

**From:** The Licensing Guys [ Licensing ]  
**Sent:** 15 March 2022 09:20  
**To**  
**Cc:**  
**Subject:** FW: Family Vybz HEARING - Now Urgent

Hi ,  
I have just left a message on your answerphone at the school, so this is a follow up email.

We are now headed for a Hearing tomorrow and the applicant will therefore incur quite some costs for our representation at same.

Can I urge you again, very respectfully, that you engage with us even at this very late juncture.

Most specifically today, I enquire whether you have **any evidence that Family Vybz in particular:**

1. Currently represent any issues that cause you safeguarding concern(s) at present.
2. If granted a Premises Licence, will undermine the Licensing Objectives.
3. That the Conditions proposed as part of this application will not adequately promote the Licensing Objectives.

Perhaps it would be useful if you sought some independent advice on the above matters, either from the Birmingham City Council Licensing Department or from the School's legal advisor?

I have cc'ed in the Licensing Authority into this email so that they are apprised of the situation and that our own efforts to engage with you are evidenced and placed before the Licensing Committee tomorrow.

**Kind Regards**  
**Nick SEMPER**  
**Director**  
**TL Guys Ltd**  
**t/a The Licensing Guys**



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**From:** Paul Neades  
**Sent:** 02 March 2022 11:29  
**To:**  
**Subject:** RE: Family Vybz HEARING - Now Urgent

Hi ,  
Absolutely understand your position – we will therefore have to discuss our relevant positions to the Licensing Sub Committee.

You pose a question below. The relevant passage of the application states:  
“The sales of alcohol will only be Ancillary to the sale of food for both On and Off sales. A maximum of 6 sitting customers will be able to eat and consume alcohol at any one time and off sales will not be allowed unless a supplied with a substantial meal.”

You appear to be referring to On Sales ONLY as OFF Sales will accompany an order of food despatched from the Premises.

Therefore when the customers are eating in, they purchase one substantial table meal and then would purchase any alcohol for consumption with that meal as an ancillary sale(s) to that individual meal.

What I am eager to explore is this...

The Hearing is an evidence-based decision-making process. What evidence have you got that Family Vybz will fail to promote or undermine the Licensing Objectives, please? Once I understand that, then I can address your evidence and address your concerns to its fullest extent.

If on the other hand your position is speculative i.e. you speculate that Family Vybz, in selling alcohol will fail to promote or undermine the Licensing Objectives, then that is much harder to address – other than by the raft of conditions that we have already provided regarding CCTV, Incident Log, Refusals Register, Staff Training and Challenge 25 etc. I take it that you have read the application in full? If not, I can send you a copy?

Kindest regards,

Paul.

**From:**  
**Sent:** 02 March 2022 11:17  
**To:** Paul Neades  
**Subject:** Re: Family Vybz HEARING - Now Urgent

Hi Paul,

Yes I received the note regards the TEAMS meeting  
16<sup>th</sup> March.

The school still stands by our concerns.

Could you confirm with me however that for each sale of any alcohol a sale of food would accompany the order.

e.g I order a chicken bucket and order a beer at the same time.

I finish my beer but not my bucket of chicken and want another beer.

Do I have to order food again to get a beer or will staff allow me to order a beer to finish off my bucket?

*Kind regards*

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**From:** Paul Neades

**Sent:** Wednesday, March 2, 2022 9:14 AM

**To:**

**Subject:** FW: Family Vybz HEARING - Now Urgent

Dear ,

We have now been called to a Hearing before the Licensing Sub Committee of Birmingham City Council at 10:00hrs on 16<sup>th</sup> March 2022. You will have received the same letter calling you to appear before it – albeit mercifully BCC are still running their Hearings over Microsoft Teams, whilst many other Authorities are reverting to ‘In Person’ Hearings following the removal of COVID Restrictions.

Is it possible that you reply to our email of 28<sup>th</sup> February please, so that we can agree as much as possible prior to the event?

Many thanks in anticipation.

**Kind Regards**

**Paul NEADES**

**Director**

**TL Guys Ltd**

**t/a The Licensing Guys**

**From:** Paul Neades

**Sent:** 28 February 2022 09:22

**To:**

**Subject:** RE: Family Vybz Application.

Hi

Great to hear from you. Thank you!

