECORDINGS AND IMAGES TO BE DOWNLOADABLE KEPT FOR A MINIMUM OF 28 DAYS AND MADE IMMEDIATELY AVAILABLE TO ANY OF THE RESPONSIBLE AUTHORITIES.
A REFUSAL BOOK IS KEPT AT THE PREMISES AND TO BE MADE IMMEDIATELY AVAILABLE TO ANY OF THE RESPONSIBLE AUTHORITIES ON REQUEST AND SIGNED OFF WEEKLY BY THE DPS.
Records of staff training shall be made available on site for inspection at any time.
The premises shall have a panic button facilities on the premises.
Internal and External CCTV shall be maintained on the premises, recordings of which will be kept for 31 days.
CCTV will be recording and cover all areas open to members of the public, including the interior, front exterior of the premises and the entrance of the premises. This will be to the recommendation and specification of West Midlands Police.
The CCTV will operate whenever the premises is open to members of the public. It will hold recorded data for a minimum of 28 days, and be made available to West Midlands Police or any responsible authority on request
A member of staff in possession of a personal licence will be on the premises after 23:00hrs until 06:00hrs every day. In addition, all staff members will be able to operate and download CCTV at all times
An incident book will be maintained to record any incidents that occur inside the premises or directly outside of the premises. This incident book will be made available for inspection by any of the responsible authorities
SIA registered door supervision wearing high visibility clothing to be at the premises from 23:00hrs until 06:00 hrs on Fridays, Saturdays and on Sundays before a Bank Holiday

c) Public safety

ALL EMERGENCY LIGHTING WILL BE CHECKED WEEKLY.
ENTRANCES,EXITS AND PASSAGEWAYS ARE TO BE KEPT CLEAR
No enforceable conditions identified from operating schedule.

d) The prevention of public nuisance

PROMINENT SIGNS WILL BE DISPALYED REQUESTING CUSTOMERS TO HAVE REGARD FOR LOCAL RESIDENTS WHEN LEAVING THE PREMISES. ADEQUATE BINS ARE AVAILABLE FOR CUSTOMERS TO DISPOSE OF LITTER
NO ALCOHOL ALLOWED ON THE PREMISES IN OPEN CONTAINERS.
NO ALCOHOL TO BE CONSUMED ON THE PREMISES.
No enforceable conditions identified from operating schedule.

e) The protection of children from harm

WILL OPERATE A CHALLENGE 25 POLICY AND CCTV SIGNAGE ON THE ENTRANCE DOOR AND POINT OF SALE.
A refusals book will be fully maintained and available for inspection at any time.
The premises shall operate a proof of age scheme via acceptable forms of identification and incorporating the challenge 21 system.
The Premises Licence Holder shall ensure that any alcohol on display is not obstructed from view of the sales assistants

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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 by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

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 **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **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.
- 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.

Continued from previous page...

- 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 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, 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.

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.

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 http://www.voa.gov.uk/business_rates/index.htm

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 (£)

100.00

DECLARATION

1

Continued from previous page...

I/WE UNDERSTAND IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT
* IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY
CONVICTION TO A FINE OF ANY AMOUNT.

I/WE UNDERSTAND 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.

