

# **BIRMINGHAM CITY COUNCIL**

## **LICENSING SUB-COMMITTEE C**

**WEDNESDAY, 20 JULY 2022 AT 10:00 HOURS**  
**IN ON-LINE MEETING, MICROSOFT TEAMS**

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

### **A G E N D A**

**1     NOTICE OF RECORDING/WEBCAST**

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's meeting You Tube site ([www.youtube.com/channel/UCT2kT7ZRPFCXq6\\_5dnVnYlw](https://www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw)) and 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**

**3 - 10**

**4     MINUTES**

To confirm and sign the Minutes of the meeting held on 22 June 2022.

**11 - 24**

**5     LICENSING ACT 2003 TEMPORARY EVENT NOTICE VIEW VILLA,  
PARK LANE, ASTON, BIRMINGHAM, B6 5DE**

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

6 **OTHER URGENT BUSINESS**

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

# BIRMINGHAM CITY COUNCIL

<p><b>LICENSING SUB-COMMITTEE C 22 JUNE 2022</b></p>
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## **MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE C HELD ON WEDNESDAY 22 JUNE 2022 AT 1000 HOURS AS AN ON-LINE MEETING.**

**PRESENT:** - Councillor Sam Forsyth in the Chair;

Councillors Phil Davis and Penny Wagg.

### **ALSO PRESENT**

Shaid Yasser – Licensing Section  
Joanne Swampillai – Legal Services  
Katy Townshend – Committee Services

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

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### 1/220622 **NOTICE OF RECORDING/WEBCAST**

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

### 2/220622 **DECLARATION OF INTERESTS**

Members were reminded that they must declare all relevant and pecuniary and non-pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

There were no interests declared.

### **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

3/220622 Apologies were submitted on behalf of Councillor Kooner and Councillor Davis was the nominated substitute Member.

**LICENSING ACT 2003 PREMISES LICENCE – GRANT – SWEET STUFF, 9 ORPHANAGE ROAD, ERDINGTON, BIRMINGHAM, B24 9HP.**

**On Behalf of the Applicant**

Mr Jordan – Agent  
Ammad Arshad – Applicant

**On behalf of those making representations**

Cllr Gareth Moore – Local Ward Councillor  
Cllr Robert Alden – Local Ward Councillor

\* \* \*

The Chairman introduced the Members and officers present and the Chair asked if there were any preliminary points for the Sub-Committee to consider. No preliminary points were raised.

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

The Chair invited the applicant to make their submission Mr Jordan made the following statements: -

- a) They had applied for late night refreshment which was for delivery and collection of hot desserts.
- b) It was a low-key late-night refreshment application.
- c) They would carry out litter patrols and put-up signage asking customers to respect the local residents and leave quietly.
- d) It was unlikely that it would cause any disturbance in the area.
- e) That he wasn't sure if any residents in the immediate vicinity had made objections.
- f) The experts in crime and disorder were the police and they had agreed conditions.
- g) They had also agreed conditions with other responsible authorities.
- h) The delivery drivers would be trained, and all staff would be trained.
- i) Any patrons causing a nuisance would not be served.
- j) There was no evidence that harm would occur if the licence was granted.

- k) It was not uncommon for premises in that area to be open until 4am.
- l) The facility for low level deliveries was needed.
- m) The objections were based on speculation and were not supported by evidence.
- n) On balance the application should be granted, he understood the concerns but there was no evidence it would add to concerns and conditions had been agreed with responsible authorities.

The Chair invited questions from Members and Mr Jordan gave the following responses: -

- a) The flat above the premises was owned by the applicant and the other flats above the units were occupied.
- b) They will keep an eye on litter and at the end of the night they will be doing litter picking, as well as in the morning. They would pick up there own litter but were not going to clear up the whole street.
- c) They didn't anticipate there being much litter as people didn't eat desserts in the street.

