

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

**BIRMINGHAM CITY COUNCIL**

**LICENSING SUB-COMMITTEE C**

**WEDNESDAY, 26 OCTOBER 2016 AT 09:30 HOURS**  
**IN COMMITTEE ROOM 1, COUNCIL HOUSE, VICTORIA SQUARE,**  
**BIRMINGHAM, B1 1BB**

**A G E N D A**

**1 NOTICE OF RECORDING**

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

**2 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

**3 - 26**

**3 LICENSING ACT 2003 PREMISES LICENCE – GRANT THE CRANE, 50 ADDERLEY STREET, DIGBETH, BIRMINGHAM, B9 4ED**

Report of the Acting Director of Regulation and Enforcement.  
N.B. Application scheduled to be heard at 09:30am on Wednesday 26 October 2016

**27 - 62**

**4 LICENSING ACT 2003 PREMISES LICENCE – GRANT APPETIZING DELIGHTS, 109 WITTON LODGE ROAD, PERRY COMMON, BIRMINGHAM, B23 5JD**

Report of the Acting Director of Regulation and Enforcement.  
N.B. Application scheduled to be heard at 11:00am on Wednesday 26 October 2016

**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**

<b>Report to:</b>	<b>Licensing Sub Committee C</b>
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Wednesday 26<sup>th</sup> October 2016</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>The Crane, 50 Adderley Street, Digbeth, Birmingham, B9 4ED</b>
<b>Ward affected:</b>	<b>Nechells</b>
<b>Contact Officer:</b>	<b>David Kennedy, Principal Licensing Officer, 0121 303 9896, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

**1. Purpose of report:**

To consider relevant representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption on and off the premises) to operate from 10:00am until 07:00am (Monday to Sunday).

To permit the provision of Regulated Entertainment consisting of indoor sporting events and boxing or wrestling entertainment, to operate indoors only; plays, films, live music, recorded music, performances of dance and anything of a similar description, to operate both indoors and outdoors, from 10:00am until 07:00am (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 from 10:00am until 07:30am (Monday to Sunday).

**2. Recommendation:**

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

**3. Brief Summary of Report:**

An application for a Premises Licence was received on 5<sup>th</sup> September 2016 in respect of The Crane, 50 Adderley Street, Digbeth, Birmingham, B9 4ED.

Representations have been received from Environmental Health and from other persons.

**4. Compliance Issues:****4.1 Consistency with relevant Council Policies, Plans or Strategies:**

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

<p><b>5. Relevant background/chronology of key events:</b></p> <p>Bow Leasehold Ltd applied on 5<sup>th</sup> September 2016 for the grant of a Premises Licence for The Crane, 50 Adderley Street, Digbeth, Birmingham, B9 4ED.</p> <p>A representation has been received from Environmental Health, as a responsible authority. See Appendix 1.</p> <p>A representation has been received from other persons. See Appendix 2.</p> <p>The application is attached at Appendix 3.</p> <p>Conditions have been agreed with Birmingham City Council Licensing Enforcement and the applicant, which are attached at Appendix 4</p> <p>Site Location Plans at Appendix 5.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ul style="list-style-type: none"> <li>a. The prevention of crime and disorder;</li> <li>b. Public safety;</li> <li>c. The prevention of public nuisance; and</li> <li>d. The protection of children from harm.</li> </ul>
<p><b>6. List of background documents:</b></p> <p>Copy of the representations as detailed in Appendices 1 &amp; 2</p> <p>Application Form, Appendix 3</p> <p>Conditions agreed with Birmingham City Council Licensing Enforcement, Appendix 4</p> <p>Site Location Plans, Appendix 5</p>
<p><b>7. Options available</b></p> <p>To Grant the licence in accordance with the application.</p> <p>To Reject the application.</p> <p>To Grant the licence subject to conditions modified to such an extent as considered appropriate.</p> <p>Exclude from the licence any of the licensable activities to which the application relates.</p> <p>Refuse to specify a person in the licence as the premises supervisor.</p>

## Appendix 1

ENCLOSURE

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**From:** Gerg Jambor  
**Sent:** 28 September 2016 15:41  
**To:** Licensing  
**Cc:**  
**Subject:** RE: New Premises Licence Application for The Crane, 50 Adderley Street, Birmingham B9 4ED

Dear Licensing,

As representative of Environmental Health, I hereby raise representation to the grant of the premises licence above.

The grounds are that the grant of the licence is likely to undermine the licensing objective of "prevention of Public Nuisance".

I am hoping that agreement of suitable conditions will be reached with the applicant before a hearing takes place and that the representation will subsequently be withdrawn.

Please do not hesitate to contact me if you have any questions.

Best Regards,

Mr Gerg Jambor  
Environmental Protection Officer, Tuesdays to Fridays  
Birmingham City Council



Unit 2, 50 Adderley Street,  
Digbeth,  
Birmingham,  
B9 4D

Small Heath Boxing Club Ltd

Company No. 7548568

Date: 28 September 2016

Representation on Bow Leasehold Limited who is applying for a new grant of a premises licence for the Crane 50 Adderley Street, Birmingham, B9 4ED

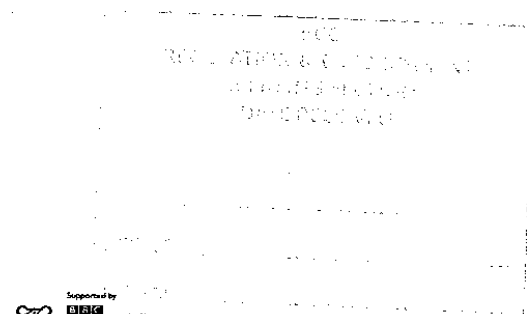
Recently on an adjoining building to our Club a notice has appeared by a company acquiring a licence to sell alcohol to be consumed on and off the premises. They also require permission to hold club type activities.

We are a well-established Amateur Boxing Club and have been running in excess of 40 years. Our club members vary in all ages but are mainly under 25. We operate in the day and evenings all week, delivering services to schools with children with behavioural issues, young people on an educational Boxing course from UCB and University students. We have special classes for children under 10 at the weekends. In addition, the club is open 5 evenings a week to general club members, many who are vulnerable and have mental health issues.

We are currently working with organisations who refer patients to our premises who are in drug and alcohol recovery programme, it also includes young people with mental health issues.

This type of establishment is not an appropriate environment for the people we serve, we object to a premises selling alcohol in the same location as a youth sporting club. We have safety concerns with people leaving our premises at night and at weekends. The premises will stop organisations referring people who are in need of our services, these are just a few items that will affect our work in the community should the licence be granted.

Yours Faithfully



98537  
05/09/16 - 03/10/16

## BIRMINGHAM CITY COUNCIL

Ref :

Licensing Section, Crystal Court, Birmingham

**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 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.

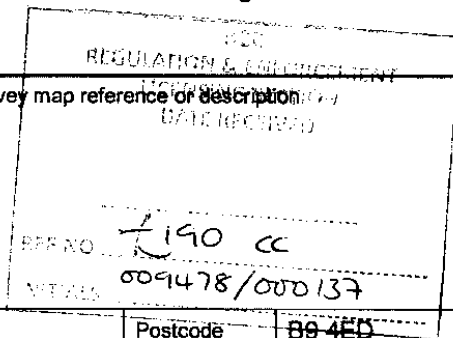
I/We **BOW LEASEHOLD LTD**

(Insert name(s) of applicant)

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

## Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description	
<b>The Crane</b> <b>50 Adderley Street</b> <b>Digbeth</b>	
Post town	BIRMINGHAM
Postcode	B9 4ED



Telephone number at premises (if any)	
Non-domestic rateable value of premises	£17,500

## Part 2 – Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

- d) a charity ☐ please complete section (B)
- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

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

Please tick yes

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

I am making the application pursuant to a

statutory function or ☐

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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



**SECOND INDIVIDUAL APPLICANT (if applicable)**

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

**(B) OTHER APPLICANTS**

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

Name	BOW LEASEHOLD LIMITED
Address	160 High Street Dereitend Birmingham B12 0LD
Registered number (where applicable)	09277167
Description of applicant (for example, partnership, company, unincorporated association etc.)	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			
1	1	0	9	2	0	1	6

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

DD		MM		YYYY			
1	1	1	1	1	1	1	1

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

Former industrial premises currently vacant that are to become a multi-purpose entertainment venue. The premises will also be used for cultural events, business promotions and events and similar. The premises will have an industrial finish and have a substantial yard accessed from Adderley Street which will also house multi-activities.

