

# 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 &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Wednesday 22<sup>nd</sup> December 2021</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>Dolce Desserts, 413 Hagley Road West, Quinton, Birmingham, B32 2AD</b>
<b>Ward affected:</b>	<b>Quinton</b>
<b>Contact Officer:</b>	<b>Shaid Yasser, Senior Licensing Officer <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### **1. Purpose of report:**

To consider a representation that has been made in respect of an application for a Premises Licence which initially sought to permit the provision of Late Night Refreshment, to operate indoors only, from 11:00pm until 02:30am (Monday to Sunday).

After discussions with West Midlands Police, the applicant has agreed to amend the scope of the application, with licensable activities to cease at 01:30am (Monday to Sunday).

Premises to remain open to the public from 12:00midday until 01:30am (Monday to Sunday), with deliveries to cease at 02:30am.

### **2. Recommendation:**

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

### **3. Brief Summary of Report:**

An application for a Premises Licence was received on 5<sup>th</sup> November 2021 in respect of Dolce Desserts, 413 Hagley Road West, Quinton, Birmingham, B32 2AD.

A representation has been received from Environmental Health as a responsible authority.

### **4. Compliance Issues:**

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

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

## **5. Relevant background/chronology of key events:**

DD Quinton Limited applied on 5<sup>th</sup> November 2021 for the grant of a Premises Licence for Dolce Desserts, 413 Hagley Road West, Quinton, Birmingham, B32 2AD.

A representation has been received from Environmental Health as a responsible authority. See Appendix 1.

The application is attached at Appendix 2.

Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 3.

Site Location Plans at Appendix 4.

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

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

## **6. List of background documents:**

Copy of the representation as detailed in Appendix 1  
Application Form, Appendix 2  
Conditions agreed with West Midlands Police, Appendix 3  
Site Location Plans, Appendix 4

## **7. Options available**

To Grant the licence in accordance with the application.  
To Reject the application.  
To Grant the licence subject to conditions modified to such an extent as considered appropriate.  
Exclude from the licence any of the licensable activities to which the application relates.

**From:** Peter R Brown

**Sent:** 19 November 2021 15:56

**To:** Licensing Online

**Subject:** RE: GRANT-DOLCE DESSERTS, 413 HAGLEY ROAD WEST, QUINTON, B32 2AD

Hi

Environmental Health objects to this application on the grounds of public nuisance. The area is mixed residential and commercial and the potential impact of noise from customers coming and going and from the operation of the business is unacceptable. There is residential accommodation in flats above several adjacent property including the one immediately above. No other commercial premises nearby operates until 02.30 and the late hours are likely to attract a younger age group to what could become a focal point for social activity, notwithstanding the absence of alcohol sales. Two nearby restaurants both operate much reduced hours although I note the Shapla Rani is licensed until 02.00 though it closes earlier according to its website. The adjacent restaurant at no 411 closes at 22.30.

Environmental Health would support hours up to 23.00 weekdays and 00.00 on Fridays and Saturdays which would be more in keeping with the existing hours of local businesses and more in tune with this largely residential location .

Regards

Peter Brown

**Environmental Health Officer**

\* required information

**Section 1 of 21**

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

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

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

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

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

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

☐ Indicate here if 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.

**Applicant Business**

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

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

Registration number

Business name  If your business is registered, use its registered name.

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

Legal status

Continued from previous page...

Your position in the business	<input type="text" value="Director"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the headquarters of your business is located.
<b>Registered Address</b>		Address registered with Companies House.
Building number or name	<input type="text" value="413"/>	
Street	<input type="text" value="HAGLEY ROAD WEST"/>	
District	<input type="text" value="QUINTON"/>	
City or town	<input type="text" value="BIRMINGHAM"/>	
County or administrative area	<input type="text" value="West Midlands"/>	
Postcode	<input type="text" value="B32 2AD"/>	
Country	<input type="text" value="United Kingdom"/>	

## Section 2 of 21

### PREMISES DETAILS

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

#### Premises Address

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

☒ Address    ☐ OS map reference    ☐ Description

#### Postal Address Of Premises

Building number or name	<input type="text" value="413"/>
Street	<input type="text" value="HAGLEY ROAD WEST"/>
District	<input type="text" value="QUINTON"/>
City or town	<input type="text" value="BIRMINGHAM"/>
County or administrative area	<input type="text" value="West Midlands"/>
Postcode	<input type="text" value="B32 2AD"/>
Country	<input type="text" value="United Kingdom"/>

#### Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="9,800"/>

**Section 3 of 21****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

**Confirm The Following**

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

**Section 4 of 21****NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

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

Continued from previous page...

### Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### Contact Details

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /

\* Nationality

[Documents that demonstrate entitlement to work in the UK](#)

## Section 5 of 21

### OPERATING SCHEDULE

When do you want the premises licence to start?  /  /   
dd mm yyyy

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

Provide a general description of the premises

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

Dolce desserts is a cafe that offers desserts and beverages, such as milkshakes and soft drinks. Customers will have opportunity to dine in or take out. Customers are also able to order their desserts and drinks online and have their delivered to their doorstep. The products are ordered via platforms such as Just Eat, Uber Eats and Deliveroo and then delivered to the customer. We do not offer any alcoholic or intoxicating substances. We do offer a dine in service and have seating capacity for 35 people.

<p><i>Continued from previous page...</i></p> <p>If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend</p> <div style="border: 1px solid black; width: 80px; height: 20px; margin-left: 100px;"></div>
<b>Section 6 of 21</b>
<b>PROVISION OF PLAYS</b>
<p><a href="#">See guidance on regulated entertainment</a></p> <p>Will you be providing plays?</p> <p> <input type="radio"/> Yes         <input checked="" type="radio"/> No       </p>
<b>Section 7 of 21</b>
<b>PROVISION OF FILMS</b>
<p><a href="#">See guidance on regulated entertainment</a></p> <p>Will you be providing films?</p> <p> <input type="radio"/> Yes         <input checked="" type="radio"/> No       </p>
<b>Section 8 of 21</b>
<b>PROVISION OF INDOOR SPORTING EVENTS</b>
<p><a href="#">See guidance on regulated entertainment</a></p> <p>Will you be providing indoor sporting events?</p> <p> <input type="radio"/> Yes         <input checked="" type="radio"/> No       </p>
<b>Section 9 of 21</b>
<b>PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS</b>
<p><a href="#">See guidance on regulated entertainment</a></p> <p>Will you be providing boxing or wrestling entertainments?</p> <p> <input type="radio"/> Yes         <input checked="" type="radio"/> No       </p>
<b>Section 10 of 21</b>
<b>PROVISION OF LIVE MUSIC</b>
<p><a href="#">See guidance on regulated entertainment</a></p> <p>Will you be providing live music?</p> <p> <input type="radio"/> Yes         <input checked="" type="radio"/> No       </p>
<b>Section 11 of 21</b>
<b>PROVISION OF RECORDED MUSIC</b>
<p><a href="#">See guidance on regulated entertainment</a></p> <p>Will you be providing recorded music?</p> <p> <input type="radio"/> Yes         <input checked="" type="radio"/> No       </p>
<b>Section 12 of 21</b>
<b>PROVISION OF PERFORMANCES OF DANCE</b>
<p><a href="#">See guidance on regulated entertainment</a></p> <p>Will you be providing performances of dance?</p>



Continued from previous page...

**Section 13 of 21**

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

[See guidance on regulated entertainment](#)

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

☐ Yes

☒ No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

☒ Yes

☐ No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

**SATURDAY**

Start

End

Start

End

**SUNDAY**

Start

End

Start

End

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

Continued from previous page...

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

☒ Indoors

☐ Outdoors

☐ Both

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

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

The provision of cooking the hot food will take place indoors and customers will have opportunity to dine inside. We will not have any amplified music therefore we will not cause any nuisance to the public and the local residents. The lighting within the shop is very dim and warm, again not causing any nuisance.

