

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A

MONDAY, 29 APRIL 2024 AT 10:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

Please note a short break will be taken approximately 90 minutes from the start of the meeting and a 30 minute break will be taken at 1300 hours.

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

3 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

5 - 22

4 **MINUTES**

To confirm and sign the Minutes of the meeting held on 15 April 2024 at 1200 hours.

To note the public part of the Minutes of the meeting held on 25 March 2024 at 1000 hours and to confirm and sign the Minutes as a whole.

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5 **LICENSING ACT 2003 PREMISES LICENCE – GRANT THE AFRO LOUNGE, 14 HOWARD STREET, HOCKLEY, BIRMINGHAM, B19 3HN**

Report of the Director of Regulation and Enforcement.
N.B. Application scheduled to be heard at 10:00am.

6 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

7 **EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraph 3

P R I V A T E A G E N D A

1 **MINUTES**

To note the private part of the Minutes of the meeting held on 25 March 2024 at 1000 hours and to confirm and sign the Minutes as a whole.

2 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to

be specified) that in the opinion of the Chair are matters of urgency.

BIRMINGHAM CITY COUNCIL

<p>LICENSING SUB-COMMITTEE A 15 APRIL 2024</p>

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD ON MONDAY 15 APRIL 2024 AT 1200 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Phil Davis in the Chair.

Councillors Mary Locke and Saddak Miah.

ALSO PRESENT

David Kennedy – Licensing Section
Joanne Swampillai – Legal Services
Katy Poole – Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

1/150424 **NOTICE OF RECORDING/WEBCAST**

The Chair advised the meeting that the meeting would be webcast for live or subsequent broadcast via the Council's Public-1 microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2/150424 **DECLARATION OF INTERESTS**

Members were reminded that they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at the meeting. If a disclosable pecuniary interest was declared, a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they had been granted a dispensation.

If other registerable interests were declared, a Member may speak on the matter only if members of the public were allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it was a 'sensitive interest', Members did not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct was set out via <http://bit.ly/3WtGQnN>. This included, at Appendix 1, an interests flowchart which provided a simple guide to declaring interests at meetings.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/150424 Apologies were submitted on behalf of Councillor Simon Morrall and Councillor Saddak Miah was the nominated substitute Member.

**LICENSING ACT 2003 – TEMPORARY EVENT NOTICE – COURTYARD AREAS
@ THE RAINBOW, 160 HIGH STREET, BORDESLEY, BIRMINGHAM, B12 0LD**

On Behalf of the Applicant

Savanna Courteney – Applicant's Solicitor
Nick Rendall – Applicant

On Behalf of Those Making Representations

Peter R Brown – Environmental Health (EH)

* * *

The Chair introduced the Members and officers present and asked if there were any preliminary points for the Sub-Committee to consider. No preliminary points were made.

The Chair outlined the procedure to be followed at the hearing and invited the Licensing Officer to present his report. David Kennedy, Licensing Section, outlined the report.

At this stage the chair invited the applicant and his solicitor to make their presentation. The following points were made: -

- a) The application related to the provision of outdoor music entertainment in the courtyard. The existing licence restricted the use of music in the courtyard from 9:00pm, a condition that had been imposed on the licence voluntarily.
- b) The applicant took over the site in 2021. Prior to that, the site had a history of complaints associated with poor management on the part of the previous tenant. Since the applicant took over the site, there had been no significant incidences and complaints.
- c) The applicant had invested a significant amount in restoring The Rainbow.
- d) The Rainbow Pub had been conferred an award, the 'Best Live Music Venue Under 500 Capacity'. It was also a finalist in the British Pub of the Year awards.
- e) The Rainbow Pub was enjoyed by thousands of customers and was a cultural hub and had worked closely with Arts Council England to help deliver creative and cultural experiences to many people.
- f) The current licence permitted live music indoors between 8:00pm and 11:00pm without seeking authorisation.

- g) In February 2024, the applicant applied for a similar Temporary Event Notice (TEN). No objections were received. No complaints or noise related issues were raised in connection with the March event.
- h) The Council's Licensing Policy recognised that proper account must be taken of the need to encourage and promote live music for the wider cultural benefit of communities.
- i) The applicant was fully aware of his duties and had been on site since 2021 running successful operations. The applicant was an experienced operator with other operating sites in the area.