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

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

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

#### **Provision of regulated entertainment**

Please tick any that apply

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

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

☒

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

☒

In all cases complete boxes K, L and M

## A

<b>Plays</b> Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	X
Mon	10:00		Please give further details here (please read guidance note 3)		
		07:00			
Tue	10:00				
		07:00			
Wed	10:00		State any seasonal variations for performing plays (please read guidance note 4)		
		07:00			
Thur	10:00				
		07:00			
Fri	10:00		Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
		07:00			
Sat	10:00				
		07:00			
Sun	10:00				
		07:00			

## B

<b>Films</b> Standard days and timings (please read guidance note 6)			Will the exhibition of a films take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	X
Mon	10:00		Please give further details here (please read guidance note 3)		
		07:00			
Tue	10:00				
		07:00			
Wed	10:00		State any seasonal variations for the exhibition of films (please read guidance note 4)		
		07:00			
Thur	10:00				
		07:00			
Fri	10:00		Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
		07:00			
Sat	10:00				
		07:00			
Sun	10:00				
		07:00			

## C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	10:00		
		07:00	
Tue	10:00		State any seasonal variations for indoor sporting events (please read guidance note 4)
		07:00	
Wed	10:00		
		07:00	
Thur	10:00		
		07:00	
Fri	10:00		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. (please read guidance note 5)
		07:00	
Sat	10:00		
		07:00	
Sun	10:00		
		07:00	

## D

<b>Boxing or wrestling entertainment</b> Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	
			Indoors	X
			Outdoors	
			Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon	10:00			
		07:00		
Tue	10:00		State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)	
		07:00		
Wed	10:00			
		07:00		
Thur	10:00			
		07:00		
Fri	10:00		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. (please read guidance note 5)	
		07:00		
Sat	10:00			
		07:00		
Sun	10:00			
		07:00		

## E

<b>Live music</b> Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)		Indoors	
					Outdoors	
					Both	X
<b>Day</b>	<b>Start</b>	<b>Finish</b>				
<b>Mon</b>	10:00		Please give further details here (please read guidance note 3)			
		07:00				
<b>Tue</b>	10:00					
		07:00				
<b>Wed</b>	10:00		State any seasonal variations for the performance of live music (please read guidance note 4)			
		07:00				
<b>Thur</b>	10:00					
		07:00				
<b>Fri</b>	10:00		Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 5)			
		07:00				
<b>Sat</b>	10:00					
		07:00				
<b>Sun</b>	10:00					
		07:00				

## F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)		Indoors	
					Outdoors	
					Both	X
<b>Day</b>	<b>Start</b>	<b>Finish</b>				
<b>Mon</b>	10:00		Please give further details here (please read guidance note 3)			
		07:00				
<b>Tue</b>	10:00					
		07:00				
<b>Wed</b>	10:00		State any seasonal variations for the playing of recorded music (please read guidance note 4)			
		07:00				
<b>Thur</b>	10:00					
		07:00				
<b>Fri</b>	10:00		Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 5)			
		07:00				
<b>Sat</b>	10:00					
		07:00				
<b>Sun</b>	10:00					
		07:00				

## G

<b>Performance of dance</b> Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
				Both	X
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon	10:00		Please give further details here (please read guidance note 3)		
		07:00			
Tue	10:00				
		07:00			
Wed	10:00		State any seasonal variations for the performance of dance (please read guidance note 4)		
		07:00			
Thur	10:00				
		07:00			
Fri	10:00		Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 5)		
		07:00			
Sat	10:00				
		07:00			
Sun	10:00				
		07:00			

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
			Will this entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
				Both	X
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon	10:00		Please give further details here (please read guidance note 3)		
		07:00			
Tue	10:00				
		07:00			
Wed	10:00		State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
		07:00			
Thur	10:00				
		07:00			
Fri	10:00		Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list. (please read guidance note 5)		
		07:00			
Sat	10:00				
		07:00			
Sun	10:00				
		07:00			

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish	Both	X	
Mon	23:00	05:00			
Tue	23:00	05:00	Please give further details here (please read guidance note 3)		
Wed	23:00	05:00			
Thur	23:00	05:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Fri	23:00	05:00			
Sat	23:00	05:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sun	23:00	05:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)	On the premises	
				Off the premises	
Day	Start	Finish	Both	X	
Mon	10:00	07:00			
Tue	10:00	07:00	State any seasonal variations for the sale of alcohol (please read guidance note 4)		
Wed	10:00	07:00			
Thur	10:00	07:00	Non standard timings. Where you intend to use the premises for the sale of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Fri	10:00	07:00			
Sat	10:00	07:00			
Sun	10:00	07:00			

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

**Name** Callum McCulloch SHARMAN

**Address**

**Postcode**

**Personal licence number (if known)**

**Issuing licensing authority (if known)**

**K**

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

It is not at present intended to use the premises for adult entertainment; however the Applicant may hold events of an adult nature on an occasional basis, that is not exceeding once a month no more than 11 times per year and such events lasting no longer than 24 hours at a time.

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations (please read guidance note 4)</b>
Day	Start	Finish	
Mon	10:00		Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 5)
		07:30	
Tue	10:00		
		07:30	
Wed	10:00		
		07:30	
Thur	10:00		
		07:30	
Fri	10:00		
		07:30	
Sat	10:00		
		07:30	
Sun	10:00		
		07:30	



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

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

The premises licence holder shall ensure there will be no encouragement of excessive drinking or irresponsible sale of cheap promotional drinks, and the number of Personal Licence holders on the premises when operational shall be at least two or such other number as is agreed from time to time with West Midlands Police.

The premises licence holder shall ensure that if any adult entertainment is introduced to the premises, then it will only be done after giving at least 14 days' notice to the Police Authority.

**b) The prevention of crime and disorder**

The Premises Licence Holder shall ensure a full month of events is supplied in writing to Licensing Department at Steelhouse Lane Police Station, month in advance or such other period as may be agreed with West Midlands Police. If the premises use any new promoter for any event, then for the first event the Designated Premises Supervisor for the premises will arrange to meet Steelhouse Lane Police Station Licensing Department at least 28 days or lesser period before the first event, with risk assessments for the event. The premises will not hold any new events without the agreement of Steelhouse Lane Licensing Department. West Midlands Police to have a power of veto over any such event. Recommendations made to the Designated Premises Supervisor that satisfy the four licensing objectives will become conditions for that event on the premises licence.

Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.

- The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
- CCTV footage will be stored for a minimum of 31 days
- The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
- The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
- Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to West Midlands Police.
- Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

The Premises Licence Holder will supply a risk assessment for all events held at the premises, including standard in house events, to include all security provisions. 28 days' notice or lesser period is required, unless otherwise agreed with West Midlands Police, Licensing Department at Steelhouse Lane Police Station. Included in risk assessment is a search policy which will reflect the event risk and Security deployment plan.

The Premises Licence Holder shall ensure that continuous discussions between West Midlands Police Force, the appointed security/stewarding company and the event organisers will take place prior to and during the period that the Event is taking place to ensure that all means possible are employed to prevent crime and disorder. Operational plans will be drawn up between the Event organisers and the West Midlands Police Force taking into account the experience of previous events

In this location.