State any seasonal variations

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

NOT APPLICABLE

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

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

NOT APPLICABLE

#### Section 15 of 21

##### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☐ Yes

☒ No

##### PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

☐ Electronically, by the proposed designated premises supervisor

☐ As an attachment to this application

Reference number for consent form (if known)

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

#### Section 16 of 21

##### ADULT ENTERTAINMENT

**Continued from previous page...**

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

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

NOT APPLICABLE

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

**MONDAY**

Start

End

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

Start

End

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

**SATURDAY**

Start

End

Start

End

**SUNDAY**

Start

End

Start

End

State any seasonal variations

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

<i>Continued from previous page...</i>
NOT APPLICABLE
Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below
For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
NOT APPLICABLE
<b>Section 18 of 21</b>
<b>LICENSING OBJECTIVES</b>
Describe the steps you intend to take to promote the four licensing objectives:
a) General – all four licensing objectives (b,c,d,e)
List here steps you will take to promote all four licensing objectives together.
We understand the importance of complying with all four licensing objectives and will ensure that we have significant measures in place in order to do this. We are a community focused business and we do our best in looking after the community as well as local heroes such as the police force and NHS staff. We donate products to charity events and local groups in order to help them with fund raising. We always ensure our staff and customers are safe by implementing measures such as CCTV Recording, Alarm systems and We also take great pride in making sure the hygiene and cleanliness levels of the inside store and outside store are maintained to an extremely high standard. We also ensure we do not cause any nuisance to the public or local community and some of the ways in which this is done is by keeping noise levels to a minimum and ensure waste is disposed of correctly. We are an environmentally friendly business and we use recyclable packaging for our delivery containers as well as ensure all recycling is done correctly. We will not have any noise emanating from the property, therefore we will not cause any nuisance.
b) The prevention of crime and disorder
We have CCTV installed in and outside of the premises in order to ensure the staff and customers are safe and secure. There will always be a minimum of two staff on site per shift. The CCTV is recorded and saved for a month. We also have a Verisure alarm system installed on the premises and the staff have access to an SOS Panic button in case of emergencies. The alarm is activated every night and managers are notified immediately if any sensors are triggered. We have a camera doorbell on the outside door of the store, therefore we can see who is coming into the premises at all times. Our staff are very friendly and have built good relationships with each other. Staff are trained extensively to ensure order are prepared and delivered at very high speed. We do not offer products such as alcohol or any intoxicating substances that can have an impact on crime and disorder. The staff and management team are very responsible and are able to handle their roles effectively.
c) Public safety
d) The prevention of public nuisance
We ensure that our doors are closed in order to prevent any noise emanating from the premises. We do not have any windows at the front of the shop. The business is located on Hagley Road West and we have ample parking outside for customers, which means there is a very fine chance of causing a public nuisance. Staff are responsible and aware that they
<i>Continued from previous page...</i>
must dispose all waste in the bins and the waste will be collected weekly. They also make sure that there is no rubbish left outside and they sweep the outside of the unit on a daily basis.
e) The protection of children from harm
The products that we offer are only desserts and coffees. We do not offer any intoxicating products therefore we cannot cause any harm to children. We ensure we collate references for all staff members so we understand their previous working history and understand their character. We have health and safety policies in place. None of our products or aspects of the business pose a risk of harm to children.
<b>Section 19 of 21</b>
<b>NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK</b>



*Continued from previous page...*

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

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

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

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

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

**Documents which demonstrate entitlement to work in the UK**

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

*Continued from previous page...*

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

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

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

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

*Continued from previous page...*

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

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

#### **Home Office online right to work checking service**

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

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

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

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

#### **Section 20 of 21**

#### **NOTES ON REGULATED ENTERTAINMENT**



*Continued from previous page...*

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

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

Continued from previous page...

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

## Section 21 of 21

### PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00\*

Band E - £125001 and over - £635.00\*

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

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

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

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

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

Capacity 5000-9999 - £1,000.00

Capacity 10000 -14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

\* Fee amount (£)

190.00

### DECLARATION



Continued from previous page...