The Members asked questions and the solicitor, as well as the applicant, gave the following responses: -

- a) The courtyard was at the rear of the pub adjacent to Adderley Street.
- b) There was one apartment in the building next door, but no person resided there.
- c) A complaint that was raised in December 2023 was never substantiated and no other complaint had been raised after that.

At this stage the chair invited Peter Brown -Environmental Health to make representations. The following points were made: -

- a) A noise complaint had been raised in early December 2023 by a person who resided about 180 meters south of the pub. Subsequent communication with the complainant was not responded to or substantiated and no evidence was produced by the complainant.
- b) The Rainbow had come to the attention of the officer during a noise assessment related to a planning licence matter unconnected to The Rainbow.
- c) The decision to object was arrived at considering two pieces of guidance relating to noise nuisance. The Noise Council's Code of Practice on Environmental Noise Control at Concerts recommended 23:00pm as the curfew on outside music. The Institute of Acoustics Guide, which was not formally adopted, referenced that noise should not be audible between 23:00hrs and 07:00hrs.
- d) The existing licence by the applicant permitted live music permitted indoors.
- e) In the event of a noise nuisance, the officer may issue a noise abatement notice.
- f) There were no complaints against the applicant for the event that was held in March 2024. Environmental Health had not objected to this event.

- g) The applicant had an alternative location within the premises that could host live music events until 02:00pm.
- h) Large scale events with public interest rarely had inclusive time curfew. In the case of the Rainbow Pub, there was no wider public interest.

The Chair invited all parties to make brief closing submissions. Peter R Brown, EH, confirmed that he had nothing further to add other than that the application should be refused as there was no wider public interest.

The applicant and his solicitor made the following closing statements: -

- The application was meant to diversify and increase revenue streams. The additional capacity would generate the revenue required to cover operational costs.
- Roadworks in the area had affected several businesses in the area, and The Rainbow had endured a year and a half of revenue decline.
- There was no need for the Sub-Committee to attach significant weight to the unpublished guidance by the Institute of Acoustics.
- The pub was well run, and no substantive complaints had been received over the years.
- There was a noise management plan in place.

The Members, Committee Lawyer and Committee Manager conducted the deliberations in a separate private session and a full written decision was sent to all parties as follows;

4/150424 **RESOLVED**

That, having considered the objection notice from the Environmental Health department of Birmingham City Council in respect of the temporary event notice, as submitted by Nicholas Rendall, the premises user, for an event to be held on 20th April 2024 – 21st April 2024 at Courtyard Areas @ The Rainbow, 160 High Street, Bordesley, Birmingham B12 0LD, this Sub-Committee determines that a Counter Notice is not issued under section 105 of the Licensing Act 2003, and therefore the event can take place subject to the following:

- all those conditions currently on the premises licence shall apply to the temporary event, save for the condition under Annex 2 (paragraph 2(d) of the conditions) that background music only shall be played after 9pm in the external courtyard/covered courtyard areas.

The Sub-Committee was of the opinion that the event should be allowed to proceed at the premises as there was insufficient evidence to suggest that the premises were related or connected to any public nuisance. It was also noted that there has been

no incident at the premises which would indicate that the premises could give rise to public nuisance; in this regard, the Sub-Committee paid particular attention to the fact that a very recent temporary event at the premises, held on 1st March 2024, had not created any complaint.

Although some evidence was presented by an officer of the Environmental Health department of the City Council, it did not relate directly to the venue or the premises user, or not to any extent that could cause the Members to accept that there was a likelihood that significant public nuisance would arise in connection with the event.

Whilst there were some residential properties nearby, the officer mentioned that a new residential development was planned, which was not relevant to the instant matter. The Members therefore disregarded it. The Rainbow had come to the attention of the officer as a result of a noise assessment relating to a planning application for a “completely unconnected matter”; the Members did not feel this was of relevance either.

One complaint about The Rainbow had been received in December 2023, but there had been no complaints over the Christmas period, nor any over New Year. The person who had complained had not objected to the temporary event that had taken place in early March, even though the officer had directly contacted him to let him know that the event was going ahead, and had asked the person to confirm whether it affected him. The Sub-Committee noted that nothing at all had been heard from the person since December 2023.