The Premises Licence Holder will ensure that individuals who are drunk, disorderly or both will not be permitted access to the premises.

The Premises Licence holder is to maintain door staff profiles for all door staff working at the premises, and for any door staff that have worked on the premises in the last three months. The door staff profile will consist of identification for the member of staff:

- A copy of his/her SIA badge,
- Passport or driving Licence. If the proof of identification is anything other than the photo driving Licence, then the member of staff will need proof of address, which must be a copy of a utility bill and be dated within the last six months.

The Premises Licence Holder shall ensure that Door supervisors stationed outside the front of the premises will wear hi-visibility jackets/coats, and will have their SIA badge held in a clear arm sleeve. Door supervisors inside the premises will wear hi-visibility waist coats, again with their SIA badge held in a clear arm sleeve.

The Premises Licence Holder shall ensure to operate an incident book and record all incidents that occur inside and immediately outside premises. Incident book can be inspected at any time by any regulatory body. All training records for all staff, in regard to drunkenness, and for the protection from harm for children to be maintained and to be available upon request from any regulatory body.

The Premises Licence shall ensure that the premises will operate a drugs policy, and lost / found property policy. Copies of both to be supplied to Licensing Department Steelhouse Lane Police Station. Venue to ensure the entrance area together with queuing area is sufficiently lit.

#### **c) Public safety**

The Premises Licence Holder shall ensure that the maximum number of persons on the premises at any one time shall not exceed the number agreed with West Midlands Fire Service and West Midlands Police and such capacity will not be exceeded.

A professionally prepared fire risk assessment will be produced which will propose maximum numbers which will thereafter be agreed with West Midlands Fire Service and West Midlands Police and become the maximum number for the premises and such capacity will not be exceeded, provided always that such number may be varied upwards or downwards by agreement with West Midlands Fire Service and West Midlands Police.

#### **d) The prevention of public nuisance**

The Premises Licence holder will ensure that external windows and doors (other than for access/egress) shall be kept closed whenever licensed public entertainment is provided at the premises.

The Premises Licence Holder will comply with any reasonable requirements as to noise made during the event by the appropriate Responsible Authority and shall ensure the conduct of patrons leaving premises will be supervised and monitored to minimise potential nuisance. Similarly, conduct of the general public in the vicinity will be monitored and the Police advised of inappropriate behaviour/unlawful activity.

The Licence Holder shall not permit noise emanating from the licensed premises to unreasonably disturb persons in the neighbourhood and in any case, will ensure that the noise levels from licensed public entertainments shall not exceed levels set at neighbouring occupied residential properties that will be agreed with Responsible Authorities.

Whenever regulated entertainment takes place within the licensed premises, such entertainment will not be such as to be a statutory nuisance in the nearest noise sensitive or residential premises.

The Premises Licence holder shall ensure noise propagation tests will be undertaken, during which the sound systems will be configured and operated in a similar manner as intended for the relevant Event. The sound sources used for the test shall be similar in character to the music likely to be produced during the relevant Event. Appropriate control limits at each sound mixer position and adjustments to sound amplification equipment will be agreed as a result of the testing to the satisfaction of the appropriate Responsible Authority.

**e) The protection of children from harm**

The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of West Midlands Police, the Licensing Authority and Trading Standards without the need to amend the licence or conditions attaching to it.

Signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.

The Premises Licence holder will ensure that when an event of an adult nature is to be held on the premises that the Licensing Enforcement Officer at the BSCB be notified of the event at least two weeks prior to the event.

If the premises wish to conduct an underage event, then the premises, must supply 28 days notice, together with a risk assessment. West Midlands Police to have a power of veto over any such event.

**Please tick ✓**

- 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. ☒

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

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	Wright Hassall LLP
Date	01 September 2016
Capacity	Applicant's solicitors

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)  
MR ANDREW POTTS  
WRIGHT HASSALL LLP  
OLYMPUS AVENUE

Post town **LEAMINGTON SPA**

Postcode **CV34 6BF**

Telephone number (if any)

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



## Appendix 4

---

**From:** Suzanne Oatley  
**Sent:** Friday, September 23, 2016 9:13 AM  
**To:** Sarah Hemsall  
**Subject:** RE: The Crane, 50 Adderley Street, Digbeth, Birmingham B9 4ED

Dear Ms Hemsall

I refer to your email of 15<sup>th</sup> September below and Bow Leasehold Limited are quite happy for the three conditions mentioned to be incorporated in the Licence.

We can also say that yesterday afternoon the writer attended the premises and put up three more notices, two of which are on the steel posts fronting to Adderley Street and one is behind them on the blue timber fronting to the MACK Kickboxing premises.

Regards

**Andrew Potts**  
Consultant  
Licensing Department

---

**From:** Sarah Hemsall  
**Sent:** 15 September 2016 17:52  
**To:** Andrew Potts  
**Subject:** The Crane, 50 Adderley Street, Digbeth, Birmingham B9 4ED

Dear Mr Potts

**Premises Licence Application - The Crane, 50 Adderley Street, Digbeth, Birmingham B9 4ED**

1

I am in receipt of the application for the above named premises.

You will appreciate it is important that any conditions attached to a premises licence are clear, precise and enforceable in order to effectively promote the four licensing objectives.

In considering the application submitted and the measures outlined in the operating schedule the Licensing Enforcement Team has applied the tests of necessity and reasonableness in order to promote the four licensing objectives. The Licensing Enforcement Team will require the applicant to accept the following as conditions which will be applied to the licence:

**The Premises Licence Holder shall ensure that the Designated Premises Supervisor or another qualified person will train any staff at the premises on;**

- All of the licensing objectives contained in the Licensing Act 2003;
- Responsible retailing of alcohol, and the law regarding sales of alcohol;
- The protection of children from harm and this must include how to competently check customers' identification where necessary;
- Drunkenness
- Drugs and Lost/Found property policies
- Challenge 25
- Permitted hours during which licensable activities can take place and on compliance with the conditions attached to the premises licence.

The training provided to staff will be recorded and each member of staff will sign and date their training records to confirm they have received and understood the training provided. Refresher training will be completed and documented every 6 months.

The staff training records will be kept at the premises and made available to any Responsible Authority upon request.

As you will see the conditions generally relate to measures already offered in the application but they have been worded in a manner which makes them more meaningful and enforceable.

Subject to the applicant confirming in writing they agree to accept the attached conditions there will be no need for the Licensing Enforcement Team to make a representation regarding the application submitted.

I look forward to hearing from you.