☒ 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

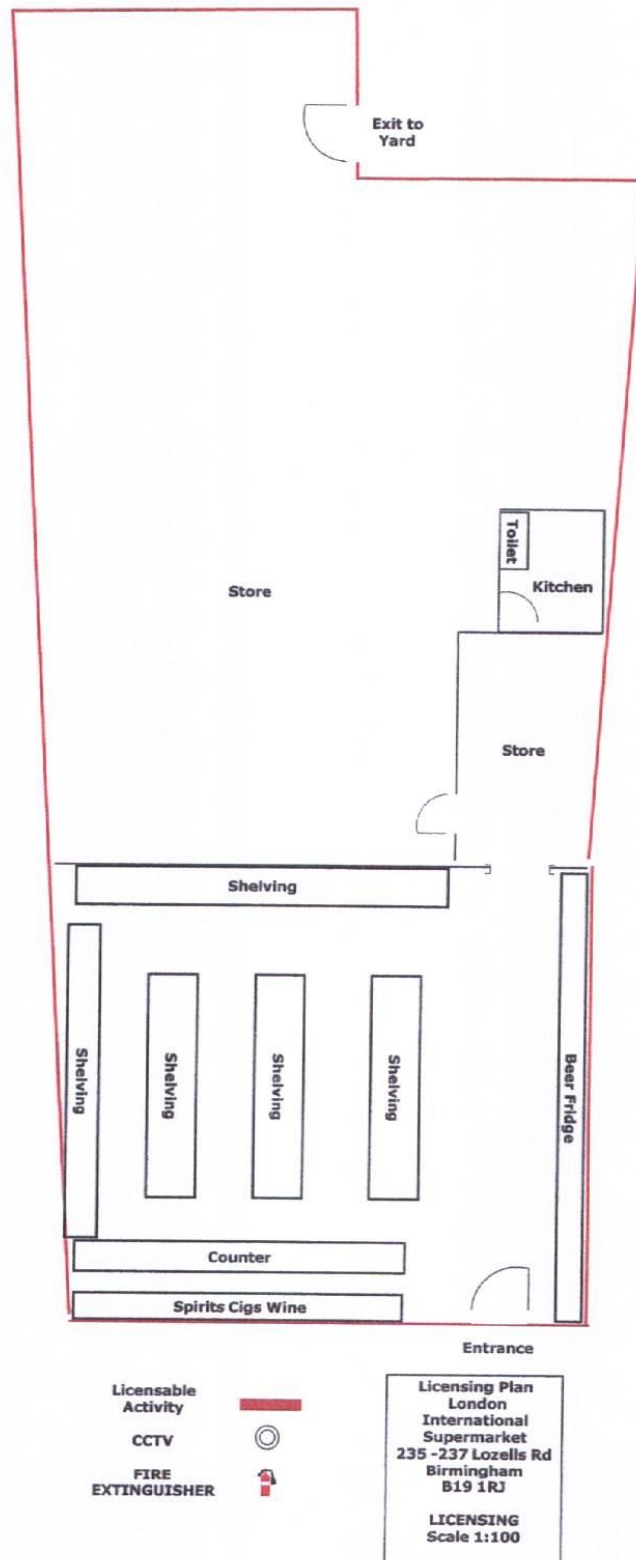
Once you're finished you need to do the following:

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





Birmingham City Council Map Created By:

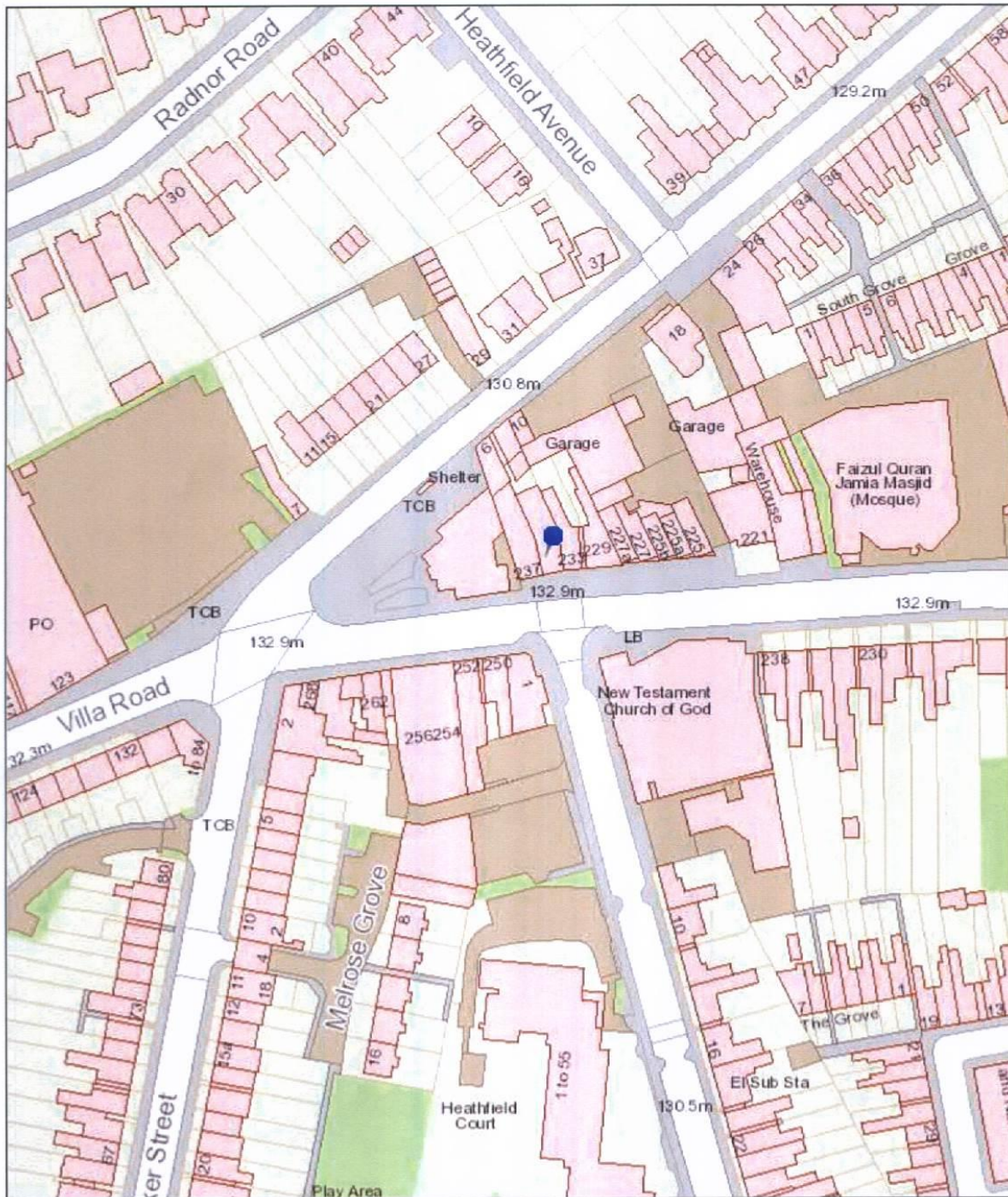
Date of Map Creation: 13/06/2017

Notes



Scale:
1:4,000

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Birmingham City Council Map Created By:

Notes

Date of Map Creation: 13/06/2017



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BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Tuesday 27th June 2017
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	The Monastery, 173 – 174 Digbeth High Street, Deritend, Birmingham, B12 0LD
Ward affected:	Nechells
Contact Officer:	Shaid Yasser, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider a relevant representation that has been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption both on and off the premises) to operate 24hours (Monday to Sunday).

To permit the provision of Regulated Entertainment consisting of plays, films, indoor sporting events, boxing or wrestling entertainment, live music, recorded music, performances of dance and anything of a similar description, to operate both indoors and outdoors, 24hours (Monday to Sunday).

To permit the provision of Late Night Refreshment to operate from 11:00pm until 05:00am (Monday to Sunday).

Premises to remain open to the public 24hours (Monday to Sunday).

2. Recommendation:

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

3. Brief Summary of Report:

An application for a Premises Licence was received on 3rd May 2017 in respect of The Monastery, 173 – 174 Digbeth High Street, Deritend, Birmingham, B12 0LD.

Representations have been received from West Midlands Police and Environmental Health, as responsible authorities.

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

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

5. Relevant background/chronology of key events:

Strand 2015 Limited applied on 3rd May 2017 for the grant of a Premises Licence for The Monastery, 173 – 174 Digbeth High Street, Deritend, Birmingham, B12 0LD.

Representations have been received from West Midlands Police and Environmental Health, as responsible authorities. See Appendices 1 & 2.

The application is attached at Appendix 3.