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

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

THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS

- \* PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

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

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

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

[Add another signatory](#)

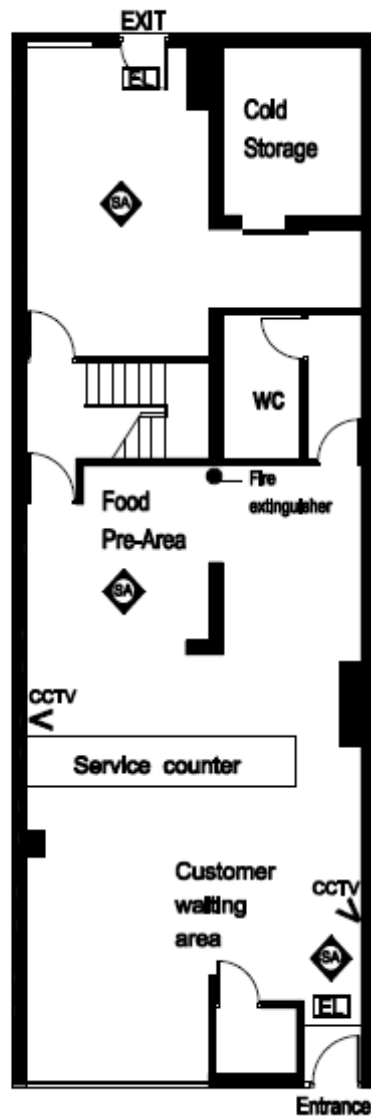
Once you're finished you need to do the following:

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

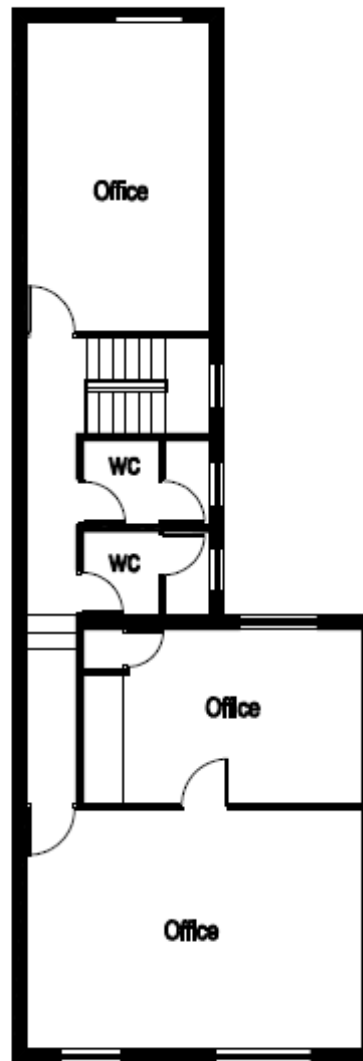
Don't forget to make sure you have all your supporting documentation to hand.

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

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



Existing Ground Floor plan



Existing First Floor plan



**Emergency light**



**Smoke Alarm**

Location of main wired interlinked smoke detector alarm

Applicant			
Premises address	DOLCE DESSERTS 413 HAGLEY RD WEST B32		
Title:	Floor Plan		
Date:	15.10.21	Drawn by:	Vikash Khan (RIBA) Chartered Architect
Scale:	1:100 - A4		

...Hagley-rd-west-413.dgn 20/10/2021 15:40:17

**From:** Dolce Desserts  
**Sent:** 11 November 2021 15:45  
**To:** Mark Swallow  
**Subject:** [External]: [Possible SPAM] Re: Dolce Desserts, 413, Hagley Road west, Quinton. B32 2AD

**CAUTION:** This email originated from outside of West Midlands Police. Do not click links or open attachments unless you are sure the content is safe.

Hello Mark

Thank you for your time on the phone today and support with our application.  
Yes we are happy to accept these terms and wish to proceed further.

Thank you once again.

If you have any questions in the meantime, please do not hesitate to get in touch.

Kind Regards,

Farzana

On 11 Nov 2021, at 13:57, Mark Swallow wrote:

Farzana,

Further to our telephone conversation today below are the revised conditions as agreed.

Times for conclusion of licensable activity for sales in the shop:

Monday to Sunday 0130

The premises will risk assess business between midnight and close of business each day which will inform the number of staff on duty and this number will not be below two,

Times for conclusion of licensable activity for deliveries:

Monday to Sunday 0230

If this is acceptable to you please email me this and I will progress the matter with the local authority. If there are any issues please email those to me and I will discuss the matter further with you.

Mark.