The officer confirmed that a 9pm curfew for outdoor music was “notable by its presence” on the licence as it was an unusual condition, and he acknowledged that the deregulation permissions allowed live music up till 11pm. The Sub-Committee noted the submission by the officer that he had the ability to take action under the Environmental Protection Act 1990, namely *via* a noise abatement notice, should any noise nuisance occur.

The officer confirmed that the department had not had any problems with The Rainbow, and moreover he did not dispute that it had been a well-run premises in recent times. The decision by Environmental Health not to object to the temporary event on 1st March 2024 had been made on a “see what happens” basis, he said.

The 1st March event had gone ahead and there were no complaints received about it. The officer therefore accepted that the event had not caused a problem. Nevertheless, regarding the proposed event, the officer had decided to submit an objection, and in so doing had relied upon two pieces of guidance relating to noise nuisance. However, the Members noted that neither of these documents were official guidance, and they were therefore not minded to place any reliance on them.

In summing up, the officer stated that his principal argument was that he thought the hours requested were too late. He confirmed that The Rainbow was a well-run establishment, and stressed that the objection was simply because he and his colleagues felt that an event until 2am would be audible, whether people complained or not, and felt that it was “just too late where there is no wider public interest”. However, the Sub-Committee was aware that the event in March 2024 had caused

no complaint, which strongly suggested that a repeat event could operate successfully.

The Sub-Committee also heard from the premises user via his representative. Following the Covid-19 pandemic, in order to try to “diversify and have a larger offering to the public”, the premises had divided the interior to create different events, some of which used the courtyard area. The indoor area was in use, but the operator wished to also use the courtyard. It had not been the original plan to use the courtyard space for live events, and certainly not for late night live events; the plan had simply been to use the courtyard as extra capacity. During the proposed temporary event, the downstairs venue would be in use as well as the courtyard.

The additional capacity would generate the revenue required to cover costs. Roadworks in the area had led to a lot of businesses closing down, and The Rainbow had endured a year and a half of revenue being significantly under target. The venue had been looking for ways to generate revenue, and one of the ways was to use the courtyard. Promoters had put on “early” events (i.e. not late at night), and had been successful, but there was demand for late events, and the premises was keen to host them as it needed the revenue. The Sub-Committee was sympathetic to this.

The representative noted that even the Environmental Health officer had commented that the premises was very well run. The premises user had “put an enormous amount of work into it”, she confirmed. The temporary event of the 1st of March, which had run to a late hour, had created no issues at all. The Sub-Committee was reassured by this, and noted that it was only one month since that event. Moreover, the representative confirmed that The Rainbow had a noise management plan which would remain in place for the event. The premises was happy to operate under the existing conditions, but simply asked that the condition requiring background-volume music after 9pm be lifted for this one-off temporary event. The Sub-Committee found this request to be reasonable.

The representative confirmed that The Rainbow had won an award for ‘Best Live Music Venue Under 500 Capacity’, and had been a finalist in the British Pub of the Year awards. She said that The Rainbow was enjoyed by thousands of customers and was a cultural hub, and had “worked closely with Arts Council England to help deliver creative and cultural experiences to as many people as possible”.

She reminded the Members that paragraph 20.8 of the City Council’s own Statement of Licensing Policy highlighted the fact that the City Council recognised that proper account must be taken of the need to encourage and promote live music for the wider cultural benefit of communities, and recommended that the potential for disturbance to neighbours should be carefully balanced with these wider benefits. The Sub-Committee noted this.

When deliberating, the Sub-Committee considered all submissions very carefully and bore in mind section 9.43 of the Guidance issued under s182 of the Act, which stated that any determination should be evidence-based and justified as being appropriate and proportionate for the promotion of the licensing objectives.

Although the Members carefully considered the submissions of Environmental Health, on the balance of probabilities the Sub Committee did not consider that the

proposed event would undermine the public nuisance objective within the Act. The decision was a balancing exercise between the legitimate business interests of licence holders and the interests of the community, and on reflection the Members found the recent successful event (in March 2024) to be overwhelmingly persuasive that there was no substantial likelihood of a risk to the prevention of public nuisance objective.