Site Location Plans at Appendix 4.

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

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

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

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

6. List of background documents:

Copy of the representations as detailed in Appendices 1 & 2
Application Form, Appendix 3
Site Location Plans, Appendix 4

7. Options available

To Grant the licence in accordance with the application.

To Reject the application.

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

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

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

Appendix 1

Entered
DJ

From: Ben Reader <
Sent: 31 May 2017 12:26
To: Licensing; David Kennedy
Cc:

Subject: The Monastery

Licensing,

I am writing in relation to the premises application made by Strand 2015 Limited for The Monastery, 173-174 High Street, Digbeth, B12 0LD.

West Midlands Police wish to formally object to this licence application.

This application sits within a special policy area.

This application has sought for 24 provision of multiple activities which WMP believe will impact on the public safety, public nuisance and the crime and disorder licensing objectives.

We have conducted a site visit and talked through the proposals, but the application does not include the details of those conversations and is a very broad application, significantly increasing the capacity of the current licence.

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

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ENVELO

From: Jane Dunsford
Sent: 30 May 2017 10:33
To: Licensing;
Cc:
Subject: Representation for Monastery, 173 – 174 High Street, Digbeth
Attachments: Monastery License Application 2017.doc

Dear Licensing,

It is my opinion that there is the potential for public nuisance to occur should the licence be granted. There are flats in direct line of sight of the venue approximately 20m from the venue, and also a block of apartments in Warwick Street again in line of sight. The venue wants live and recorded music 24 hours in a number of areas within the site including the rear yard under the viaduct, and the ground and second floors. The applicant has commissioned a noise report that advises insulation works need to be carried out to ensure a potential public nuisance does not occur, however the noise report needs updating to cover the rear yard, crowd noise and second floor smoking area. This work has not been carried out to date.

I would also advise that the venue had some music events on the ground floor in the past which gave rise to complaints from residents. After the complaints they moved all music to the first floor and this has appeared to have worked causing no complaint. They have had a number of TENs more recently covering the second and ground floor areas and we have had complaints from one nearby resident when these started, but not recently.

Given the potential for public nuisance I have asked for further information (please see attached) to be provided to ensure a public nuisance does not occur, to date this has not been provided. So due to the lack of information provided and the site history Environmental Health would like to submit a representation on the grounds of public nuisance.

I hope this is sufficient for my representation to stand.

Regards,

Jane Dunsford
Environmental Protection Officer
Environmental Protection Unit

Monastery License Application

I have gone through the license application and noise report provided, and have a number of queries and recommendations in order for me to assess the application:

1. What will be the maximum capacity of the premises inside and out if all areas are used?
2. What is the capacity of each room and outside areas?
3. Would all the areas be used at once or would it be limited and how?
4. Why do you require 24hrs 7 days a week, why not just weekends as your TENs have been?
5. You were granted at least 7 TENs till midday the next day over the last few months, did you have all these events? Were these events the type of event you would want if you obtained your licence. Were 3 separate events going on during these TEN events?
6. From these TENs you should be able to produce the following paper work for the license application: **Noise R.A Plan, dispersal policy and traffic management plan, management of smoking area. Just confirm I need these to assess the application.**
7. You have commissioned Blue Acoustics to carry out your noise report. The consultant advises that a lot of insulation work is required on the second and ground floor before you can operate regulated entertainment to a noise level expected by your customers. The consultant advises some work has been done to the second floor but not what he had recommended in the previous noise report for the last application. **I would expect you to provide a timetable of works to be done to insulate the premises to a standard specified by the noise consultant in order for me to assess the application.**
8. The noise consultant has not carried out any assessment on the external areas you would like to use. You advise the rear viaduct will be turned into a room, this needs to be looked at by the noise consultant.
9. **I feel the rear viaduct area you want entertainment in should not be considered in this application.**
10. The noise consultant has not assessed patron noise or advised how the existing first floor has been insulated. This needs to be looked at.
11. The noise consultant has advised it will be difficult to set maximum output noise levels for each sound system in the premises as there could be four going at one time and the cumulative affect of this needs to be considered. He is unsure at this time how you will do this??? **I think will be requiring separate limiters for each room.**
12. The plan shows a smoking area on the second floor- is this external?
13. I can only see one entrance on the plan, where is the other and are the both double lobbied.