We could do with resolving this asap as otherwise you and I will be appearing before a Hearing of the Licensing Sub Committee in Birmingham City Hall in a fortnight or so to have these discussions in person in the Council Chamber 😊

This will be an evidence-based decision-making process. Could I trouble you to ask for advanced disclosure of any evidence that you will be putting before the Committee that supports the prospect

that Family Vybz will not be supporting or promoting the Licensing Objectives? Clearly we will reciprocate and address any of your specific evidential points by email as quickly as possible, and in any event long before the Hearing.

Dealing with your points below in order:

1. Possible flare-ups at Licensed Premises are a possibility. However with a seating capacity of just six person, we maintain that it is highly unlikely. It's a bit like Hazard and Risk in H & S matters. Yes, there is a slight Hazard of six people falling out leading to Crime & Disorder, but the risk of it is remote, in our submission.
2. Selling alcohol with one chicken wing... The application clearly says "A maximum of 6 sitting customers will be able to eat and consume alcohol at any one time and off sales will not be allowed unless a supplied with a substantial meal." You, I and the Committee clearly know what a 'substantial meal' is, despite a befuddled Tory politician claiming that a Scotch Egg was a substantial table meal! Luckily common law and common sense always prevails over erroneous policy 'made up on the hoof', and therefore your concern has been addressed already.

The purposes of these discussions and dialogue is to come to an understanding of the application, so that in the event you are satisfied that the application does indeed support the Licensing Objectives then you can withdraw your representation, thus avoiding the need for a Hearing.

Therefore, if there are any more reassurances and/or explanations that we can provide, or if you would like to conduct a site visit with us, please say so and we will do everything reasonable to address your concerns.

**Kind Regards**  
**Paul NEADES**  
**Director**  
**TL Guys Ltd**  
**t/a The Licensing Guys**



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**From:**  
**Sent:** 28 February 2022 08:49  
**To:** Paul Neades  
**Subject:** Re: Family Vybz Application.

Hi Paul,

Thanks for your email.

Just to note that the concerns are from the school as a whole and the management team and not anyone individual.

Regards to the possibilities of flare ups with all respect it's a 'possibility' like any licensed premises.

The restaurant is very small and only has a small eating area, not like many of the other eating facilities in Stirchley with several tables with a wide range of meals.

Food: Will clients be able to buy alcohol by simply ordering a chicken wing?

What would the ratio of food to alcohol be. A substantial meal or a wing?

I am sure your clients are respectable and it is a family run business but this has no overriding factor on their customers.

We are simply giving thought to young lives, that I am sure you agree should be paramount.

As mentioned, we have no issue with alcohol being sold after school hours.

*Kind regards*

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**From:** Paul Neades  
**Sent:** Wednesday, February 23, 2022 1:44 PM  
**To:**  
**Cc:**  
**Subject:** Family Vybz Application.

Dear

I hope my email finds you well.

I write with reference to the recent application for a Premises Licence at Family Vybz, our clients being a family-run and family-orientated food-led business. We note your concerns.

When we were approached by the client, we visited the area and indeed saw the location of your school. During our initial consultations with the client, we suggested that the licence applied for

should be for alcohol to be supplied ancillary to any food orders. Essentially this means that this would be a Restaurant Licence in that any customers would only be able to order and enjoy a drink with their meal. This also applies to any alcohol that is order to be taken away – i.e. it would be contingent on a sale of food.

This means that no one can make a stand alone purchase of alcohol from Family Vybz.

You mention any premises selling alcohol are going to cause people to be arguing/fighting in the street. This certainly won't be the case from a well-run family business such as our clients and the business model is not that of an off-licence selling all strengths of alcohol to anyone off the street.

You also mention timings after 6pm re after-school clubs? We do not see this as a feasible option as this has not taken into account, half term, school holidays, inset days, Christmas breaks etc. This would restrict our clients small independent business too harshly when no clubs are being run.

Our client has age verification policies in place and has conditions around the sale of alcohol to ensure that it meets all of the licensing objectives including the protection of children from harm. We assure you that we have no interest in or intention to sell alcohol to children.

If you would like discuss the application and operation further we would welcome this. The purpose of this ongoing dialogue would be to (hopefully) satisfy any ongoing concerns that you might have. If you are so satisfied, then we would kindly ask you to withdraw the representation, as this will save a considerable cost on the public purse arranging a hearing where we all be asked to attend.

My mobile number is also below if you would like to discuss this further.

**Kind Regards**

**Paul Neades**



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