

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Wednesday 25th July 2018
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Mel's Glasshouse, 563-565 Warwick Road, Birmingham, B11 2EX
Ward affected:	Sparkbrook & Balsall Heath East
Contact Officer:	Shaid Yasser, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

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 the premises) to operate from 12:00midday until 00:00midnight (Monday to Thursday) and 12:00midday until 04:00am (Friday to Sunday).

The provision of Regulated Entertainment consisting of live music and recorded music, to operate indoors only from 12:00midday until 04:00am (Friday to Sunday).

To permit the provision of Late Night Refreshment to operate from 11:00pm until 04:00am (Friday to Sunday).

Premises to remain open to the public from 12:00midday until 00:00midnight (Monday to Thursday) and 12:00midday until 04:00am (Friday 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 4th June 2018, in respect of Mel's Glasshouse, 563-565 Warwick Road, Birmingham, B11 2EX.

Representations have been received 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.

5. Relevant background/chronology of key events:

Mel's Glasshouse Ltd applied on 4th June 2018 for the grant of a Premises Licence for Mel's Glasshouse, 563-565 Warwick Road, Birmingham, B11 2EX.

Representations have been received from other persons, see Appendices 1 – 4.

The application is attached at Appendix 5.

Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 6.

Conditions have been agreed with Environmental Health and the applicant, which are attached at Appendix 7.

Site Location Plans at Appendix 8.

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:

Copies of the representations are detailed in Appendices 1 – 4

Application Form, Appendix 5

Conditions agreed with West Midlands Police, Appendix 6

Conditions agreed with Environmental Health, Appendix 7

Site Location Plans, Appendix 8

7. Options available

To Grant the licence in accordance with the application.

To Reject the application.

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

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

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

Appendix 1

From:
Sent: 13 June 2018 16:25
To: Licensing
Subject: Re:objection 106643
Attachments: Ref106643.pdf

Hi,

Please find attached objection letters to premises licence ref 106643 (Mel's glasshouse 563-565 Warwick road, Sparkhill, Birmingham B11 2EX)

Kind regards,

Highfield Support Services Ltd

. Stratford Road

Company registered in England & Wales. Company Registration Number: 08706097



**HIGHFIELD SUPPORT
SERVICES LTD**
Emergency & Supported Housing

Highfield Support Services

Stratford Road

Date: 11/06/2018

Ref: Mel's Glasshouse, Application 106643 563-565 Warwick Road, Sparkhill, B11 2EX

Dear whom it may concern,

We are writing in regards to the licence application that has been submitted by Mel's glass house

I would firstly like to introduce ourselves and the connection we have with the premises, we are Highfield support services and we currently occupy the 1st floor of 563-565 Warwick Road which comprises of 7 bedroom flats above the shop. We provide supported and sheltered accommodation to vulnerable adults. The tenants suffer with various conditions, currently some of the tenants that are living in the flats above suffer with mental health and substance misuse issues these individuals are vulnerable with most aspects of their daily lives who are allocated support staff on a daily basis to do certain tasks.

We have had various complaints from our tenants over the last few weeks of the downstairs occupiers causing them distress and sleepless nights. They are partying till late smoking and drinking which means the tenants are having sleepless nights and this is having a impact on their overall health. A few of our tenants are also suffer with substance misuse and due to the smells and the drinks this is having a impact

As you are aware the licence application has been submitted for sale of Alcohol, Late night refreshments and Regulated entertainment till the early hours of the next morning starting from 23:00pm. We would like to request you to review the license application and consider the views of the tenants above the shop, we have enclosed statements from the tenants who are currently residing above and how they feel about the situation and how it affects them.

Should you require further information please feel free to contact us on the details at the bottom of the letter head

Kind Regards

Highfield Support Services

Appendix 2

07/06/2018

Ref: Application 106643

Dear whom it may concern,

I have raised a complaint VIA my housing providers in relation to the ground floor shop. I currently suffer with substance misuse issues. My accommodation is no longer suitable due to the temptations from downstairs. I have got excellent support from my support to overcome my issues and to progress to where I am today. However the circumstances over the last few weeks have caused me a lot of distress. I feel I am being forced to move out from my accommodation only because someone did not consider the residents or there circumstances.

Loud noises cause me agitation and aggression issues I suffer with a lot of pain and I am currently on medication my health is being affected and I can't cope no more. I wish for some action to be taken please can I request for you to look into this matter.