14. I think there should be a condition that if fire doors are opened the music shuts off.

15. When will you be applying for planning permission?

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

We **STRAND 2015 LIMITED**

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description THE MONASTERY 173/4 HIGH STREET DIGBETH		REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED <i>19-00-2015</i>	
Post town	BIRMINGHAM	REF NO	<i>009501/000188</i>
		Postcode	B12 0LD <i>Ac</i>
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£20,000	

Part 2 – Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name STRAND 2015 LIMITED
Address 52 GAS STREET BIRMINGHAM B1 2JT
Registered number (where applicable) 09916890
Description of applicant (for example, partnership, company, unincorporated association etc.) PRIVATE LIMITED COMPANY
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

THE PREMISES

The Monastery is a Grade II listed building, which the applicant is bringing back to its former glory with an extensive refurbishment. They are working closely with British Heritage to restore the building to their specification. After completion of this they hope to operate on many levels comprising of several public rooms of various sizes including railway arch yard areas. Two entrances are available for individual or contemporaneous usage. The site is multi-purpose, offering flexible use for a variety of functions and events large and small, including; CONCERTS, SOCIAL FUNCTIONS, NIGHT CLUB/DANCE EVENTS, GENERAL ENTERTAINMENT, THEATRE PRODUCTIONS, EDUCATIONAL PROGRAMS, WORKSHOPS and EXHIBITION SPACE.

Additionally, THE MONASTERY is committed to providing services, which will be of benefit to the whole community. In addition to being an entertainment venue, it offer's facilities for education workshops and mount exhibitions showcasing local talent from all social and ethnic backgrounds.

The applicant fully understands its responsibility to promote the four licensing objectives via its operational plan.

THE PLAN

The plan reflects the nature of the premises, the type & time of events/entertainment being provided together with associated risk. The premises have the facility to use two separate entrances dependant on the number of patrons attending and the required rooms to be accessed. It has the facility to ensure that areas/rooms not being used will remain "sterile" at that time. There is a CCTV system installed and will be constantly recording whilst the premises is open. All events that require them will be subject to individual risk assessments. Lodging said reports with the police at the required time and working together concerning any identified risk. Where the presence of door supervisors is necessary, a wholly independent company will provide SIA registered staff will be used in appropriate numbers, identified by risk assessments. In addition to, but not performing the duties of doors supervisors, certain events will need the provision of stewards within the premises.

The Monastery will conform to current Birmingham city council statement of licensing policy.

OPERATION OF LICENSED AREAS (PLEASE REFER TO PLANS)

Part of the premise currently has a license to supply alcohol and to have regulated entertainment, however this only covers the first floor only. Lic no = 4584.

GROUND FLOOR REAR YARD (1)

The yard at the rear of the Monastery is accessed from large gates from lower trinity street and also from an entrance via the Monastery.

This area is open to the elements. There are some areas which lead under the viaduct and gives cover. The flooring is of a concrete base. There is CCTV fitted together with lighting. A new toilet block is being built which would mean the outside area supports itself, there would be no need to go into the main building known as the monastery.

This area will be licensed for supply of alcohol and regulated entertainment.

The management will be looking to hold day time events primarily food events with stalls.

ROOM IN REAR YARD UNDER VIADUCT (2)

This is an area that is at the side of the rear yard and is positioned under the viaduct. An enclosed room is being created, which will be sound proofed, this room will be used similar to the ground floor providing regulated entertainment and supply of alcohol.

GROUND FLOOR OF MONASTORY (3)

This area is under refurbishment. There is CCTV and lighting in this area. There are toilets adjacent to the main building. The ground floor consists of a function room, reception area with office/pay booth.

The ground floor will be licensed to supply alcohol and regulated entertainment.