Kind Regards

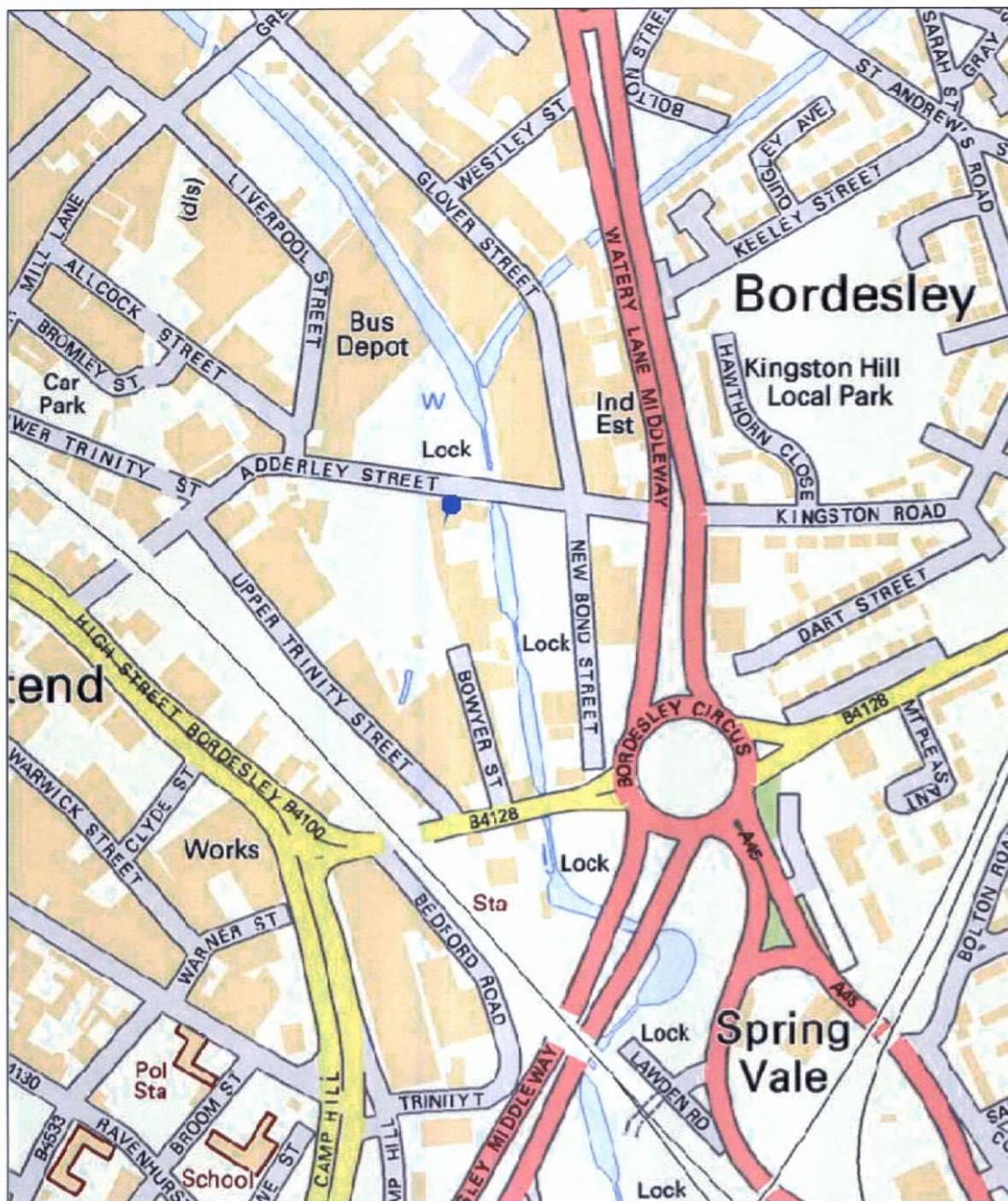
Sarah Hemsall  
**Licensing Enforcement Officer**

Address: Birmingham City Council, Licensing Section, P.O. Box 17013, Birmingham, B6 9ES  
Website: [www.birmingham.gov.uk/licensing](http://www.birmingham.gov.uk/licensing) Twitter: @BCC Licensing

"Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors"

\*\*\*\*\*





Map Created By:

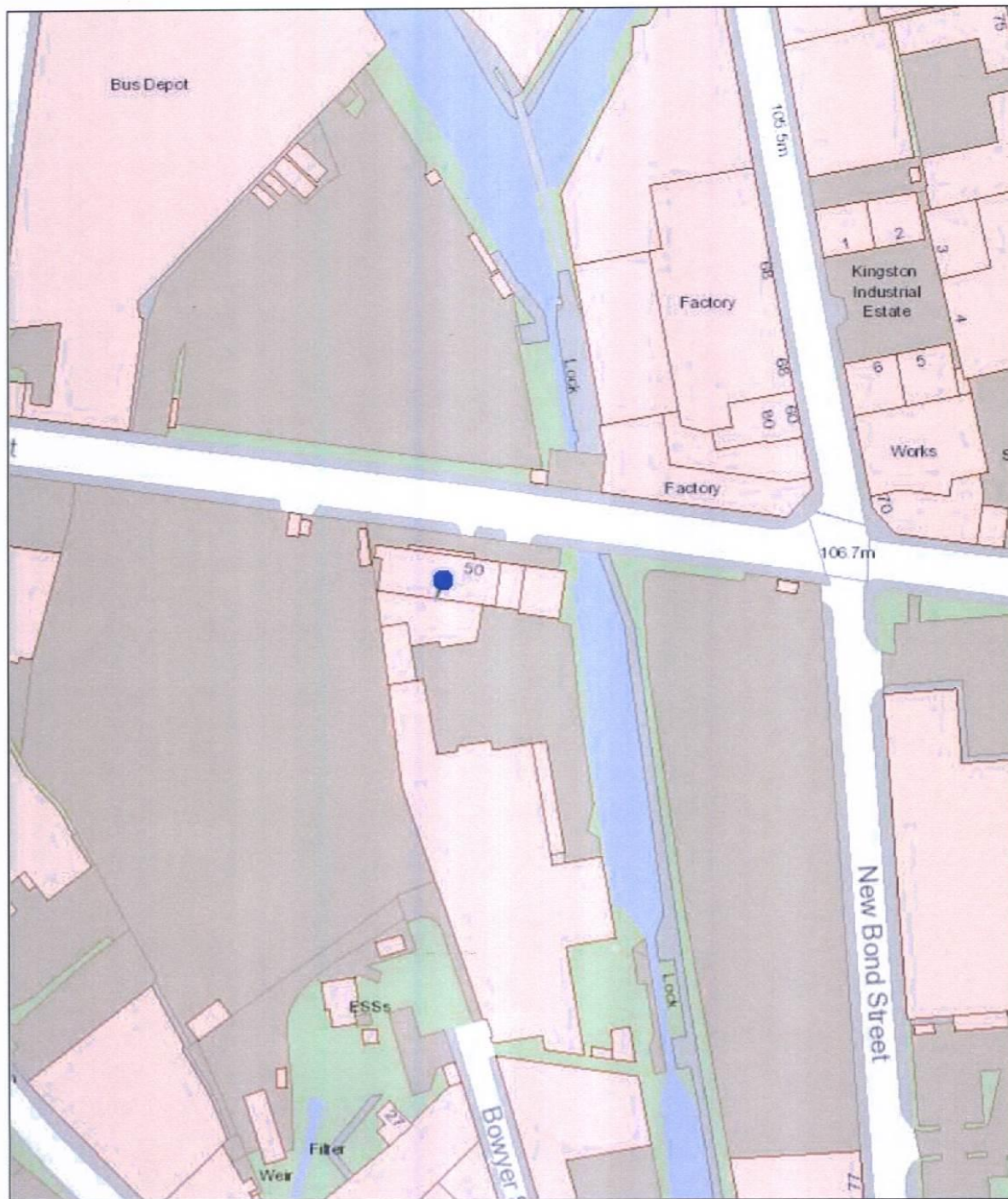
Notes

Date of Map Creation: 11/10/2016

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Scale:  
 1:4,000





Map Created By:

Date of Map Creation: 11/10/2016

Notes



Scale:  
1:1,250

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<b>Report to:</b>	<b>Licensing Sub Committee C</b>
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Wednesday 26<sup>th</sup> October 2016</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>Appetizing Delights, 109 Witton Lodge Road, Perry Common, Birmingham, B23 5JD</b>
<b>Ward affected:</b>	<b>Kingstanding</b>
<b>Contact Officer:</b>	<b>David Kennedy, Principal Licensing Officer, 0121 303 9896, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