The Chair then invited those making representations to present their case and Councillor Moore made the following points: -

- a) That there were issues on the High Street already.
- b) Premises usually closed around 11pm, a few were open until midnight but 4am was exceptionally late.
- c) Pizza Hut and KFC have longer hours but only until midnight.
- d) Pizza Gogo had a licence until 4am, but were very rarely open that late. There were already ASB issues at Pizza Gogo.
- e) Usually premises open until 4am attracted large groups of people blasting music in cars and sitting eating there desserts.
- f) The agent's representation did not give him any confidence that the premises would operate safely, and he didn't give any details about how they would deal with issues. Further, they were only interested in picking up their own litter and had no interest in the wider Erdington community.
- g) There were flats above the shops and also a number of terraced roads in close proximity to the premises.
- h) Some residents had emailed in and lots of residents were concerned about making objections due to their details being disclosed.

- i) The premises would cause substantial public nuisance.
- j) He was concerned it would cause substantive disruption and he didn't have faith the premises would be managed properly.
- k) He wanted to agree conditions with the applicant but had no correspondence from them.
- l) The main concern was the hours and therefore he wanted them reduced in keeping with the area. He suggested midnight.
- m) He was concerned the premises would be a magnet for ASB.

In answer to Members questions Councillor Moore gave the following responses:  
-

- a) According to the public register on the City Councils website only three premises had hot food beyond 11pm – Pizza Gogo, Pizza Hut and KFC.
- b) There were at least 4 flats above the shops, the one directly above the premises was vacant but could be occupied in the future.
- c) One of the residents in one of the flats made a complaint about Pizza Gogo.
- d) Based on the complaints from residents, several lived above the shops.

The Chair invited Councillor Moore to make a closing submission and he made the following statements: -

- That they had no confidence in the applicant to run the premises in a way that would mitigate noise and ASB which he strongly believed would take place if the licence was granted until 4am.
- He would be happy with a earlier closing time.
- However, if the applicant would not agree with that then they wanted the application refused or for the Committee to impose an earlier terminal hour.

The Chair then invited Councillor Mr Jordan, on behalf of the applicant to make her closing statements: -

- That there were other methods of controlling ASB but Environmental Health hadn't made an objection and neither had WMP; they were happy with the application.
- Each application should be judged on its own merits.
- There were no restrictions under the Licensing Act for cold drinks and cold desserts.

- He was not aware of any local residents objecting to the application.
- The application had to be judged on its own merits and on the balance of probabilities.
- The experts had all agreed with the application and agreed conditions.
- It wasn't safe to pick up litter for the whole street as how would they dispose of it legitimately.
- That the Committee could decide on the terminal hours.

Mr Arshad added that after 11pm it was mainly deliveries, and they didn't have many customers coming into the premises. Deliveries were unlikely to cause noise.

As such Mr Jordan offered a condition that the application be limited to just deliveries and no members of the public inside the premises after 12 midnight.

Cllr Moore agreed that a condition limiting the premises to only deliveries after midnight would be welcomed.

The Members, Committee Lawyer and Committee Manager conducted the deliberations in a separate private session and the decision of the Sub-Committee was announced and a copy of that decision was sent to all parties as follows;

4220622

**RESOLVED:-**

That the application by Ammad Arshad for a premises licence in respect of Sweet Stuff, 9 Orphanage Road, Erdington, Birmingham B24 9HP, be granted as follows.

During the meeting the applicant confirmed that he wished to change the arrangement for late night refreshment. Whilst he had originally wanted operation until 04.00 hours with the shop to remain open to customers until the terminal hour, he confirmed to the Sub-Committee during the meeting that he agreed that there should be no admission for customers beyond 00.00 hours as the operation from 00.00 to 04.00 hours would be for delivery only.

The Sub-Committee therefore noted that the operation from 00.00 to 04.00 hours would be for delivery only, with customers not permitted to enter the shop after 00.00.

The Sub-Committee further determined that the licence will include those conditions which were agreed between the applicant and two of the responsible authorities in advance of the meeting.

- The conditions agreed with West Midlands Police, namely:

1. All staff employed at the premises will receive documented training of their responsibilities in accordance with the Licensing Act 2003. Staff are to receive documented refresher training a minimum of once every 12 months, signed off by the trainer or premises license holder, these documents are to be readily available for inspection by the responsible authorities
2. An incident log will be maintained at the premises. Each incident entry will detail the time, date, staff member logging the entry and details of the incident and where possible details of those involved. This log will be made readily available for inspection by the responsible authorities
3. The premises will not allow consumption of alcohol on the premises
4. CCTV will be switched on and recording at all times that the premises carries out licensable activities. Images will be retained for a period of at least 31 days and will be made available to any of the responsible authorities to view or copies produced on request. If for any reason the CCTV hard drive needs to be replaced the previous/old hard drive will be kept on site for a minimum of 31 days and made immediately available to any of the responsible authorities on request. The CCTV will be checked to ensure that it is working each day prior to licensable activity taking place. The time of the check, the identity of the person carrying this out and the result of it will be recorded in the incident log
5. At all times when conducting licensable activities there will be at least one member of staff on the premises who has received documented training in the use of the CCTV at the premises. As a minimum they will be able to access and download images upon request. CCTV Training is to be kept at the premises ready for inspection

- The conditions agreed with the Licensing Enforcement team within the Licensing department of the City Council, namely:

1. Staff training records to be kept on site and will be produced to an authorised person upon request

Those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will also form part of the licence issued.

When the meeting began there was discussion of the potential for public nuisance and/or antisocial behaviour from the late night refreshment operation. The applicant's representative described the proposed activities as 'low key' – namely sale of hot food desserts and hot drinks.

There would be regular litter patrols and signs asking customers to be considerate of neighbours. He considered that the application was unlikely to create disturbance and observed that neither Environmental Health, who were the experts on public nuisance, nor West Midlands Police, who were the experts on antisocial behaviour, had objected (the Police had approved the application with the addition of some conditions).

The Sub-Committee noted that under paragraph 9.43 – 9.44 of the Guidance issued under s182 of the Act, there was a presumption to grant such applications unless there was good evidence of a risk of an undermining of the licensing objectives. The Sub-Committee therefore looked carefully at whether there was evidence that the proposed operation would in fact undermine the licensing



objectives. Various written representations had been received, principally from the local Ward Councillors. One of the Ward Councillors also attended the meeting in person to make representations.

The Ward Councillor noted that other food outlets in the neighbourhood were licensed only to 00.00 or 00.30; he therefore had concerns that public nuisance would be inevitable, as the instant application had requested operation to 04.00. He noted that there were residential properties very close by, including some directly above. The Ward Councillor urged the Sub-Committee to reduce the terminal hour to 00.00 or 00.30, in line with other premises in the Orphanage Road area.

The applicant then offered to amend the application, such that customers would not be permitted to enter after 00.00, and instead the operation from 00.00 onwards would be delivery only. This was satisfactory to the Ward Councillor.

The Sub-Committee considered that the applicant company had drafted a satisfactory operating schedule in all other regards, and concluded that by granting this application with the conditions agreed by the Police and Licensing Enforcement, the four licensing objectives contained in the Act would be properly promoted. The Sub-Committee was satisfied that trading would be safe, and certainly the applicant's willingness to amend the application gave reassurance that problems were unlikely to arise.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under section 182 of the Licensing Act 2003 by the Secretary of State, the application for a premises licence, the written representations received and the submissions made at the hearing by the applicant via his representative, and the persons 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.

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**The meeting ended 1046 hours.**

**Chairman.....**



## BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee C</b>
<b>Report of:</b>	<b>Interim Assistant Director of Regulation and Enforcement</b>
<b>Date of Meeting:</b>	<b>Wednesday 20<sup>th</sup> July 2022</b>
<b>Subject:</b>	<b>Licensing Act 2003 Temporary Event Notice</b>
<b>Premises:</b>	<b>View Villa, Park Lane, Aston, Birmingham, B6 5DE</b>
<b>Ward affected:</b>	<b>Aston</b>
<b>Contact Officer:</b>	<b>David Kennedy, Principal Licensing Officer</b> <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a>

**1. Purpose of report:**

To consider the objection notice to the Temporary Event Notice (TEN), which seeks to permit the sale of alcohol (for consumption on the premises) provision of regulated entertainment and the provision of late night refreshment, to operate on the 10<sup>th</sup> September 2022, from 10:00pm until 6:00am (the following day).

**2. Recommendation:**

To consider the objection notice made by Environmental Health.

**3. Brief Summary of Report:**

A Temporary Event Notice was submitted by Sonett Latoya Henry Thompson and received on 8<sup>th</sup> July 2022 in respect of View Villa, Park Lane, Aston, Birmingham, B6 5DE.

An objection notice has been received from Environmental Health.