The management will be looking to hold music events in the small function room.

Hours would be till 05:00hrs.

FRONT OUTSIDE COURTYARD (4)

The outside courtyard will currently be used as a smoking area for the premises in a controlled manner. It will also act as the main entrance for patrons attending events at The Monastery. This area will be licensed. And will be used in conjunction with the ground floor.

FIRST FLOOR (5)

This floor is currently Licensed to supply alcohol and to provide regulated entertainment. This floor consists of a function room with small bar servery, a DJ booth and seated areas. Toilets are located on the ground floor.

Music events are currently being held on this floor from 22.00hrs to 05.00hrs the following day.

SECOND FLOOR (6)

This is not currently licensed. It has had extensive sound proofing work done to the roof under the guidance of Environmental Health Officers and the managements own Acoustics engineer.

This floor consists of a main function room with Bar servery, DJ booth and fixed seating. A new toilet block as also been constructed on this floor.

Music events will be held on this floor in particular, an 'After Party 'event, which has been operating under a temporary event notice from 05.00hrs to 12.00hrs, on most weekends.

WHOLE PREMISES

The licensed areas are to include the Monastery, front and rear yards as shown on the site plan.

The above hours quoted for each floor are guidelines as to how the applicant is looking to operate the premises.

CCTV is fitted throughout the premises and outside areas. It will be brought up to the specification warranted by West Midlands Police.

There is adequate lighting in all public areas, if Environmental Health require further lighting this will be provided.

If the outside areas are being used for regulated entertainment past 23.00hrs then a Safety Advisory Group meeting will be called.

The management will be seeking to be granted a 24hr premises license to supply alcohol and have regulated entertainment, together with Late Night Refreshment.

The applicant is working closely with PC Reader of West Midlands Police and Jane Dunsford of Environmental Health to put together appropriate conditions. The applicant awaits contact with Other responsible authorities to discuss conditions.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

☒

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

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

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	00.00hrs	24.00hrs			
Tue	00.00hrs	24.00hrs			
Wed	00.00hrs	24.00hrs			
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur	00.00hrs	24.00hrs			
Fri	00.00hrs	24.00hrs			
			<u>Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	00.00hrs	24.00hrs			
Sun	00.00hrs	24.00hrs			

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon	00.00hrs	24.00hrs				
Tue	00.00hrs	24.00hrs				
Wed	00.00hrs	24.00hrs				
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)			
Thur	00.00hrs	24.00hrs				
Fri	00.00hrs	24.00hrs				
			<u>Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat	00.00hrs	24.00hrs				
Sun	00.00hrs	24.00hrs				

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon	00.00hrs	24.00hrs	
Tue	00.00hrs	24.00hrs	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed	00.00hrs	24.00hrs	
Thur	00.00hrs	24.00hrs	<u>Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri	00.00hrs	24.00hrs	
Sat	00.00hrs	24.00hrs	
Sun	00.00hrs	24.00hrs	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon	00.00hrs	24.00hrs				
Tue	00.00hrs	24.00hrs				
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)			
Wed	00.00hrs	24.00hrs				
Thur	00.00hrs	24.00hrs				
			<u>Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Fri	00.00hrs	24.00hrs				
Sat	00.00hrs	24.00hrs				
Sun	00.00hrs	24.00hrs				

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon	00.00hrs	24.00hrs		
Tue	00.00hrs	24.00hrs		
Wed	00.00hrs	24.00hrs	State any seasonal variations for the performance of live music (please read guidance note 5)	
Thur	00.00hrs	24.00hrs		
Fri	00.00hrs	24.00hrs	Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sat	00.00hrs	24.00hrs		
Sun	00.00hrs	24.00hrs		