<b>1. Purpose of report:</b>
<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 on the premises) to operate from 12:00midday until 11:00pm (Monday &amp; Tuesday), 6:00pm until 11:00pm (Wednesday), 12:00midday until 11:00pm (Thursday), 12:00midday until 12:00midnight (Friday &amp; Saturday) and 2:00pm until 6:00pm (Sunday).</p> <p>The application initially sought to permit the provision of Regulated Entertainment consisting of live music and recorded music, to operate during the times stated in the application form.</p> <p>However, as a result of discussions with Environmental Health, the applicant has agreed to remove the provision of live and recorded music from the scope of the application. Since the Act was introduced the Government has deregulated certain parts, particularly in relation to Live Music.</p> <p>To permit the provision of Late Night Refreshment to operate from 11:00pm until 12:00midnight (Friday &amp; Saturday).</p> <p>Premises to remain open to the public from 12:00midday until 11:00pm (Monday, Tuesday &amp; Thursday), 6:00pm until 11:00pm (Wednesday), 12:00midday until 12:00midnight (Friday &amp; Saturday) and 2:00pm until 6:00pm (Sunday).</p>

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

<b>3. Brief Summary of Report:</b>
<p>An application for a Premises Licence was received on 7<sup>th</sup> September 2016 in respect of Appetizing Delights, 109 Witton Lodge Road, Perry Common, Birmingham, B23 5JD.</p> <p>Representations have been received from other persons.</p>

<b>4. Compliance Issues:</b>
<b>4.1 Consistency with relevant Council Policies, Plans or Strategies:</b>
<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>
<b>5. Relevant background/chronology of key events:</b>
<p>Appetizing Delights Ltd applied on 7<sup>th</sup> September 2016 for the grant of a Premises Licence for Appetizing Delights, 109 Witton Lodge Road, Perry Common, Birmingham, B23 5JD.</p> <p>Representations have been received from other persons. See Appendices 1 – 8.</p> <p>The application is attached at Appendix 9.</p> <p>Following discussions with Environmental Health the applicant has removed the provision of live and recorded music from the scope of the application. See Appendix 10.</p> <p>Conditions have been agreed with Birmingham City Council Licensing Enforcement and the applicant, which are attached at Appendix 11.</p> <p>Site Location Plans at Appendix 12.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ol style="list-style-type: none"> <li>The prevention of crime and disorder;</li> <li>Public safety;</li> <li>The prevention of public nuisance; and</li> <li>The protection of children from harm.</li> </ol>
<b>6. List of background documents:</b>
<p>Copy of the representations as detailed in Appendices 1 – 8</p> <p>Application Form, Appendix 9</p> <p>Modification of application as agreed with Environmental Health, Appendix 10</p> <p>Conditions agreed with Birmingham City Council Licensing Enforcement, Appendix 11</p> <p>Site Location Plans, Appendix 12</p>
<b>7. Options available</b>
<p>To Grant the licence in accordance with the application.</p> <p>To Reject the application.</p> <p>To Grant the licence subject to conditions modified to such an extent as considered appropriate.</p> <p>Exclude from the licence any of the licensable activities to which the application relates.</p> <p>Refuse to specify a person in the licence as the premises supervisor.</p>

## Appendix 1

To Whom it May Concern

I am writing to you regards the proposed licencing for live music and an alcohol license at 109 Witton Lodge Road B23 5JD.

I am objecting to the above on the grounds of prevention of public nuisance, I feel live music till 12:00am would cause lots of noise and disruption in our community. I live in a nearby street with an average total of 40 elderly residents over the age of 65+, the majority of them have a range of different needs and abilities. In addition, I feel that the licencing of alcohol will cause more disruption and could lead to antisocial behaviour, drunken behaviour and put public safety at risk. In the past we have had crowds of drunk people urinating and causing disruption within our cul de sac. I also feel the increase in cars parking in the vicinity could cause lots of trouble as it is a very limited area.

Thank You

Phoernax Rise

Perry Common

B23

BCC	
REGULATION & ENFORCEMENT	
LICENSING SECTION	
DATE RECEIVED	
REF NO	Entered
INITIALS	W

## Appendix 2

ENTERED BY

---

**From:**  
**Sent:** 18 September 2016 14:25  
**To:** Licensing  
**Subject:** Application Ref 98564 Appetizing Delights Ltd

We the under named understand that an application has gone forward for the above premises for analcohol and music license.

We are totally in disagreement with this proposal... Points against:

1. We do not wish to have loud music playing late at night
2. Noise from the customers when leaving leaving the premises... Taxis collecting customers, car doors banging
- 3 It will entice large groups of youths to area causing trouble to the neighbourhood, which we do not want.
4. Alcohol causes trouble and violence which we do not want in our peaceful residential area

Regards

Witton Lodge Road  
Perry Common  
Birmingham  
B23

ENTERED RJ

To Whom it May Concern

I am writing to you regards the proposed licencing for live music and an alcohol license at 109 Witton Lodge Road B23 5JD.

I am objecting to the above on the grounds of prevention of public nuisance, I feel live music till 12:00am would cause lots of noise and disruption in our community. I live in a nearby street with an average total of 40 elderly residents over the age of 65+, the majority of them have a range of different needs and abilities. In addition, I feel that the licencing of alcohol will cause more disruption and could lead to antisocial behaviour, drunken behaviour and put public safety at risk. In the past we have had crowds of drunk people urinating and causing disruption within our cul de sac. I also feel the increase in cars parking in the vicinity could cause lots of trouble as it is a very limited area.

Thank You

Phoernax Rise

Perry Common

B23

## Appendix 4

To Whom it May Concern

I am writing to you regards the proposed licencing for live music and an alcohol license at 109 Witton Lodge Road B23 5JD.

I am objecting to the above on the grounds of prevention of public nuisance, I feel live music till 12:00am would cause lots of noise and disruption in our community. I live in a nearby street with an average total of 40 elderly residents over the age of 65+, the majority of them have a range of different needs and abilities. In addition, I feel that the licencing of alcohol will cause more disruption and could lead to antisocial behaviour, drunken behaviour and put public safety at risk. In the past we have had crowds of drunk people urinating and causing disruption within our cul de sac. I also feel the increase in cars parking in the vicinity could cause lots of trouble as it is a very limited area.

Thank You

Phoernax Rise

Perry Common

B23

BCC	
REGULATION & ENFORCEMENT	
LICENSING SECTION	
DATE RECEIVED	
17/03/2017	
REF NO	ENTERED
INITIALS	DN



## Appendix 5

Entered RJ

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**From:**  
**Sent:** 19 September 2016 12:16  
**To:** Licensing  
**Subject:** Application 98564  
**Importance:** High

Dear Sir

I am writing on behalf of my father Woodsome Grove, where it has come to his attention his via neighbours, not the council, that this particular venue has applied for a music and alcohol licence.

There are a lot of elderly residents adjacent to this restaurant (Appetising Delights) and don't think it would be appropriate for live music and the serving of alcohol in this area especially till midnight! He thinks it would be too noisy and degenerate the area making it feel less safe.

I hope you can look into this and give consideration to the local residents in this instance.

Thank You

Kind Regards

## Appendix 6

Entered RJ

---

**From:**  
**Sent:** 21 September 2016 08:50  
**To:** Licensing  
**Subject:** Appetising Delights Ltd restaurant, 109 Witton Lodge Rd, on the ring,

Application Ref: 98564

Sent from my iPad. Dear Sir, I am writing to tell you that I am completely against the above premises being given a licence to serve alcohol & play live & recorded music up till twelve o'clock on Saturdays. I am concerned that giving a licence to the above premises will cause more disturbance & litter late at night that we have to put up with from all the other shops on the ring.  
yours faithfully,

ENTERED  
R

---

**From:**  
**Sent:** 25 September 2016 16:52  
**To:** Licensing  
**Subject:** Application Ref 98564

To whom it may concern,

I am sending this email on my daughters address as I do not have email.

My name is I live at Lapwing Croft, Perry Common  
B23

The reason for my email is to put in writing my concern regarding the proposal from Appertizing Delights Ltd Restaurant to apply for an alcohol and music license.

I have nothing against people earning a living but feel this is going to cause me a lot of stress.

The Croft I live in is home to elderly people like myself, as is Sycamore court nearby which is a 'warden controlled' home.