The Members also considered that the premises user was a trustworthy person who had shown a desire to improve the operating style at The Rainbow – and had succeeded, as even Environmental Health had acknowledged that the venue was well-managed. The Members considered it likely that he would operate in a style which would not disturb local people or create a risk to the promotion of the licensing objectives.

The Sub-Committee has had regard to the evidence, argument and submissions placed before it, in addition to the Report, the Guidance issued by the Secretary of State under section 182 of the Act, and its own Statement of Licensing Policy.

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. No appeal may be brought later than five working days before the day on which the event period specified in the Temporary Event Notice begins.

The Meeting ended at 1243 hours.

Chair.....

BIRMINGHAM CITY COUNCIL

<p>LICENSING SUB-COMMITTEE A 25 MARCH 2024</p>

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD ON MONDAY 25 MARCH 2024 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Sam Forsyth in the Chair;

Councillors Mary Locke and Izzy Knowles.

ALSO PRESENT

David Kennedy – Licensing Section
Andrew Evans – Legal Services
Katy Poole – Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

1/250324

NOTICE OF RECORDING/WEBCAST

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2/250324

DECLARATION OF INTERESTS

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

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APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/250324 Apologies were submitted on behalf of Councillors Phil Davis and Simon Morral and Councillors Sam Forsyth and Izzy Knowles were the nominated substitute Members.
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MINUTES

- 4/250324 The Public section of the Minutes of the meeting held on 26 February 2024 at 1000 hours were circulated and the Minutes as a whole were confirmed and signed by the Chair.
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LICENSING ACT 2003 PREMISES LICENCE – SUMMARY REVIEW – THE CASTLE AND FALCON, 402 MOSELEY ROAD, SPARKBROOK, BIRMINGHAM, B12 9AT.

On Behalf of the Applicant

Mark Swallow – West Midlands Police (WMP)
Paul Littler - WMP

On Behalf of Those Making Representations

Duncan Craig – Barrister, St. Philips Chambers
Dominic Molloy – Premises Licence Holder (PLH)

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The Chair introduced the Members and officers present and the Chair asked if there were any preliminary points for the Sub-Committee to consider.

Mark Swallow, WMP made a preliminary request that if the Members wished to view the CCTV, that it be shown in private. The WMP officer advised that although he did not intend to rely on the footage, viewing it in the public session could jeopardise the on-going criminal investigation.

Mr Craig was invited to make comments on the request but simply stated that he had no objection.

The Chair approved the request made by Mark Swallow and confirmed that the Committee would benefit from viewing the CCTV footage which was shown at the first interim steps hearing.

At this stage, the Chair outlined the procedure to be followed at the hearing and invited the Licensing Officer to present his report. David Kennedy Licensing Section, outlined the report.

EXCLUSION OF THE PUBLIC

5/250324 **RESOLVED:-**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraph 3

The public were readmitted to the meeting at 1106 hours.

The Members, Committee Lawyer and Committee Manager conducted the deliberations in a separate private session and the short decision was announced at the meeting. A full written decision of the Sub-Committee was sent to all parties as follows;

6/250324 **RESOLVED:-**

That having reviewed the premises licence held under the Licensing Act 2003 by The Castle & Falcon, Ceol Castle, 402 Moseley Road, Sparkbrook, Birmingham B12 9AT, following an application for a summary review made on behalf of the Chief Officer of West Midlands Police, this Sub-Committee hereby determines:-

To modify the conditions of the premises licence in accordance with the schedule of conditions put forward by the premises licence holder and previously agreed with West Midlands Police, a copy of which is attached to this Decision Notice.

The Sub-Committee exercised its power to hold part of the hearing in private in accordance with regulation 14 of the Licensing Act 2003 (Hearings Regulations 2005) because there is an ongoing criminal investigation, the integrity of which ought reasonably to be protected at this time.

The premises licence was suspended and the DPS, Mr Dominic Molloy, removed, as interim steps on 29th February 2024 after West Midlands Police applied for a review of this premises licence under s53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006).

The application for a s53A review was made after a serious incident of violence and disorder at the premises in the early hours of Saturday 24th February 2024 while the premises was conducting licensable activities. A person was ejected from the premises from the beer garden. On the footpath outside the premises an argument ensued between the person ejected and friends with staff and door staff from the

premises. This culminated with a disorder taking place where a number of punches were thrown. As a result, one person fell to the ground unconscious and was hospitalised. A member of staff working at the premises at that time, a door supervisor, has been charged with unlawful wounding.