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	00.00hrs	24.00hrs	<u>Please give further details here</u> (please read guidance note 4)		
Tue	00.00hrs	24.00hrs			
Wed	00.00hrs	24.00hrs	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	00.00hrs	24.00hrs			
Fri	00.00hrs	24.00hrs	<u>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	00.00hrs	24.00hrs			
Sun	00.00hrs	24.00hrs			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	00.00hrs	24.00hrs			
Tue	00.00hrs	24.00hrs			
Wed	00.00hrs	24.00hrs			
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	00.00hrs	24.00hrs			
Fri	00.00hrs	24.00hrs			
			<u>Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	00.00hrs	24.00hrs			
Sun	00.00hrs	24.00hrs			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	00.00hrs	24.00hrs		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	00.00hrs	24.00hrs	<u>Please give further details here</u> (please read guidance note 4)		
Wed	00.00hrs	24.00hrs			
Thur	00.00hrs	24.00hrs	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri	00.00hrs	24.00hrs			
Sat	00.00hrs	24.00hrs	<u>Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun	00.00hrs	24.00hrs			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)	
Mon	23.00hrs	05.00hrs		
Tue	23.00hrs	05.00hrs		
Wed	23.00hrs	05.00hrs		
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)	
Thur	23.00hrs	05.00hrs		
Fri	23.00hrs	05.00hrs		
			<u>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sat	23.00hrs	05.00hrs		
Sun	23.00hrs	05.00hrs		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	00.00hrs	24.00hrs			
Tue	00.00hrs	24.00hrs			
Wed	00.00hrs	24.00hrs			
Thur	00.00hrs	24.00hrs	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	00.00hrs	24.00hrs			
Sat	00.00hrs	24.00hrs			
Sun	00.00hrs	24.00hrs			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name HITESH CHAUHAN	
Date of birth _____	
Address _____ _____ _____	
Postcode	_____
Personal licence number (if known) _____	
Issuing licensing authority (if known) _____	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	00.00hrs	24.00hrs	<u>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Tue	00.00hrs	24.00hrs	
Wed	00.00hrs	24.00hrs	
Thur	00.00hrs	24.00hrs	
Fri	00.00hrs	24.00hrs	
Sat	00.00hrs	24.00hrs	
Sun	00.00hrs	24.00hrs	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

- Management will ensure all staff receive adequate training on a regular basis, relating to the four licensing objectives, general licencing regulations/Conditions including Fire regulations.
- A record of the training will be kept by the management.
- Security Staff will be SIA Registered.

b) The prevention of crime and disorder

- CCTV system to be installed fit for the purpose and satisfaction of West Midlands Police.
- Images to be retained for at least 28 Days and shall be made available upon request to officers of the responsible authorities.
- Staff will be given ongoing training including identification of anti social or unusual behaviour.
- The premises will operate a zero tolerance drugs policy at all times.

c) Public safety

- Management to provide suitable and sufficient written Health & safety and Fire Risk Assessments.
- A member of staff will be trained in First aid.
- Electric, Gas and relevant equipment are to be checked and maintained in working order and tested annually.
- Adequate lighting will be provided in all public areas and outside
- Capacity limits will be set and agreed with West Midlands Fire Service.

d) The prevention of public nuisance

- SIA registered Security staff will oversee customers arriving or departing the premises and not allow anti social behaviour by individuals or groups.
- The Designated Premises Supervisor will provide responsible management at all times
- The Noise from the premises will be monitored so as not to become a public nuisance.
- An incident register will be kept on the premises and made available at all times.
- The disposal of empties and bottles will not be done after 23:00 Hours or before 07:00 Hours.
- Notices will be posted asking patrons to leave quietly.

e) The protection of children from harm

- The premises will adopt the 'challenge 25' or similar policy as proof of age scheme to be in operation during licensed hours.
- There will be a provision of sufficient staff to protect children from harm with training on appropriate behaviour

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- ☐
[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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.