Hope to hear from you soon

Kind Regards

Appendix 3

11/06/2018

Ref: Mel's Glasshouse, Application 106643 563-565 Warwick Road, Sparkhill, B11 2EX

Dear whom it may concern,

I have raised a complaint VIA my housing providers in relation to the ground floor shop. I currently suffer with depression and anxiety; I find it extremely hard to deal with the loud noises coming from downstairs. I have gone through a lot in my personal life I have a support worker allocated who is currently supporting me to overcome the issues I have.

I find it difficult to sleep at night and I am awake early morning my whole routine is messed up it's causing me anxiety and low moods due to getting lack of sleep from the loud noises downstairs. I don't believe such a licence should even be considered for the ground floor shop as there residential flats above. I personally believe the current tenants should have considered this prior to even considering such a licence. How can anyone live upstairs and have to deal with loud music, noises, drinks, and strong smokes coming from below.

I would like to take this opportunity to ask you to consider the application for the licence and consider the views of residents we just want peace and quiet we do not wish for any issues to arise for the ground floor tenants or for them to cause us any issues but we just want to make our wishes known. I also believe it is wrong to not consider the views of others prior to making any business decisions.

Kind Regards

11/06/2018

Ref: Mel's Glasshouse, Application 106643 563-565 Warwick Road, Sparkhill, B11 2EX

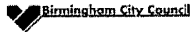
Dear whom it may concern,

I have raised a complaint VIA my housing providers in relation to the ground floor shop. I currently suffer with psychosis and schizophrenia I am on strong medication and I have regular visits from my mental health team. Over the past few weeks I have struggled a lot living in my current accommodation due the nuisance caused from the tenant below. I am on very strong medication which causes me drowsiness the noise levels from downstairs are so loud that I can't sleep or focus it triggers my mental health and causing me distress.

I understand that the downstairs tenant is trying to run a business but such a business is just not suitable when there are residential flats above the shop. If this matter is not looked into I will have to find alternative accommodation and this is something I do not wish to do this is my home and I shouldn't have to leave my home due to nuisance from a business who did not consider the residents above.

I hope this matter will be looked into

Kind Regards



Birmingham
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

Applicant Details

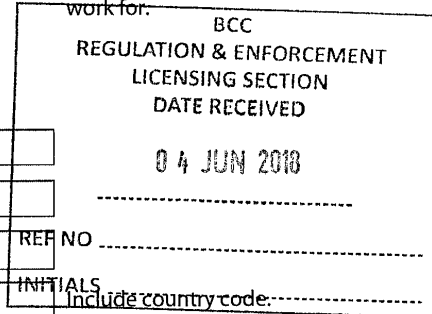
* First name

* Family name

* E-mail

Main telephone number

Other telephone number



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

Is the applicant:

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

☐ Applying as an individual

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

Applicant Business

Is the applicant's 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

VAT number

Legal status

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent 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:

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

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

Agent Business

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

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

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21
APPLICATION DETAILS
<p>In what capacity are you applying for the premises licence?</p> <p> <input type="checkbox"/> An individual or individuals <input checked="" type="checkbox"/> A limited company / limited liability partnership <input type="checkbox"/> A partnership (other than limited liability) <input type="checkbox"/> An unincorporated association <input type="checkbox"/> Other (for example a statutory corporation) <input type="checkbox"/> A recognised club <input type="checkbox"/> A charity <input type="checkbox"/> The proprietor of an educational establishment <input type="checkbox"/> A health service body <input type="checkbox"/> A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales <input type="checkbox"/> 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 <input type="checkbox"/> The chief officer of police of a police force in England and Wales </p> <p>Confirm The Following</p> <p> <input checked="" type="checkbox"/> I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities <input type="checkbox"/> I am making the application pursuant to a statutory function <input type="checkbox"/> I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative </p>
Section 4 of 21
NON INDIVIDUAL APPLICANTS
<p>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.</p> <p>Non Individual Applicant's Name</p> <p>Name <input style="width: 250px;" type="text" value="Mel's Glasshouse"/></p> <p>Details</p> <p>Registered number (where applicable) <input style="width: 250px;" type="text"/></p> <p>Description of applicant (for example partnership, company, unincorporated association etc)</p>

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 / /
dd mm yyyy

* 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.

Restaurant and Bar

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

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...

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

Will the performance of live music 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.

State any seasonal variations for the performance of live music

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

Non-standard timings. Where the premises will be used for the performance of live music 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.

Continued from previous page...

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

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

Will the playing of recorded music 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.

Continued from previous page...

State any seasonal variations for playing recorded music

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

Non-standard timings. Where the premises will be used for the playing of recorded music 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.

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes

☒ No

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

See guidance on regulated entertainment

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

☐ Yes

☒ No

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

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...

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

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.

State any seasonal variations

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

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.

Continued from previous page...