I am 74 years old and not in the best of health. I am disabled so am not able to go out much.

Add to this the fact that the rear of Appertizing Delights restaurant backs onto my garden.

I go to bed quite early and would be unable to sleep if music was being played loudly at 11pm (weekdays) and 12 midnight at weekends.

As for the alcohol licence this doesn't concern me too much as I understand restaurants need a license to be able to offer drinks to customers while they have food.

Thank you for taking the time to read my comments and concerns and understand my refusal to think this application is a good idea.

---

**From:** Councillor Des S Hughes  
**Sent:** Tuesday, October 04, 2016 6:24 PM  
**To:** Licensing  
**Subject:** RE: Licensing Application - App Ref: 98564 Appetizing Delights, 109 Witton Lodge Road, Perry Common, Birmingham B23 5JD

David

Having been approached by a number of residents, I would like to object to the granting of a license for alcohol and live and recorded music.

I don't think any consideration has been given to the prevention of public nuisance for local residents. This part of Witton Lodge Road is a shopping/residential area.

There is no regard for the level of noise that might be produced, particularly by live music, and no mitigations that would help ensure that local residents can continue

quietly enjoy the property where they live, without noise and nuisance.

Regards

Des Hughes  
Councillor, Kingstanding Ward

---

## Appendix 9

APP REF: 98564

REP START 08/09/2016  
REP END: 05/10/2016

[Insert name and address of relevant licensing authority and its reference number (optional).]

### 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.

I/We Appetizing Delights Ltd  
(insert name(s) of applicant)

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

#### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 109 Witton Lodge Road Perry Common Birmingham B23 5JD			
Post town	Birmingham	Postcode	B23 5JD
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£6,900	

#### Part 2 – Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

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

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

**SECOND INDIVIDUAL APPLICANT (if applicable)**

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

**(B) OTHER APPLICANTS**

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

Name Appetizing Delights Ltd
Address C/O Cahinia Accountancy Bank House Hockley Hill Birmingham B18 5AA
Registered number (where applicable) 08542840
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY	
0	3	1	0	2	0

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

DD		MM		YYYY	

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

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

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

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

Provision of regulated entertainment

Please tick any that apply

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

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)	
Mon				
Tue				
Wed				
Thur			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)	
Fri			<b>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</b> (please read guidance note 5)	
Sat				
Sun				

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed			
Thur			<b><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></b> (please read guidance note 5)
Fri			
Sat			
Sun			

**D.**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)	
Mon	12:00	23:00		
Tue	12:00	23:00		
			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)	
Wed	18:00	23:00		
Thur	12:00	23:00		
			<b>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</b> (please read guidance note 5)	
Fri	12:00	00:00		
Sat	12:00	00:00		
Sun	14:00	18:00		

**F**

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	12:00	23:00			
Tue	12:00	23:00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed	18:00	23:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur	12:00	23:00			
Fri	12:00	00:00			
Sat	12:00	00:00			
Sun	14:00	18:00			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)	
Mon				
Tue				
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)	
Thur				
Fri			<b><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></b> (please read guidance note 5)	
Sat				
Sun				

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both -- please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 3)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Fri					
Sat			<b>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</b> (please read guidance note 5)		
Sun					



# I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)			
Mon						
Tue						
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)			
Thur						
Fri	23:00	00:00				
Sat	23:00	00:00	<b>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</b> (please read guidance note 5)			
Sun						

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption –</b> <u>please tick</u> (please read guidance note 7)	On the premises <input checked="" type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)	
Mon	12:00	23:00		
Tue	12:00	23:00		
Wed	18:00	23:00		
Thur	12:00	23:00	<b>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</b> (please read guidance note 5)	
Fri	12:00	00:00		
Sat	12:00	00:00		
Sun	14:00	18:00		

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

Name	
Deborah Lorraine Gordon	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).**  
None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	12:00	23:00	<p><b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</b></p>
Tue	12:00	23:00	
Wed	18:00	23:00	
Thur	12:00	23:00	
Fri	12:00	00:00	
Sat	12:00	00:00	
Sun	14:00	18:00	

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

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

There is a strong management and security procedures in place which encompass the four licensing objectives as below. The right of admission will be reserved; customers who arrive within 30 minutes of closing time will not be seated for meals. Staffs are trained as appropriate in respect of relevant licensing law. The open nature of the seating area and the position of the lounge and the provision of staff service allow for good viewing coverage of these areas so that good observation and control can be maintained of all licensable activities.

**b) The prevention of crime and disorder**

Toilet facilities will be checked regularly and at least every two hours.

The supervisor and their staff will at all times remain aware of their responsibilities for the prevention of crime and disorder on the premises and demonstrate a responsible attitude to the marketing and sale of alcohol

Any person who appears drunk /aggressive will not be permitted on the premises. No bottles or glasses will be taken off the premises.

**c) Public safety**

Suitable fire extinguishers are in place.

Free drinking water is available to all customers

I will fully support any directives received from the authorities

Will promote clearing of empty glasses throughout operating times

Floor staff will conduct physical sweep inside the premises to remove hazardous objects/waste as deemed necessary by the management.

The supervisor is aware of his responsibilities to the staff and customers in respect of public safety and will take all reasonable steps to ensure the maintenance of all provided safety arrangements and equipment in accordance with the requirements of current installations.

**d) The prevention of public nuisance**

Notices will be displayed at the exit of the premises asking patrons to leave the premises quietly. Will try and conduct all deliveries during daytime to control noise nuisance. In conjunctions with the steps proposed for the prevention of crime and disorder objectives, the staff will at all times remain responsible for the prevention of public nuisance in and around the premises.

The supervisor will arrange to monitor levels from both inside and outside the premises and remedial action will be taken as appropriate.

Doors and windows will be kept closed as deemed necessary by the supervisor.

e) The protection of children from harm

The premises will operate Challenge 25 policy as a minimum in order to ensure that alcohol is sold only to persons of lawful age.  
We recognise the importance of protecting children from harm and this is supported by our commitment to health and safety in the operation and maintenance of the premises.  
The supervisor and staff will at all times remain aware of their responsibilities under the objective. Staff on duty have been trained and made aware of these requirements and the need to demand an acceptable form of age id. No adult entertainment is permitted at these premises  
Any children under the age of 16 remain the responsibility of the accompanying adult when using the premises. Staffs are not allowed to be the sole supervisor of children which remains the responsibility of the accompanying adult at all times. A refusals log will be kept and maintained.

**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. ☒

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

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	
Date	01/09/2016
Capacity	Agent