West Midlands Police applied for an expedited review because at that time they had no confidence in the management of the premises after unlawful and excessive force was used. The incident was in the Police's opinion a serious one where there was a failure to promote the licensing objectives.

The Premises Licence Holder then made representations in respect of the interim steps imposed and a hearing was held before a Licensing Sub-Committee on 8th March 2024, by then around twelve days after the incident on 24th February 2024. By that time, and following discussions between the Premises Licence Holder and the Police, the Police's opinion had changed such that they were content to see the suspension lifted, Mr Molloy returned to his role as DPS, and conditions on the licence modified and replaced where necessary with a long list of agreed conditions.

At today's hearing, the summary review hearing that had to be held within 28 days of the s53A application, the Licensing Sub-Committee heard further updated representations from West Midlands Police and the Premises Licence Holder's representative. The Sub-Committee also viewed the available CCTV footage of the incident in private session.

It is not for the Licensing Sub-Committee to judge the criminality or otherwise of the events that took place giving rise to this expedited review, the Sub-Committee is only concerned with its statutory duty and responsibility to promote the licensing objectives. The Sub-Committee finds however that there was a serious incident in which violence was used and disorder occurred at a time when licensable activities were taking place at the premises. Accordingly, the prevention of crime and disorder licensing objective was clearly engaged by the events in question, as the Sub-Committees that imposed and later modified interim steps previously found. The Sub-Committee was also told today that the victim remained in hospital due to his injuries for around two weeks. It is clear that serious harm resulted from the incident in question and failures in the behaviour of persons under the control of the premises on the night in question.

The Sub-Committee could see that by the time representations were made in respect of the interim steps the position of the Police had developed such that they were content that the licensing objectives could be adequately promoted pending this review hearing, by the addition of conditions to the premises licence and that they were content for Mr Molloy to resume his role as DPS.

By the time of this summary review hearing, four weeks have passed since the incident in question, and more than two weeks since the new conditions were imposed by agreement as modified interim steps. The Sub-Committee was pleased to hear that there have been no problems at the premises since the interim step conditions were implemented. The Sub-Committee was informed by the Premises Licence Holder today that the door supervisor in question had been dismissed and the agreed conditions implemented, with the whole episode a salutary lesson for him and his business.

The Sub-Committee, having scrutinised the Police's updated representations and the detail of the proposed conditions, is content that the modification of the licence in accordance with those conditions is now the appropriate and proportionate step to be taken upon this summary review. The Sub-Committee notes in particular that the terminal hour for licensable activities has been reduced to 3.30am and closure of the premises to 4am, with a last entry condition at 3am.

The other conditions to be added to the licence appear to the Sub-Committee to have been carefully thought out with the intention of promoting the licensing objectives and are likely in the assessment of the Sub-Committee to reduce the risk of any further failures to promote the licensing objectives in the future. The Sub-Committee placed weight on the representation of the Police today that they now had confidence in the ability of Mr Molloy to promote the licensing objectives by operating the agreed conditions. The Sub-Committee has a reasonable degree of confidence in the agreed position and identifies in particular the importance of the Premises Licence Holder ensuring through proper management that any friction at the premises is defused and does not escalate in the future.

In addition to the above conditions, those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will continue to 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 2003 Act, the Guidance issued by the Home Office in relation to expedited and summary licence reviews, the application and certificate issued by West Midlands Police under Section 53A of the 2003 Act, the written representations, and the submissions made at the hearing by the Police, and the Premises Licence Holder and their legal representative.

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.

The determination of the Sub-Committee does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the appeal is disposed of.

The Sub-Committee also determines, as they were invited to by the Premises Licence Holder, that the interim steps previously imposed, as modified by agreement in the schedule of conditions attached to this Decision Notice, shall continue to be in effect as interim steps pending the resolution of any appeal.

Conditions agreed between licence holder and West Midlands Police in advance of the hearing

INCIDENT LOG

An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (1) all crimes reported to the venue
- (2) all ejections of patrons
- (3) any complaints received concerning crime and disorder
- (4) any incidents of disorder
- (5) all seizures of drugs or offensive weapons
- (6) any faults in the CCTV system, searching equipment or scanning equipment
- (7) any refusal of the sale of alcohol
- (8) any visit by a relevant authority or emergency service

SERIOUS ASSAULT

In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

- (1) The police (and, where appropriate, the Ambulance Service) are called without delay;
- (2) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- (3) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (4) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

CCTV

CCTV will be in operation 24 hours a day.