Part 4 – Signatures (please read guidance note 11)

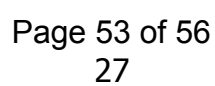
Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

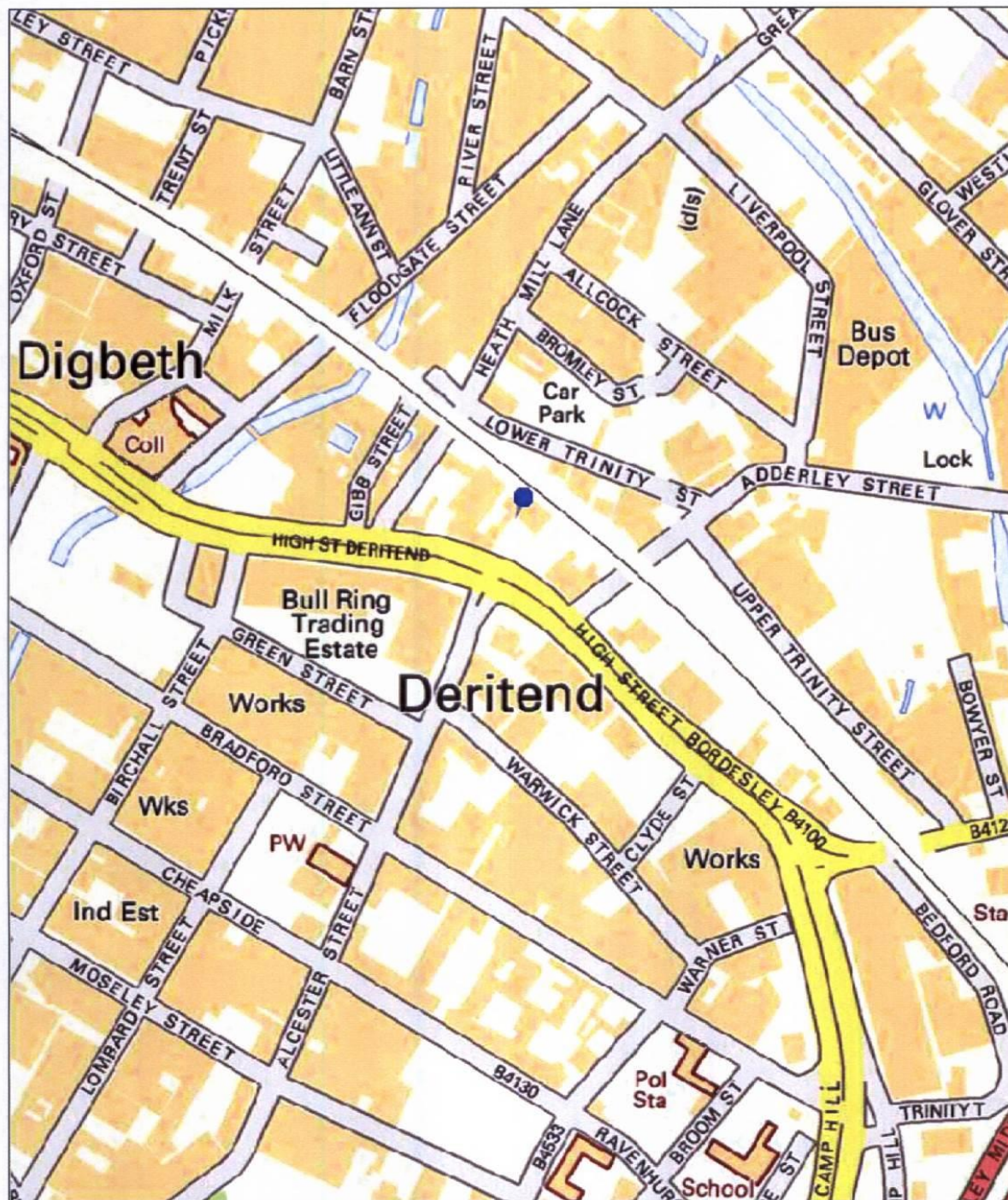
Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	3 rd May 2017
Capacity	Authorised Agent

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Carl Moore C.N.A. Risk Management Limited P.O. Box 13293 Great Barr			
Post town	Birmingham	Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			





Birmingham City Council Map Created By:

Notes

Date of Map Creation: 07/06/2016



Scale:
1:4,000

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Map Created By:

Date of Map Creation: 07/06/2016

Notes



Scale:
1:1,250

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