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

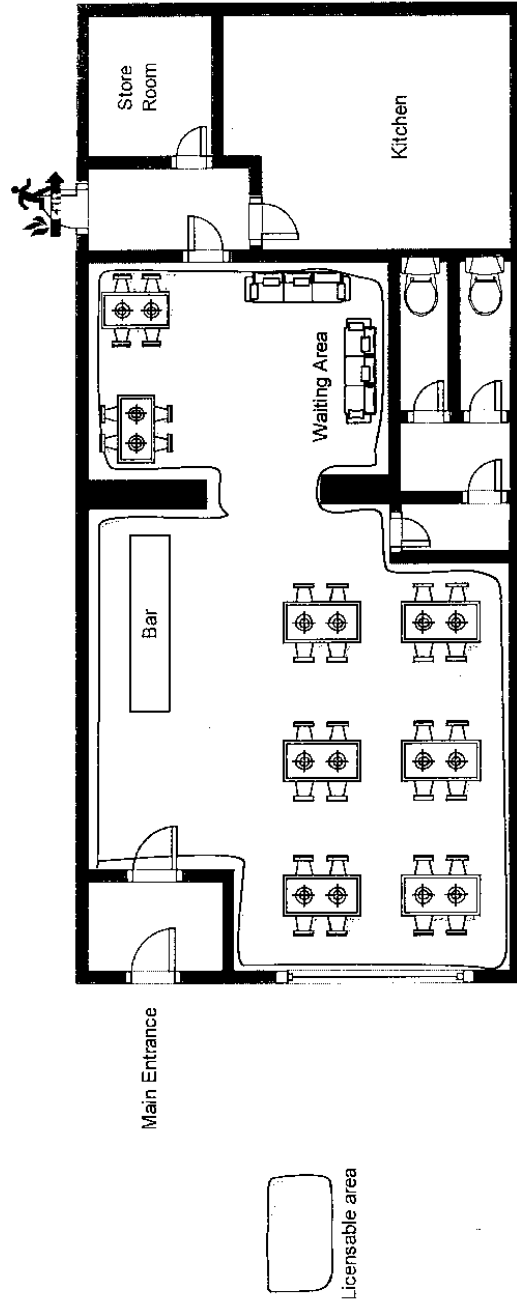
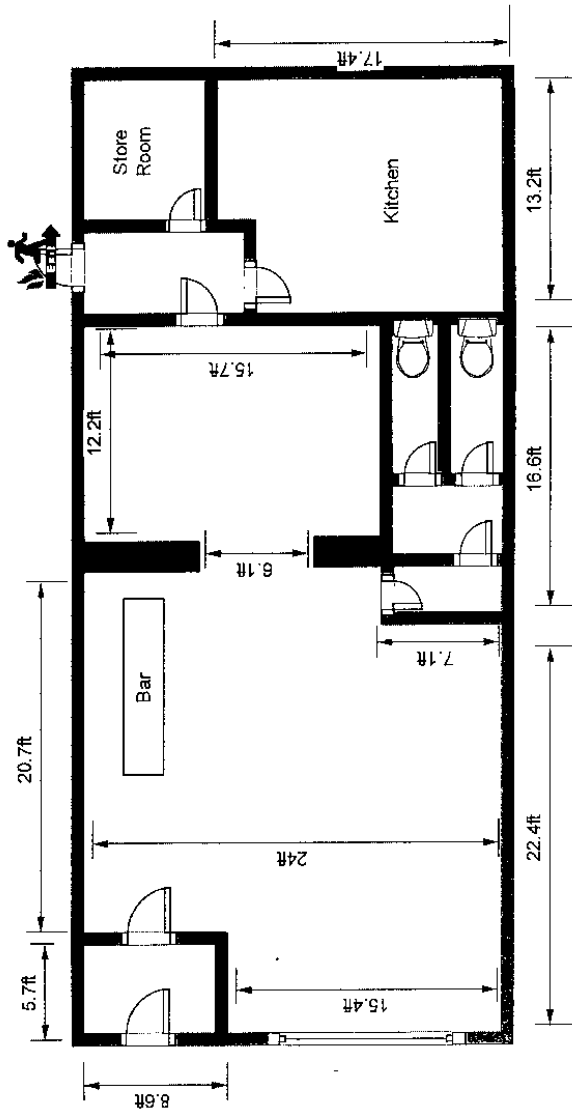
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
<b>Optimised Training Centre</b>			
<b>1 Guildford Street</b>			
<b>Birmingham</b>			
<b>B19 2HN</b>			
Post town	<b>Birmingham</b>	Postcode	<b>B19 2HN</b>
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

#### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Appetizing delights Ltd  
 109 Witton Lodge Road  
 Perry Common  
 Birmingham  
 B23 5JD



Floor plan  
 Scale: 1:100

## Appendix 10

---

**From:** Gerg Jambor  
**Sent:** 16 September 2016 09:55  
**To:** Licensing -  
**Cc:**  
**Subject:** RE: premises licence application - appetizing delights, 109 witton lodge road

Dear Licensing

I confirm that subject to the agreement as indicated below (removal of live and recorded music from the operating schedule), as representative of Environmental Health, I have no objection to make regarding the premises licence application at 109 Witton Lodge Rd, Birmingham on grounds of public nuisance.

Please do not hesitate to contact me if you have any questions.

Best Regards,

Mr Gerg Jambor  
Environmental Protection Officer  
Birmingham City Council  
Tel: (0121) 303 9975

Postal Address: Environmental Health, Manor House, PO Box 16977, Birmingham, B2 2AE  
Office Site: Environmental Protection, 1<sup>st</sup> Floor, 40 Moat Lane, Birmingham, B5 5BD

**From:** Optimised Training Centre  
**Sent:** Thursday, September 15, 2016 5:49 PM  
**To:** Gerg Jambor  
**Subject:** Re: premises licence application - appetizing delights, 109 witton lodge road

Dear Gerg Jambor

Thank you for your help and advice in this matter, I can confirm that we are happy to have the live and recorded music removed from the application

If you require any further information please do not hesitate to contact me.

Kind regards

Mijanur Rahman

Optimised Training Centre Ltd



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Registered in England, Company No:7021919

Please consider the planet before printing this email

On 15 September 2016 at 14:17:14 +01:00, Gerg Jambor

Dear Mij

Thank you for your call regarding the above. As discussed, I am concerned about the potential for public nuisance with the application as it stands.

You have indicated that the recorded and live music would not normally be more than background to provide ambience for the diners.

Furthermore, the Live Music Act enables smaller licensed premises to provide regulated entertainment between 0800 and 2300 hours without being included on the licence.

I confirm that I will not object to the grant of the application if the live and recorded music aspects are removed from the operating schedule.

Please let me know as soon as possible if this modification is acceptable to you and your client, and I will inform Licensing.

If you wish to discuss nuisance aspects of potential premises licence applications prior to submitting them in the future then please email [pollution.team@birmingham.gov.uk](mailto:pollution.team@birmingham.gov.uk) with the details and an Officer will be allocated to deal with the inquiry.

Please do not hesitate to contact me if you have any questions.

Best Regards,

---

**From:** Christina McCullough  
**Sent:** 04 October 2016 13:50  
**To:** Licensing  
**Subject:** FW: URGENT - Licence Application – Appetizing Delights, 109 Witton Lodge Road, Perry Common, Birmingham. B23 5JD  
**Attachments:** Appetizing Delights.doc

Please find attached the agreed conditions from Licensing Enforcement.

Regards

Christina McCullough  
Licensing Enforcement Officer

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

[www.birmingham.gov.uk/licensing](http://www.birmingham.gov.uk/licensing)

Twitter: @BCC Licensing

For information on Birmingham Licensed premises including licensed hours, activities and conditions go to  
<http://publicregister.birmingham.gov.uk>

Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors.

**From:** Mijanur Rahman  
**Sent:** Tuesday, October 04, 2016 10:13 AM  
**To:** Christina McCullough  
**Subject:** Re: URGENT - Licence Application – Appetizing Delights, 109 Witton Lodge Road, Perry Common, Birmingham. B23 5JD

Dear Christina McCullough,

Thank you for your email. I would like to confirm that we are happy to accept the conditions attached to your email.

If you require any further information please do not hesitate to contact me.

Kind regards

Mr Mijanur Rahman  
Managing Director

**Appetizing Delights, 109 Witton Lodge Road, Perry Common, Birmingham. B23 5JD**

Suggested amendments to proposed conditions of licence.