CCTV to be installed to the specifications and locations of West Midlands Police Licensing Department at Birmingham Central Police station. Recording at all times premises are open for any licensable activity. Which ever system used all images are to be held for a minimum of 28 days. If tape system used all tapes are to be held in secure holding facility. If tape system used all tapes to be replaced every 6 months with new ones. This is to be recorded in incident book for premises. All images held are to be available immediately on request by any of the responsible authorities.

The CCTV system is to be checked daily, prior to carrying out licensable activity, to ensure it is working and recording this checked will be documented, timed, dated and signed by the person checking.

If for any reason the hard drive needs to be replaced then the previous / old hard drive will be kept on the premises for a minimum of 28 days and made available to WMP if required.

There will be a member of staff on site, while the premises is carrying out licensable activity that is capable of operating the CCTV systems. Images / recording will be made available to WMP on request.

CAPACITY

The maximum capacity of persons shall be subject to a fire risk assessment

IDENTIFICATION AND REFUSALS

The premises will operate a Challenge 25 policy. Signage will be displayed at the venue. The only identification that the premises will accept will be Photo driving licence, Passport or Pass approved card.

Staff will record all refusals of alcohol and other age restricted products and the books will be checked and signed weekly by the Designated Premises Supervisor. The refusal register must be made available for inspection by any of the responsible authorities.

SIA DOORSTAFF

A member of the management team of the premises will have control and direction over the security team when the premises is open for licensable activities

The number of SIA licensed door staff on duty shall be subject to a risk assessment, which shall be documented and made available to the responsible authorities upon request. This condition applies both to normal days as well as to event days.

Where there is a requirement for SIA licensed door supervisors, the licensee shall ensure that

- a) they are on duty at the entrance of the premises at all times whilst it is open for business and remain on duty past the closing time of the premises for a period until all patrons have dispersed from the locality. Door supervisors will patrol areas around collection points for taxis by the premises to prevent disorder and be Deployed as per the risk assessment.
- b) at least one licensed SIA door staff on duty at the premises shall be equipped with Body Worn Video (BWV), capable of recording audio and video in any light condition as per the minimum requirements of the West Midlands Police. That person shall be required to attend all incidents that require intervention.
- c) all BWV recordings shall be stored for a minimum period of [28/31] days with date and time stamping, and
- d) viewing of recordings shall be made available immediately upon the request of Police or Birmingham City Council

All door supervisors working at the premises are to sign on duty, listing their first and surnames together with their full SIA licence number when they start work and off duty when they finish. All door supervisors must wear there SIA badge in a clear sleeve arm holder.

Door supervisors will wear hi-visibility coats /jackets or tabards. Where door supervisors are used the premises will retain a profile of all door supervisors that have worked at the premises in the last 3 months. A profile will consist of proof of ID (copy passport, photo driving license, SIA badge) and proof of address dated within the last 6 months (copy bank statement, utility bill etc). No proof of address needed if proof of ID is photo driving license

Door supervisor profiles must be retained at the premises and be made available for inspection immediately on request of any of the responsible authorities. Door supervisors will work past the closing time of the premises for a period until all patrons have dispersed from the locality. Door supervisors will patrol areas around collection points for taxis by the premises to prevent disorder.

Door supervisors stationed outside the premises shall wear hi-visibility jackets/coats. Door supervisors inside shall wear hi-visibility waist coats. All SIA door staff will wear their SIA badge in a clear arm sleeve. When door staff are deployed at least one door staff will be equipped with a bodycam and will attend all incidents that require intervention. Bodycam footage will be retained for a minimum of 31 days.

STAFF TRAINING

Staff shall be trained in the requirements of the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence. Staff shall sign to confirm that they have received and understood the training. Written records of this training shall be retained and made available to the Police or authorised officers of the Licensing Authority upon request.

All staff responsible for selling alcohol shall receive relevant training before making any unsupervised sales.

