

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Assistant Director of Regulation & Enforcement
Date of Meeting:	Wednesday 12th October 2022
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Violet, 205 Holyhead Road, Handsworth, Birmingham, B21 0AS
Ward affected:	Holyhead
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

To consider the 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 08:00am until 11:00pm (Monday to Sunday).

Premises to remain open to the public from 8:00am until 11:30pm (Monday to Sunday).

2. Recommendation:

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

3. Brief Summary of Report:

An application for a Premises Licence was received on 22nd August 2022 in respect of Violet, 205 Holyhead Road, Handsworth, Birmingham, B21 0AS.

Representations have been received from 2 responsible authorities and from other persons.

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

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

5. Relevant background/chronology of key events:

Evelina-Elana Bejenaru applied on 22nd August 2022 for the grant of a Premises Licence for Violet, 205 Holyhead Road, Handsworth, Birmingham, B21 0AS.

Representations have been received from West Midlands Police Local Neighbourhood Team and Birmingham City Council Licensing Enforcement, as responsible authorities. See Appendices 1 & 2 respectively.

Representations have been received from other persons, which are attached at Appendices 3 & 4.

The application is attached at Appendix 5.

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

Site Location Plans at Appendix 7.

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 as detailed in Appendices 1 - 4

Application Form, Appendix 5

Conditions agreed with West Midlands Police Licensing Department, Appendix 6

Site Location Plans, Appendix 7

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.

From: Phil Southern
Sent: 16 September 2022 13:20
To: Licensing
Cc:
Subject: Application ref: 126403; 205 Holyhead Road, Handsworth

Good Afternoon,

Please find the attached response to the above licensing application. Please acknowledge receipt.

Many thanks

Phil Southern

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. URN

Statement of Philip Southern

Age if under 18 O18 (if over 18 insert "over 18")

Occupation Police Sergeant 21956

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: Philip Southern (witness)

Date 16/09/2022

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am Police Sergeant 21956 Philip Southern currently stationed at Handsworth Police Station, Thornhill Road, Handsworth, attached to the East Handsworth & Lozells Neighbourhood Priority Team. This is a ward that falls under the Perry Barr Constituency and is part of the Birmingham West Neighbourhood Policing Unit (BW NPU). I have been a Police Sergeant on that team since March 2021 and have worked on BW NPU 6 and a half of my 8 years of service. In that time, I have become intimately familiar with Handsworth in general and the Soho Road/Holyhead Road in particular. This statement is a Community Impact Statement in relation to the licensing application (The Application) for "Violet Café" 205 Holyhead Road, Birmingham, B21 0AS to obtain a license for the sale of alcohol on premises pursuant to the Licensing Act 2003.

The purpose of this statement is to object to The Application on the basis that it will negatively impact an area already affected by a significant degree of anti-social behaviour (Public Nuisance), Crime and Disorder including acts of public place violence (Public Safety). The area has amongst the highest proportion of houses of multi-occupancy (HMO) and exempt accommodation in the West Midlands and is classified as a "most deprived decile" (Index of Multiple Deprivation 2019, Consumer Data Research). This mean that the Soho Road/Holyhead Road, with its numerous shopping establishments, betting shops and established licensed premises, is a draw for individuals with complex, unsupported, needs who lead chaotic lives.

The Soho Road/Holyhead Road has a wide variety of shops and cafes catering to a multi-cultural society ranging from Afro-Caribbean, African, South East Asian and Eastern European establishments. In order to look after the community's interests the businesses have formed the Soho Road/Holyhead Road Business Improvement District (BID). Due to the many issues that present on the Soho Road/Holyhead Road the BID

Signature

Signature witnessed by

03/2016

OFFICIAL – (when complete)

OFFICIAL – (when complete)

MG11

Crime No.

URN

Statement of Philip Southern

along with other partners such as the Nishkam Gurdwara and a Street Watch coordinated by West Midlands Police conduct patrols of the road utilising concerned citizens as well as SIA registered security officers equipped with body worn video (BWV) and a number of CCTV cameras.

As one of the Neighbourhood Teams that cover the Soho Road/Holyhead Road we work closely with the BID and other partners, conducting joint patrols and sharing information. As part of our work on the Soho Road/Holyhead Road it has become apparent, due in part to its proximity to social housing, that the location draws individuals who engage in a range of activities that contribute to Public Nuisance and Crime & Disorder. The main issues highlighted are:

- Anti-social behaviour including drug taking, public drunkenness and disorderly behaviour, prostitution and associated public indecency and persistent begging.
- Crime ranging from shop lifting to public place violence including the use of weapons and resulting in serious injuries up to attempted murder and grievous bodily harm.