**4. Compliance Issues:**

When carrying out its licensing functions, a licensing authority must have regard to the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.

**4.1 Consistency with relevant Council Policies, Plans or Strategies:**

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

<p><b>5. Relevant background/chronology of key events:</b></p> <p>A Temporary Event Notice was submitted on 8<sup>th</sup> July 2022 by Sonett Latoya Henry Thompson, in respect of View Villa, Park Lane, Aston, Birmingham, B6 5DE, which was served on the responsible authorities on the 11<sup>th</sup> July 2022.</p> <p>The Temporary Event Notice is attached as Appendix 1.</p> <p>An objection notice has been received from Environmental Health, which is attached at Appendix 2.</p> <p>Site location plans are attached, see Appendix 3.</p> <p>Under the licensing system of TENs, no actual permission is required to carry out a licensable activity on a temporary basis. An applicant must merely give notice of his intentions to operate a licensable activity to the licensing authority.</p> <p>However, the police or local authority exercising environmental health functions may intervene to prevent such an event taking place or agree a modification of the proposed arrangements, and their intervention may in some cases result in the licensing authority imposing conditions on a TEN.</p> <p>Where a TEN is submitted, the licensing authority must consider the objection(s) at a hearing before a counter notice, or a notice including a statement of conditions can be issued.</p> <p>Conditions may only be applied if the TEN is in connection with licensable activities at licensed premises. It must be noted a Premises Licence is not currently in force for View Villa, Park Lane, Aston, Birmingham, B6 5DE.</p> <p>When giving a TEN, consideration should be given to the following four licensing objectives:</p> <ol style="list-style-type: none"> <li>1. The prevention of crime and disorder</li> <li>2. Public safety</li> <li>3. The prevention of public nuisance; and</li> <li>4. The protection of children from harm</li> </ol>
<p><b>6. List of background documents:</b></p> <p>Temporary Event Notice, attached at Appendix 1.</p> <p>Objection notice from Environmental Health, attached at Appendix 2.</p> <p>Site location plans, Appendix 3.</p>
<p><b>7. Options available</b></p> <p>To issue the TEN</p> <p>To issue a Counter Notice</p>



**Birmingham**  
**Temporary Event Notice**  
**Licensing Act 2003**

For help contact  
[licensingonline@birmingham.gov.uk](mailto:licensingonline@birmingham.gov.uk)  
 Telephone: 0121 303 9896

\* required information

**Section 1 of 9**

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

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

Sonett Latoya

\* Family name

Henry Thompson

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

☐ 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

**Your Address**

Address official correspondence should be sent to.

* 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"/>

**Section 2 of 9**

**APPLICATION DETAILS** [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

☒ Yes ☐ No

Enter details of any previous names or maiden names

First name	<input type="text" value="Sonett LatoyA"/>
Family name	<input type="text" value="Henry"/>

[Add another previous name](#)

\* Your date of birth  /  /   
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Continued from previous page...

### Correspondence 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

### Additional 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

### Section 3 of 9

#### THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

\* Does the premises have an address?

☒ Yes

☐ No

Continued from previous page...

### Address

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

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.

☐ Yes

☒ No

* Building number or name	<input type="text" value="View Villa"/>
* Street	<input type="text" value="Park Lane"/>
District	<input type="text"/>
* City or town	<input type="text" value="Aston"/>
County or administrative area	<input type="text" value="Birmingham"/>
* Postcode	<input type="text" value="B6 5DE"/>
* Country	<input type="text" value="United Kingdom"/>

\* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☒ Neither ☐ Premises licence ☐ Club premises certificate

### Location Details

\* Provide further details about the location of the event

The venue located at Park Lane which is in Aston, Birmingham and in Birmingham district. B6 5DE is located in the Newtown electoral ward, within the English Parliamentary constituency of Birmingham, Ladywood. A Dining and Banqueting hall to celebrate special occasions with family, friends and love ones. It has a massive car park

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

N/A

Describe the nature of the premises below [\(see also guidance on completing the form, note 4\)](#)

A Dining and Banqueting hall to celebrate special occasions with family, friends and love ones with a massive car park.

Describe the nature of the event below [\(see also guidance on completing the form, note 5\)](#)

My birthday dinner and dance, patrons will be entertained with music, wine and dine for this special occasion. It's a ticket only event (Silent Headphone for the later part of the event). Food and refreshments on sale mainly via card payments and bank transfer with little or no cash to handle on the night. Risk assessment will be attached or email separately.