The training shall include:

- the Licensing Act 2003 in terms of the licensing objectives and offences committed under the Act;
- the conditions of the Premises Licence;
- the sale of age-restricted products.

This training will be refreshed at least every six months. Staff shall sign to confirm that they have received and understood the training. Written records of this training shall be retained and made available to the Police or authorised officers of the Licensing Authority upon request.

Age-restricted products training shall cover the following steps:

- the assessment of age;
- how and when to challenge for proof of age;
- acceptable proof of age and how to check; and
- recording refusals.

All staff shall be trained in how to identify drunk or drug impaired customers. This training shall be repeated at least biannually. Staff shall sign to confirm that they have received and understood the training. Written records of this training shall be retained and made available to the Police or authorised officers of the Licensing Authority upon request.

All staff shall be trained in how to manage a crime scene and crime scene preservation. This training shall be repeated at least once a year. Staff shall sign to confirm that they have received and understood the training. Written records of this training shall be retained and made available to the Police or authorised officers of the Licensing Authority upon request.

OPERATING POLICIES

A copy of the premises' dispersal/drugs/search/security/vulnerability policies shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Birmingham City Council.

The premises will have at least one staff member on duty that is first aid trained when carrying out licensable activity and a first aid trained staff member will take the lead on any medical or vulnerability incidents

STAFF TRAINING

The premises licence holder shall ensure that all shift managers are trained in safety and accredited Conflict Management Training.

LICENSABLE ACTIVITIES

The premises will conclude licensable activity at 0330 each day.

LAST ENTRY TIME

Last entry time, save for smokers, will be 03:00 hours

The meeting ended at 1108 hours.

CHAIR.....

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Director of Regulation & Enforcement
Date of Meeting:	Monday 29th April 2024
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	The Afro Lounge, 14 Howard Street, Hockley, Birmingham, B19 3HN
Ward affected:	Newtown
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

To consider the representations that has been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption both on and off the premises) to operate from 12:00midday until 02:00am (Monday to Thursday), 12:00midday until 04:00am (Friday and Saturday) and 12:00midday until 03:00am (Sunday).

The provision of Regulated Entertainment consisting of films, live music, recorded music, performances of dance, and anything of a similar description, to operate indoors only, from 12:00midday until 02:00am (Monday to Thursday), 12:00midday until 04:00am (Friday and Saturday) and 12:00midday until 03:00am (Sunday).

To permit the provision of Late Night Refreshment, to operate indoors only, from 11:00pm until 02:00am (Monday to Thursday), 11:00pm until 04:00am (Friday and Saturday) and 11:00pm until 03:00am (Sunday).

Premises to remain open to the public from 08:00am until 02:30am (Monday to Thursday), 08:00am until 04:30am (Friday and Saturday) and 08:00am until 03:30am (Sunday).

2. Recommendation:

To consider the representations that have been made and to determine the application, having regard to:

- The submissions made by all parties
- The Statement of Licensing Policy
- The Public Sector Equality Duty
- The s182 Guidance

3. Brief Summary of Report:

An application for a Premises Licence was received on 7th March 2024 in respect of The Afro Lounge, 14 Howard Street, Hockley, Birmingham, B19 3HN.

Representations have been received from other persons.

4. Compliance Issues:
4.1 Consistency with relevant Council Policies, Plans or Strategies:
<p>The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.</p>
5. Relevant background/chronology of key events:
<p>XYPE Limited applied on 7th March 2024 for the grant of a Premises Licence for The Afro Lounge, 14 Howard Street, Hockley, Birmingham, B19 3HN.</p> <p>Representations have been received from other persons, which are attached at Appendices 1 – 4.</p> <p>The application is attached at Appendix 5.</p> <p>Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 6.</p> <p>Site Location Plans at Appendix 7.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ol style="list-style-type: none"> 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:
<p>Copy of the representations as detailed in Appendices 1 – 4.</p> <p>Application Form, Appendix 5.</p> <p>Conditions agreed with West Midlands Police, Appendix 6.</p> <p>Site Location Plans, Appendix 7.</p>
7. Options available
<p>To Grant the licence in accordance with the application.</p> <p>To Reject the application.</p> <p>To Grant the licence subject to conditions modified to such an extent as considered appropriate.</p> <p>Exclude from the licence any of the licensable activities to which the application relates.</p> <p>Refuse to specify a person in the licence as the premises supervisor.</p>

From:

Sent: Wednesday, March 27, 2024 12:40 PM

To: Licensing

Subject: License objection

Hi Sir/Madam

Am writing to you today to oppose the licence application of The Afro Lounge Birmingham. It's similar business to a lounge just facing each other. There is already heavy traffic and a lot of public disorders when the lounge is busy. Am concerned about public safety and public disorder. Parking along the road is already saturated and this two business will not be able to operate safely given the same operational hours.

