



BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE B

19 July 2016

Harborne Kitchen, 175 – 177 High Street, Harborne, Birmingham, B17 9QE

That the application by Mr James Desogus for a premises licence in respect of Harborne Kitchen, 175 – 177 High Street, Harborne, Birmingham, B17 9QE be granted subject to the following conditions to promote the prevention of public nuisance objective in the Act:

A.	Doors and windows	All windows and doors shall be kept closed, save for the purpose of access and egress, after 10pm.
B.	Late admission restriction	No new customers shall be permitted entrance to the premises after 11pm.
C.	Outside areas	No access at any time by the public to the garden/land outside the rear of the premises.
D.	Relocation of customers	By no later than 11.30pm all customers shall be relocated to the bar area of the restaurant, as marked on the attached plan with hash markings.

The Sub-Committee appreciated the concerns raised by the Residents who had taken the time to attend the meeting. The Sub-Committee believed those concerns could be alleviated by the imposition of appropriate conditions. Therefore, it was considered that the above conditions should be attached to the licence because the Sub-Committee considered them appropriate given the location of the premises and the potential risk for noise amounting to public nuisance arising from the premises.

The Sub-Committee considered the conditions imposed to be appropriate, reasonable and proportionate to address concerns raised.

In addition to the above conditions, those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will form part of the licence issued.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the information in the application, the written representations received and the submissions made at the hearing by the applicant and those residents making representations.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.