Continued from previous page...

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

[\(see also guidance on completing the form, note 6\):](#)

- ☒ The sale by retail of alcohol
- ☒ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☒ The provision of regulated entertainment
- ☒ The provision of late night refreshment
- ☒ The giving of a late temporary event notice

[\(See also guidance on completing the form, note 7\).](#)

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 8\).](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 9\)](#)

Event start date       /  /   
   dd           mm           yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date             /  /   
   dd           mm           yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

[\(see also guidance on completing the form, note 10\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 11\)](#)

*Continued from previous page...*

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- ☒ On the premises only  
☐ Off the premises only  
☐ Both

#### Section 5 of 9

##### RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

22:00 10th September 2022 - 06:00 11th September 2022

#### Section 6 of 9

##### PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence? ☐ Yes ☒ No

#### Section 7 of 9

##### PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? ☐ Yes ☒ No

Have you already given a temporary event notice for the same premises in which the event period:  
a) Ends 24 hours or less before; or ☐ Yes ☒ No  
b) Begins 24 hours or less after the event period proposed in this notice?

#### Section 8 of 9

##### ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

*Continued from previous page...*

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes

☒ No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or  
b) Begins 24 hours or less after the event period proposed in this notice?

☐ Yes

☒ No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes

☒ No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or  
b) Begins 24 hours or less after the event period proposed in this notice?

☐ Yes

☒ No

#### **Section 9 of 9**

#### **CONDITION** [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

#### **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.

This formality requires a fixed fee of £21

#### **DECLARATION** [\(See also guidance on completing the form, note 19\)](#)

- THE INFORMATION CONTAINED IN THIS FORM IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT IT IS AN OFFENCE:

*Continued from previous page...*

- \* (I) TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS TEMPORARY EVENT NOTICE AND THAT A PERSON IS LIABLE ON SUMMARY CONVICTION FOR SUCH AN OFFENCE TO A FINE OF ANY AMOUNT; AND
- (II) TO PERMIT AN UNAUTHORISED LICENSABLE ACTIVITY TO BE CARRIED ON AT ANY PLACE AND THAT A PERSON IS
- \* LIABLE ON SUMMARY CONVICTION FOR ANY SUCH OFFENCE TO A FINE OF ANY AMOUNT, OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING SIX (6) MONTHS, OR TO BOTH.

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

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

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

[Add another signatory](#)

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/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.

**From:** Martin Key  
**Sent:** 13 July 2022 14:04  
**To:** Licensing  
**Cc:**  
**Subject:** TEN - Villa View, Park Lane, Aston. Birmingham  
**Importance:** High

Hi

I am responding on behalf of the Environmental Health team as a responsible authority. I have received a TEN application from Sonett Latoya Henry Thompson in respect of a request to supply alcohol, supply alcohol as a club, provision of regulated entertainment, provision of relevant entertainment, late night refreshment and also the form indicates a late TEN application. I assume that there are a number of errors with the form and I have assessed the application on the basis of an application for the sale of alcohol, regulated entertainment and late night refreshment. The application relates to an event on 10-11 September 2022 at Villa View, Park Lane, Aston, Birmingham between the hours of 22.00 and 06.00. The application was supported by a risk assessment and I have taken account of that in my consideration but it does not address the key issues. I have spoken to the applicant and explained my concerns about the event.

The application refers to the venue as a Dining and Banqueting hall but it has permission to operate only as a restaurant. There have been a number of planning applications to extend the building and operational hours beyond those currently permitted of 10.00 – 23.00 and these have been refused on the basis that it would expose the occupiers of the surrounding residential dwellings to unacceptable noise and disturbance

The hours are wholly out of character for this area and will result in adverse impact on local residents from noise associated with music, noise from vehicles, noise from people accessing and egressing and the preparation of food to the requested 06.00 hour. I therefore object to the grant of the TEN on the basis of the adverse impact on the licensing objective of the prevention of public nuisance.

Best Regards

Martin Key  
Environmental Protection Officer

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Environmental Protection Unit  
Regulation & Enforcement  
City Operations Directorate  
Birmingham City Council