In addition, information from partners and community, has identified that the location is already being used for licensable activity without a license including the sale of alcohol, gaming machines and operating a "Sheesha" lounge. This does not give the Police confidence that any conditions applied as part of a license would be adhered to.

The Soho Road/Holyhead Road is one of the highest demand locations on BW NPU and indeed one of the highest across the whole of the West Midlands Police force area. This significant demand and crime generally coalesces around existing licensed premises such as International Supermarket, The Cross Guns PH, SK Wines and Moreish.

This then forms the principle part of our objection to The Application, that the opening of another licensed premises will be another location that will encourage groups engaged in Public Nuisance and Crime & Disorder to centre around and even base themselves from. The establishment is likely to be itself a target of Crime & Disorder; the already established licensed premises regularly request Police assistance due to thefts and aggressive customers. There is also no mention in the application of SIA registered Door Supervisors particularly in the evenings/nights. I am concerned that without such safeguards The Applicant cannot ensure the safety of their employees or the public including its own customers.

Signature Signature witnessed by

03/2016

OFFICIAL – (when complete)

OFFICIAL – (when complete)

MG11

Crime No.

URN

Statement of Philip Southern

The location may also cause a strain on finite Police resources, already in a period of unprecedented demand and still significantly smaller and inexperienced compared to 2010, in an area policed by small neighbourhood teams who have large, complex areas to cover in addition to the Soho Road/Holyhead Road. This will be of detriment to the wider area who will be unable to access policing resources as readily.

We have conducted numerous operations involving both uniform and plainclothes officers as well as specialist resources such as drones and Police dogs; and partners including the BID and Birmingham City Council. We have conducted community events with partners and a strong Police presence. Despite this, criminality is persistent and ongoing even whilst police are conducting said operations with individuals seemingly having little fear of the Criminal Justice System. This has led to a lack of confidence in the Police and the CJS, by shop keepers and the wider public who use the Soho Road/Holyhead Road business district, to address those issues. I am certain that what is reported to us is but a small part of the issues that the area faces with many crimes and incidents going unreported due to that lack of faith.

The Soho Road/Holyhead Road has been the subject of a number of dispersal orders authorised by a Senior Police Officer under s34 of the Anti-Social Behaviour, Crime and Policing Act 2014 and there is an ongoing application for a Public Space Protection Order aimed exclusively at the road to attempt to tackle the persistent issues highlighted above.

In conclusion I make this statement to assist and inform the licensing authorities of the challenges faced in the area and the demands placed upon the Police and community partners. It also makes plain the reasons for our objections to this licensing application and why it is inappropriate and would have a detrimental affect on the area particularly when measured against the Licensing Objectives relating to Public Nuisance, Public Safety and Crime & Disorder.

Philip Southern

Signature

Signature witnessed by

03/2016

OFFICIAL – (when complete)

From: Doug Wright
Sent: 16 September 2022 14:59
To: Bhapinder Nandhra
Subject: Violet, 205 Holyhead Road

Bhap,

So I submit the following:

THE PREMISES LICENCE HAD NOT BEEN GRANTED, WHEN ALCOHOL WAS SEEN ON THE PREMISES.
WITH THE OFFER OF GAMBLING ON THE 2 GAMING MACHINES INSIDE THE PREMISES ALSO WITHOUT THE
REQUIRED LICENCE.

THE PREMISES COULD NOT, AT THE TIME OF MY VISIT ON TUESDAY 13th SEPTEMBER 2022 SATISFY ANY OF
THE REQUIREMENTS OF THE FOUR LICENSING OBJECTIVES OF THE LICENSING ACT 2003 OR THE GAMBLING
ACT 2005 GAMBLING OBJECTIVES AS THERE WERE NO LICENSES IN FORCE.