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start 12:00

End 00:00

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.

TUESDAY

Start 12:00

End 00:00

Start

End

WEDNESDAY

Start 12:00

End 00:00

Start

End

THURSDAY

Start 12:00

End 00:00

Start

End

FRIDAY

Start 12:00

End 04:00

Start

End

SATURDAY

Start 12:00

End 04:00

Start

End

SUNDAY

Start 12:00

End 04:00

Start

End

Will the sale of alcohol be for consumption:

☒ On the premises

☐ Off the premises

☐ Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

Continued from previous page...

State any seasonal variations

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

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

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

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number
(if known)

Issuing licensing authority
(if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

Continued from previous page...

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

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

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ADULT ENTERTAINMENT

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

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

NONE

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 12:00

End 04:00

Start

End

SUNDAY

Start 12:00

End 04:00

Start

End

State any seasonal variations

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

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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.

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

There is a strong management and security procedures in place which encompasses the four licensing objectives as below. A Challenge 25 policy will be strictly followed by all staff. Staffs are trained as appropriate in respect of relevant licensing law. The open nature of the restaurant allows for good viewing coverage. CCTV is installed covering both inside and outside the premises.

b) The prevention of crime and disorder

CCTV is installed inside and outside the premises. CCTV will be recording at all times the premises are open for any licensable activities and images will be held for a minimum of 28 days and made available immediately on request by any of the Responsible Authorities. The Premises License Holder will ensure that a trained member of staff will be on duty and be available to download the CCTV to any of the Responsible Authorities. The Designated Premises 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.

c) Public safety

Suitable fire extinguishers, fire alarms and fire exits are maintained.
I will fully support any directives received from the authorities

Continued from previous page...

Floor staff will conduct physical sweep inside the premises to remove hazardous objects/waste as deemed necessary by the management. The Designated Premises Supervisor is aware of their 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

All deliveries will be received during daytime to control noise nuisance. In conjunctions with the steps proposed for the prevention of crime and disorder objectives, the Licensees and staff will at all times remain responsible for the prevention of public nuisance in and around the premises.

The Designated Premises 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 Designated Premises Supervisor.

e) The protection of children from harm

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 and also our approach to managing the risk of under age drinking. The Designated Premises Supervisor and staff will at all times remain aware of their responsibilities under the objective, including that alcohol shall not be sold to anyone under the age of 18. Staff on duty will be trained and made aware of a challenge 25 policy and the requirements and the need to demand an acceptable form of age id.

No adult entertainment is permitted at these premises

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

To find out a premises non domestic rateable value go to the Valuation Office Agency site at <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

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.

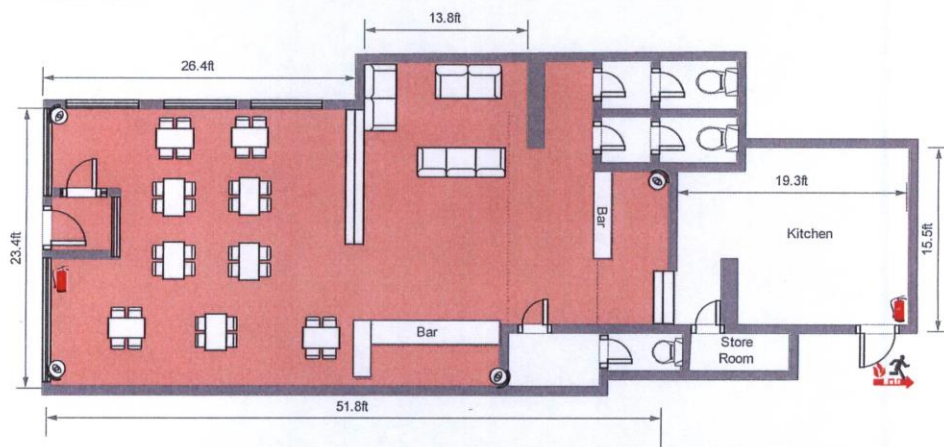
Don't forget to make sure you have all your supporting documentation to hand.



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

Floor Plan

Scale 1:100



- Key:
- Licensable Area ■
 - Fire Extinguisher 
 - CCTV Camera 

Mel's Glass House
563 Warwick Road
Birmingham
B11 2EX

Appendix 6

From: bw licensing
Sent: Tuesday, June 12, 2018 2:35 PM
To: Licensing
Cc:
Subject: FW: Mels Glasshouse, 563-565 Warwick Road, Birmingham, B11 2EX
Importance: High

Dear Licensing,

With regard to the premises licence application for Mel's Glass House 563 – 565 Warwick Road. B11 2EX.