One of your proposed conditions in relation to children currently reads:

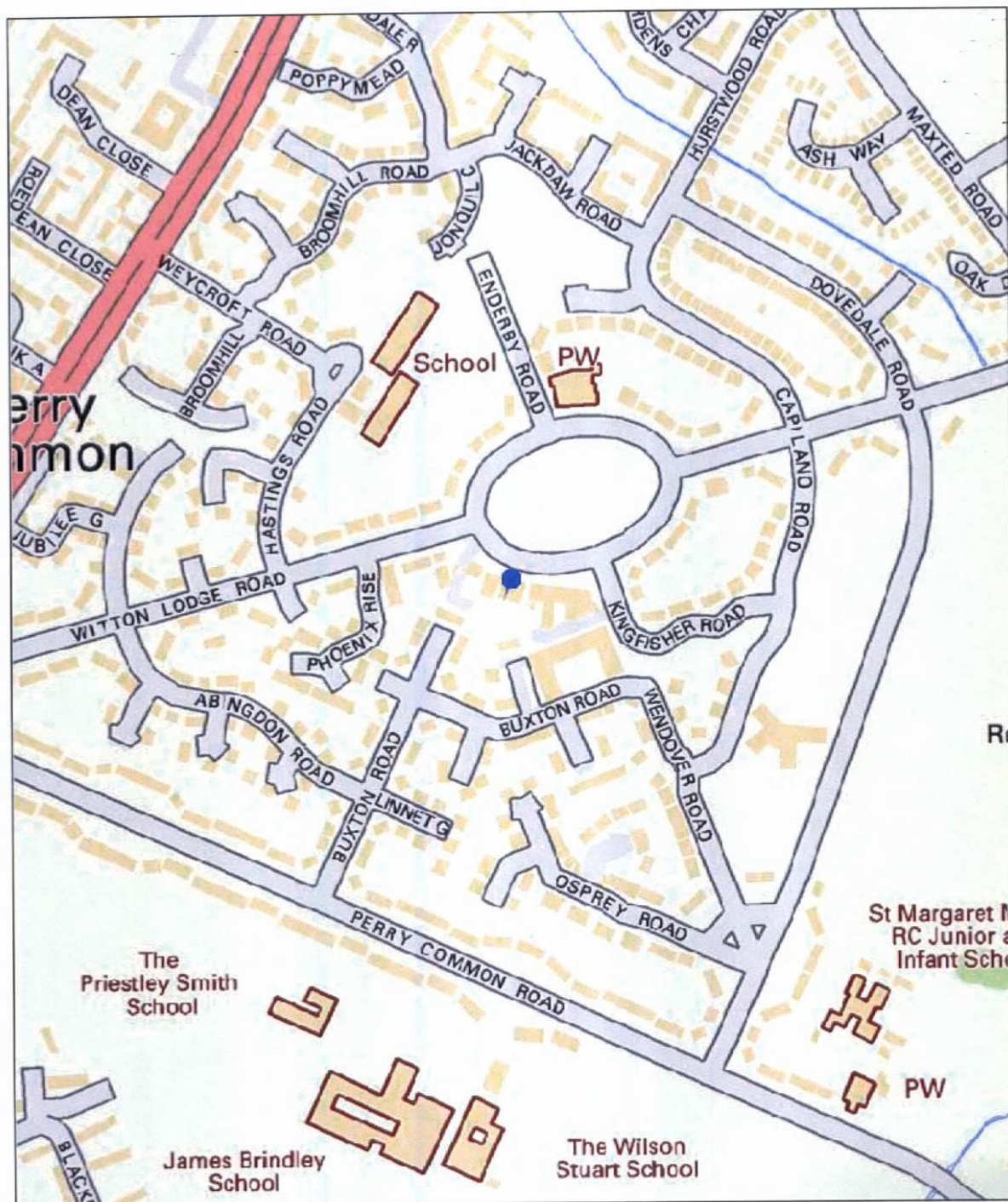
*Staff on duty will be trained and made aware of the requirements and the need to demand an acceptable form of age identification. A refusal log will be kept and maintained.*

---

I would propose that this condition be amended to read

All staff will be trained on the 4 licensing objectives, with particular attention to the conditions attached to this licence. All staff will be provided with refresher training annually. All training provided will be recorded in a training register which will be signed by the trainer and trainee. This training register will be made available to any of the responsible authorities immediately on request.

A refusals register will be kept detailing all refusals and will be signed off weekly by the DPS.



**Birmingham City Council**

Map Created By:

Date of Map Creation: 10/10/2016

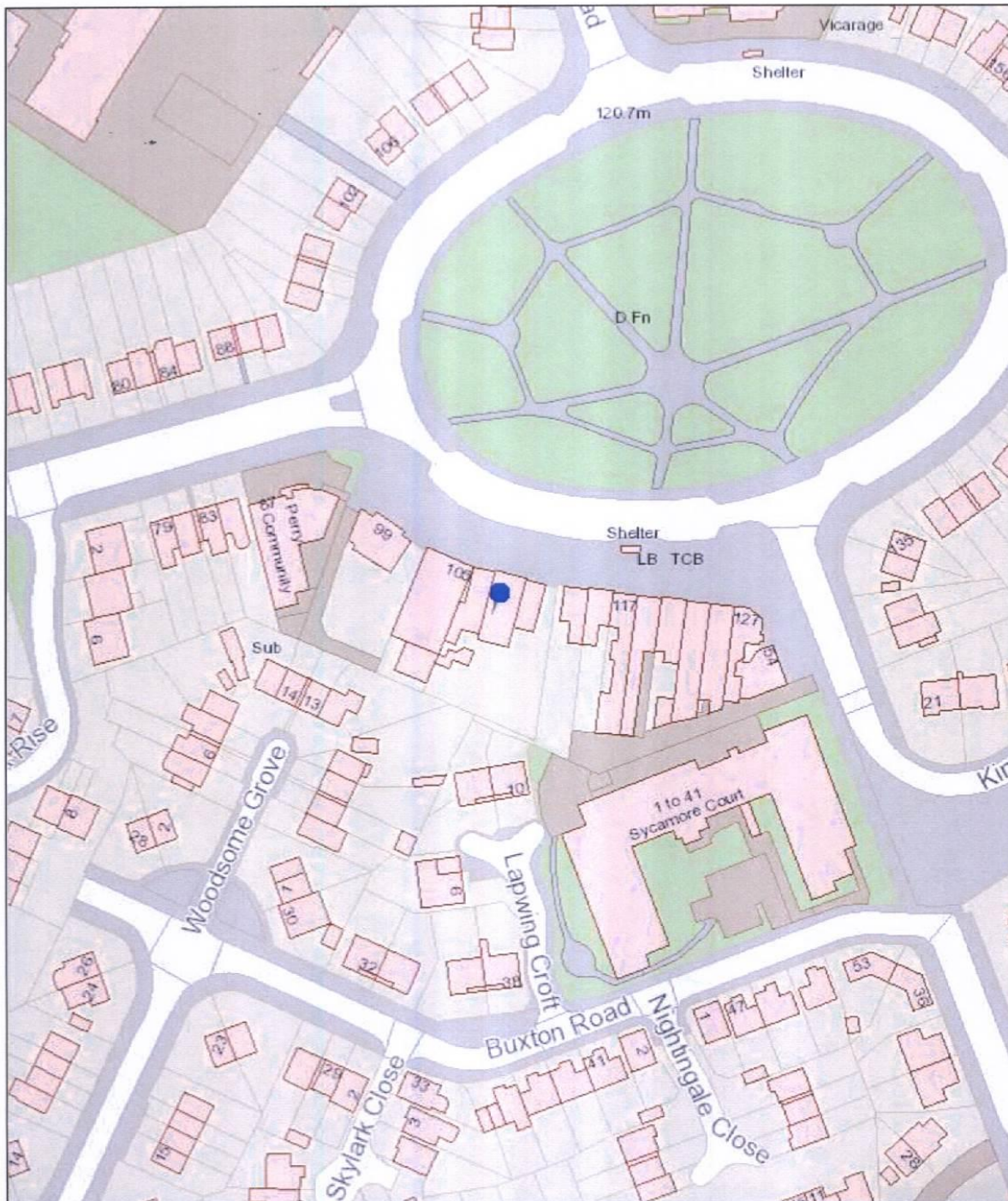
Notes

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Scale:  
1:4,000





Map Created By:

Notes

Date of Map Creation: 10/10/2016



Scale:  
1:1,250

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