IF THE PREMISES LICENCE WAS GRANTED IN VIEW OF THE ACTIVITIES THAT WERE TAKING PLACE ALREADY
I'M NOT CONFIDENT THE APPLICANT UNDERSTANDS THE REQUIREMENTS
OF THE LICENSING ACT 2003

UNDER THE ACT, A PERSON COMMITS AN OFFENCE IF THEY CARRY ON A LICENSABLE ACTIVITY WHEN
THERE IS NO PREMISES LICENCE IN FORCE.
THE PENALTY FOR SUCH AN OFFENCE, UPON CONVICTION IS A FINE OF £20,000 AND/OR 6 MONTHS
IMPRISONMENT.

I know the period is up 19/09/2022, but as we are off Monday the 19th thought you would need this today.

Doug Wright
Licensing Enforcement Officer
Licensing Section, P.O. Box 17831, Birmingham, B2 2HJ

From: Councillor Rinkal Shergill
Sent: 15 September 2022 16:12
To: Licensing
Subject: 204 Holyhead Road Application

Hello

I wanted to oppose this application please find full details below. I been contacted by lots of residents that this location is already selling alcohol, and got gambling machines which attract Anti-social behaviour. One of my big concern in the ward is to many off licences which attract crowds. This place also have a Sheesha lounge. Parking is also going to issue be if this place get alcohol licence.

As a ward councillor I fully Object to the application for an alcohol premises License.

Ward: **Holyhead**
Application ref: **126403**
Type of application: **Premises**
Sub type of application: **New Application**
Trading name: **Violet**
Trading address: **205 Holyhead Road, Birmingham, B21 0AS**
Type of premises: **Cafe**
Licence application received on: **22/08/2022**
Last day for comments: **19/09/2022**
Licensable activity and trading times:
Sale of alcohol by retail (on the premises)

From: Soho Road BID Manager
Sent: 13 September 2022 11:54
To: Licensing
Cc:
Subject: FW: 205 Holyhead Road Ref-126403

Dear Licensing Team,

I trust you are well. We have noticed an application has gone in for an alcohol license for 205 Holyhead Road (an address which had previously had its alcohol application rejected after consultation by BCC) please see the details below.

Applications made under the Licensing Act 2003 received between 22/08/2022 and 28/08/2022

Ward: Holyhead Application

ref: 126403

Type of application: Premises Sub type of application:

New Application Trading name: Violet

Trading address: 205 Holyhead Road, Birmingham, B21 0AS

Type of premises: Cafe Licence

application received on: 22/08/2022

Last day for comments: 19/09/2022

The location, without licenses, is already selling alcohol, has gaming machines and has become a Sheesha lounge. This is a huge concern for the community of Handsworth, as the welfare of its vulnerable residents will be impacted and already intoxicated individuals will be exploited.

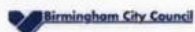
We at the Soho Road Business Improvement District CIC, fully **OBJECT** to the application for an alcohol premises License and request the premises is investigated and shut down with immediate effect.

Kind regards

BID Manager

Soho Road Business Improvement District CIC

Soho Road
Handsworth
Birmingham
B21



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

Not Currently In Use

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

Your reference

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

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

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

Applicant Details

* First name

Evelina-Elena

* Family name

Bejenaru

* E-mail

Main telephone number

Include country code.

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.

Continued from previous page...

Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text"/>

Agent Details

* First name	<input type="text" value="Mijanur"/>	
* Family name	<input type="text" value="Rahman"/>	
* E-mail	<input type="text"/>	
Main telephone number	<input type="text"/>	Include country code.
Other telephone number	<input type="text"/>	

☐ 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	<input type="text" value="7021919"/>	
Business name	<input type="text" value="Optimised Training Centre"/>	If your business is registered, use its registered name.
VAT number	<input type="text" value="-"/>	Put "none" if you are not registered for VAT.
Legal status	<input type="text" value="Private Limited Company"/>	
Your position in the business	<input type="text" value="Manager"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

Building number or name	Optimised Training Centre
Street	1 Guildford Street
District	
City or town	Birmingham
County or administrative area	
Postcode	B19 2HN
Country	United Kingdom

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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	Violet
Street	205 Holyhead Road
District	
City or town	Birmingham
County or administrative area	
Postcode	B21 0AS
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	2,375

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**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

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

- ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No

Continued from previous page...

Current Residential Address

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

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/> dd / <input type="text"/> mm / <input type="text"/> yyyy
* Nationality	<input type="text"/>
Right to work share code	<input type="text"/>

Documents that demonstrate entitlement to work in the UK

Right to work share code if not submitting scanned documents

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start? 19 / 09 / 2022
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

Continued from previous page...