West Midlands Police have reviewed this application and are happy that if the below conditions are added to the premises licence then the licensing objectives will be met and promoted.

The below conditions have been agreed with the applicant and their solicitor who is copied into this email as acceptance as per below email chain.

- The premises may carry out licensable activity until 04.00hrs Friday, Saturday & Sunday's for pre booked private events only.
- The premises may carry out licensable activity until 04.00hrs a maximum of 24 times per calendar year.
- If carrying out licensable activity past 01.00hrs (except late night refreshment) the premises will inform West Midlands Police, Birmingham Licensing Department a minimum of 7 days prior to the event with the exception of funerals / wakes where a minimum of 5 days is required.
- The normal licensable hours for all licensable activity, except late night refreshment, on Friday's and Saturday's will be terminate at 01.00hrs. The normal licensable hours for licensable activity on Sunday's will terminate at 00.00hrs.
- On Friday and Saturday night the premises may continue to trade late night refreshment until 02.00hrs for telephone / on line orders only. No walk-in orders.
- All staff training regarding the licensing act and premises operating conditions will be documented and made immediately available to any of the responsible authorities on request. The training will be signed by both the trainer and trainee.
- No drinks to be consumed outside of the premises.
- Doors and windows will be kept closed after 22.00hrs except for access and egress.

If the above conditions are imposed onto the licence then West Midlands police have no objection to this application.

Regards

Chris Jones 55410

Birmingham Central Licensing Team

West Midlands Police HQ
Lloyd House
Colmore Circus
Birmingham
B4 6NQ



From: Optimised Training Centre
Sent: 12 June 2018 14:05
To: bw licensing
Subject: Re: Mels Glasshouse, 563-565 Warwick Road, Birmingham, B11 2EX

Hi Chris,

Thank you for your visit today to the premises your advice and guidance is greatly appreciated.

All of the condition set below are fine as discussed. The only thing we would like to request is that we notify the West Midlands Police of private parties taking place within 7 days instead of 14 days. As you would appreciate a lot of bookings made are with short notice, although every effort will be made to notify the authority as soon as possible.

I look forward to your response.

Kind regards
Mij

Optimised Training Centre Ltd

Appendix 7

From: Jane Dunsford
Sent: 04 July 2018 13:49
To: Licensing
Subject: FW: Fw: Mel's Glasshouse Ltd 563-565 Warwick Road

From: Mijanur Rahman
Sent: Wednesday, July 04, 2018 1:32 PM
To: Jane Dunsford
Subject: Re: Fw: Mel's Glasshouse Ltd 563-565 Warwick Road

Dear Jane,

We would like to accept the condition proposed.

Kind regards
Mij

From: Jane Dunsford **Sent:** 02 July 2018 13:06
To:
Subject: RE: Fw: Mel's Glasshouse Ltd 563-565 Warwick Road

Dear Mij,

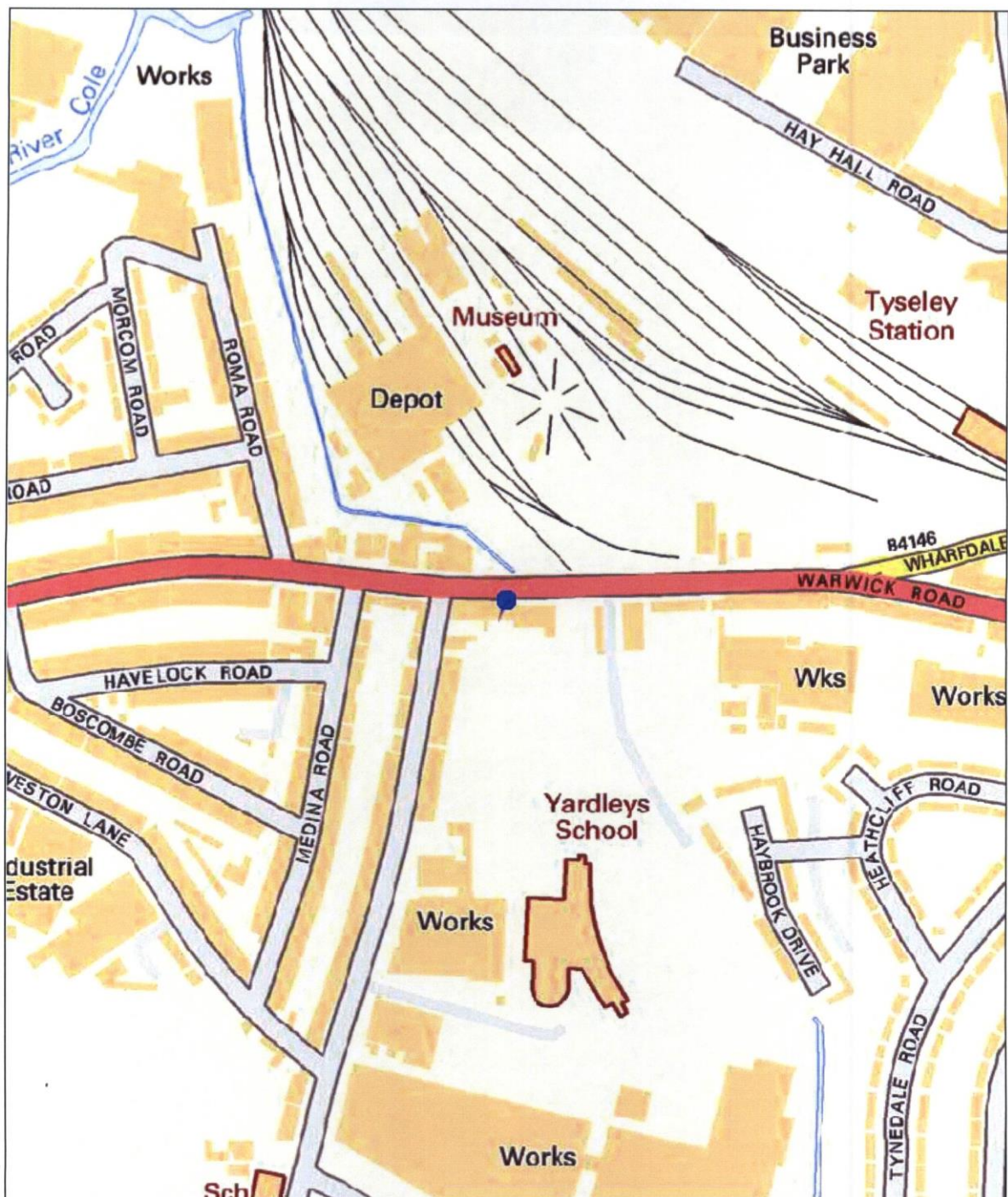
Further suggested conditions to cover my public nuisance concerns I have also forwarded these to West Midlands Police:

1. Qualified door supervisors shall be employed to control persons queuing to enter and exit the venue, from 11pm onwards whilst regulated entertainment is taking place.
2. The premises licence holder shall ensure that a written agreement is made with a reputable taxi company/ companies requiring that when taxis pick up and drop off customers from the licensed premise's, that noise from these vehicles does not cause a nuisance to local residents.
3. Customers who require a taxi from the site shall be advised by staff to use taxi companies specified by the licensee.
4. Prior to any regulated entertainment involving amplified music taking place, a Noise Limiting Device (NLD) of a type approved by the Environmental Protection Unit of Birmingham City Council shall be fitted to the serve any area of the premises used for amplified music or sound. The NLD shall be set at a level agreed with the Environmental Protection Section to ensure that the volume of music is controlled to avoid noise nuisance to the occupiers of nearby buildings. The installation of the NLD shall be notified to the Environmental Protection Section prior to use and shall meet the following criteria:
 - a) The device shall be fitted in an approved position by a competent person and once fitted shall not be moved from the approved position or tampered with in any manner unless prior approval is given,
 - b) The device shall be capable of either:-
 - i) cutting off the mains power to the amplification equipment if the volume exceeds the pre-set level determined by the Environmental Protection Unit and shall not restore power to the amplification equipment until the NLD is reset by the DPS or their nominated person, or

- ii) otherwise maintaining the volume of the music at the pre-set level determined by the Environmental Protection Unit,
 - c) where the NLD operates by cutting off the mains power to the amplification equipment, amplification equipment shall be operated through the sockets/power points linked to and controlled by the NLD at all times,
 - d) The NLD shall be maintained in full working order and at the approved pre-set volume whilst the amplification equipment is operational,
 - e) Any damage or malfunction to the NLD shall be reported to the Environmental Protection Unit as soon as possible and within 24 working hours of the damage occurring or malfunction being noted. The NLD shall not be used in this damaged or malfunctioning state until approval has been given by the Environmental Protection Unit.
5. Within the designated external smoking area numbers shall be controlled to a maximum of 6 at any one time. After 11pm the smoking area shall be supervised by qualified staff.

Regards

Jane Dunsford
Environmental Protection Officer
Environmental Protection Unit



Birmingham City Council Map Created By:

Date of Map Creation: 09/07/2018

Notes

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Scale:
1:4,000



Map Created By:

Date of Map Creation: 09/07/2018

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Scale:
 1:1,250