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.

Cafe

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

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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

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes

☒ No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will you be providing recorded music?

☐ Yes

☒ No

Section 12 of 21

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

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ 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

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...

FRIDAY

Start 08:00

End 23:00

Start

End

SATURDAY

Start 08:00

End 23:00

Start

End

SUNDAY

Start 08:00

End 23:00

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.

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

Evelina-Elena

Family name

Bejenaru

Date of birth

dd

mm

yyyy

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

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

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.

Continued from previous page...

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.

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)

Continued from previous page...

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

A Challenge 25 policy will be strictly followed by all staff.
Staffs are trained as appropriate in respect of relevant licensing law.
CCTV is installed covering the premises.

b) The prevention of crime and disorder

The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 30 days.
The licence holder will ensure a high definition, colored CCTV camera system is installed, operational and recording whilst the premises is open to the public.
CCTV images must be securely stored, display an accurate date/time stamp and retained for a minimum of 30 days.
Cameras must cover all areas that the public have access to, including the entrance/exit and pavement area immediately outside the premises.
The licence holder will ensure that there is always a member of staff trained and available to download images/footage immediately or an agreed timescale if requested by the police or the Licensing Authority.
The licence holder will ensure all refusals and incidents are recorded and logged. These records will be kept on site and made available to the authorities upon request.
The Challenge 25 policy will be adopted and there will be documented training of all staff (paid or unpaid) before they are allowed to sell alcohol. These records will be made available to the authorities upon request.
All staff shall be trained on the four licensing objectives and a training record kept on the premises. The training record will be made available to responsible authorities on request.
Any person who appears drunk /aggressive will not be permitted on the premises.

c) Public safety

A fire alarm system will be installed to meet BS 5839 Part 1 current standards.
An emergency lighting system will be installed to meet BS 5266 current standards.
Firefighting equipment will be available in the premises to meet BS 5306 current standards.
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 his responsibilities to the staff and customers in respect of public safety and will take all reasonable steps to ensure the maintenance of all provided safety arrangements and equipment in accordance with the requirements of current installations.

d) The prevention of public nuisance

Notices will be displayed at the exit of the premises asking patrons to leave the premises quietly.
All deliveries will be conducted prior to 7pm 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 of noise 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

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 have will be trained and made aware of these requirements and the need to demand an acceptable form of age id.
The premises will operate Challenge 25 policy.
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 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 (£)

100.00

DECLARATION

1

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](#)

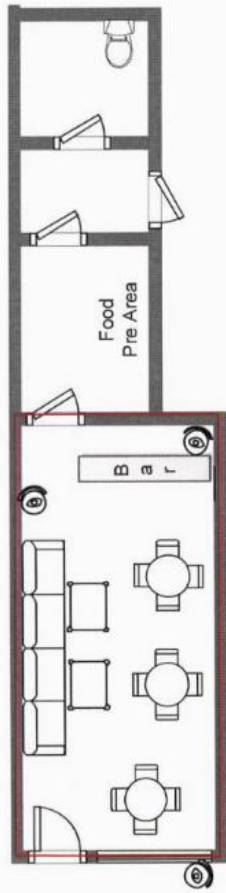
Once you're finished you need to do the following:

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



Scale Plan:	1:100
Premises Details:	
Violet	
205 Holyhead Road, Handsworth, Birmingham, B21 0AS	
Date:	July 2022
By:	Mijanur Rahman

Key:	
Licensable Area	
CCTV	
Client	Evelina-Elena Bejenaru

From: Mark Swallow
Sent: 26 August 2022 11:27
To: otctraining
Cc: Licensing
Subject: RE: [External]: Re: Violet. 205, Holyhead Road, Handsworth. B21 0AS.

Good Morning Licensing,

With regard to the premises license application for Violet, 205, Holyhead Road, Handsworth. B21 0AS. West Midlands Police have reviewed this application and are happy that if the below conditions are added to the licence then the licensing objectives will be met and promoted. The conditions have been agreed with the applicant as per below email chain who is also copied in to this email.

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

Regards and thanks

MARK SWALLOW
WEST MIDLANDS POLICE,
BIRMINGHAM CENTRAL LICENSING TEAM.

From: Optimised Training Centre
Sent: 25 August 2022 15:29
To: Mark Swallow
Subject: [External]: Re: Violet. 205, Holyhead Road, Handsworth. B21 0AS.

Hi Mark,

Hope you are well, sorry for the delay. I have spoken to the applicant and they are happy for the conditions to be added to the licence.

Kind regards
Mij

Optimised Training Centre Ltd
Six Ways Business Centre
Room 210A
1 Guildford Street
Birmingham
B19 2HN

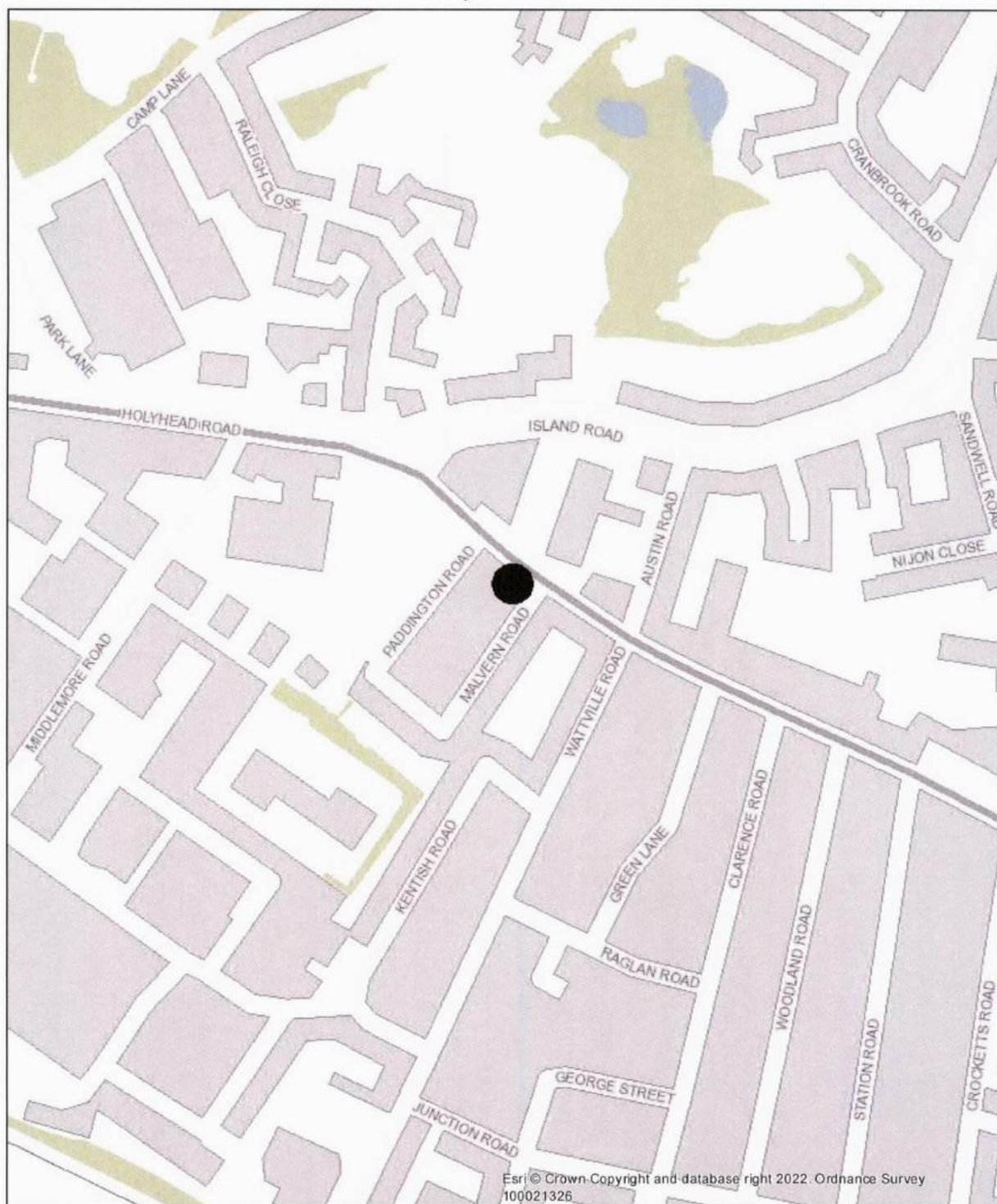
On 23 August 2022 at 08:45:08 +01:00, Mark Swallow wrote:

Mij,

Hope you are well. In relation to the above application can your client consider the below additions to the operating conditions of the license please.

Mark.

- 1. If for any reason the CCTV hard drive needs to be replaced the previous / old hard drive will be kept on site for a minimum of 30 days and made immediately available to any of the responsible authorities on request. The CCTV will be checked to ensure that it is working each week. This information will be stored for 12 weeks and made available to any of the responsible authorities on request.**
- 2. The premises will operate a vulnerability policy.**



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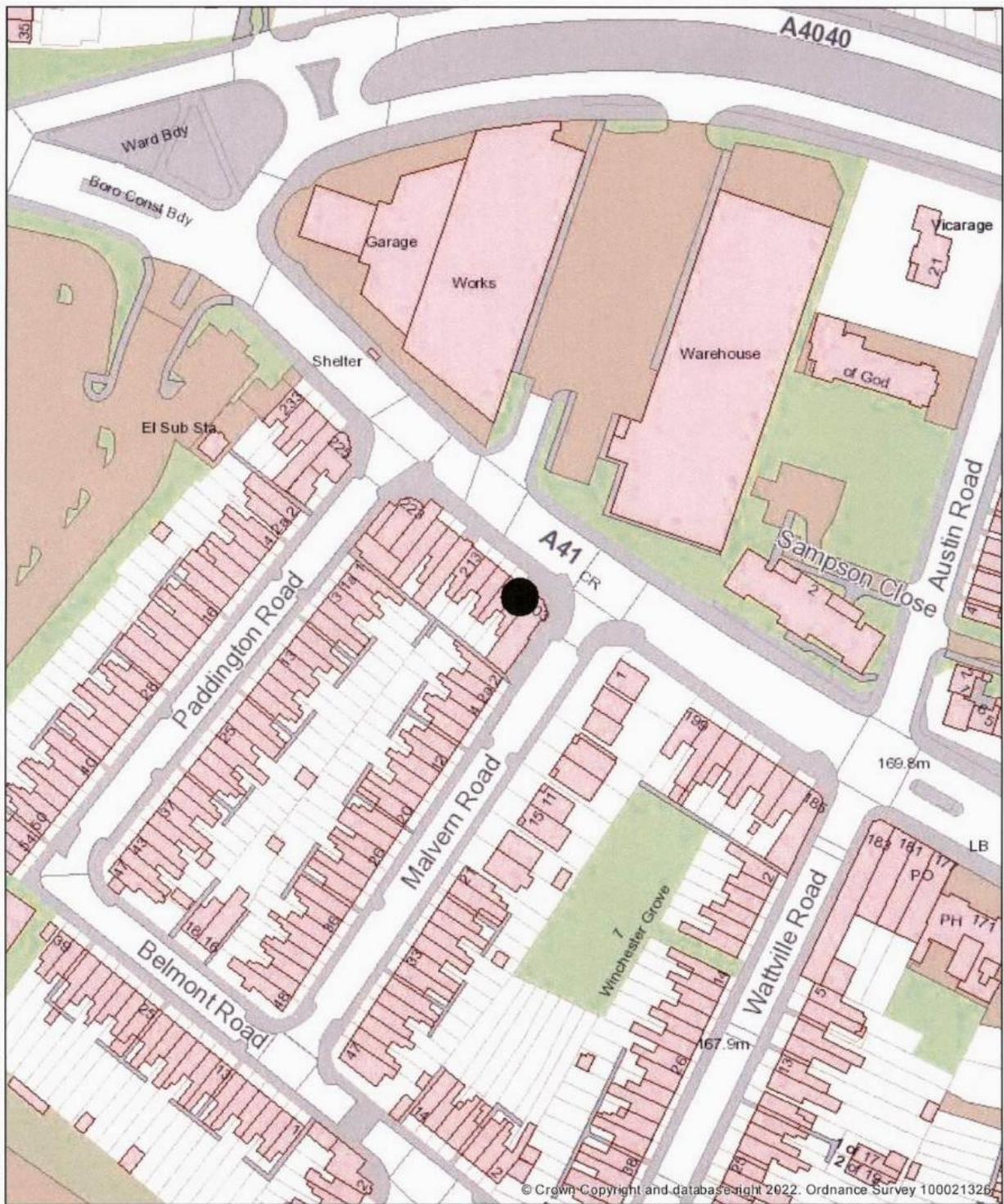
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