From:

Sent: Thursday, March 28, 2024 5:01 PM

To: Licensing

Subject: Consent about a license

Am writing to you today to oppose the licence application of The Afro Lounge Birmingham. It's similar business to a lounge just facing each other. There is already heavy traffic and a lot of public disorders when the lounge is busy. Am concerned about public safety and public disorder. Parking along the road is already saturated and this two business will not be able to operate safely given the same operational hours. The close proximity of this two businesses will be a major concern especially when it comes to public safety. 44 Lounge has been working extremely hard with the police to help reduce crime around that area, and adding another facing each other will be a disaster. Also proximity will shows cars will have to park to far distance which will be a problem to the student accommodation which are about 10 meters away from the area with loud driving noise at the early hours .

We are literally trying to prevent public nuisances and make this environment safe for adults and kids during early hours. I hope are concerns are taken seriously whilst a decision is being considered.

Thanks from a concern Tenant in the area.

Regards.

From:

Sent: Wednesday, April 3, 2024 5:02 PM

To: Licensing

Subject: Objection for premises license THE AFRO LOUNGE 14 HOWRAD STREET B19 3HN

I am writing as a resident of Birmingham to voice my concerns in regards to the application for a premises licence at the address of [14 Howard Street, Birmingham, B19 3HN](#).

I strongly object to a licence for alcohol being given to these premises. I have lived near this area for 24 years and it has really got worse over the years. We have problems with gangs, anti-social behaviours, robbery and burglary, litter and parking.

I have not seen anything about the planning application for this building, otherwise I would have objected earlier.

I am not sure if anyone from the planning office has actually visited the area and building in question?. The amount of 'hanging around the street causing nuisance and trouble' that is derived from the current area and premises is bad enough - adding a licenced venue into the mix is a terrible idea, and really unfair on this residential area - which actually houses many families with young children.

We already have experienced issues with the other licensed premises which opens outside the hours it is permitted. We have seen an increase in anti-social behaviour from its customers, as well as issues with driving cars very fast up the road to turn.

Anti-social behaviours in this area and around these shops is really really bad - definitely increased over the years. There are fights (with knives sometimes), arguments, and verbal abuse, and general noise above what is acceptable. My own teenage daughters do not like going down that way, they feel intimidated and unsafe - which is not acceptable at all.

We also have massive issues with fly tipping, litter, using the streets (right next to my house) to do drugs (both making deals and taking them), as well as constantly using the roads as a toilet - both urine and faecal matter. Having a local venue selling alcohol will just add to these problems and I think is really unfair to the people that live here. We also have some elderly neighbours who feel more vulnerable and scared by these people and their behaviours.

There are plenty of venues serving alcohol already in the area. There is a licensed premises opposite this and there is no doubt going to be fights between these two premises, we already have to contend with so much undesirable behaviours and issues, don't need any more.

People within the council that make these decisions, never live in these areas and I think possibly make decisions based on money. This is not fair, please consider us, the people that live here, and have to suffer the consequences.

Local people are unlikely to use this proposed venue - it will be full of the same people that hang around the cafes and barbers till all times, people from out of area, causing trouble and a good portion of them involved in gang behaviour.

Please take this objection seriously - it worries me greatly that things are going to get worse around here.

From: 44lounge Birmingham limited
Sent: Wednesday, April 3, 2024 5:08 PM
To: Licensing
Subject: Licence objection

Subject: Objection to Premise License Application: The Afro Lounge Dear [Recipient's Name],

We are writing to you on behalf of 44 Lounge Birmingham Ltd regarding the premise license application made by XYPE LIMITED for The Afro Lounge, located at Ground floor, 14 Howard Street Hockley, Birmingham, B19 3HN.

We wish to express our concerns regarding the terms of the proposed license, as it presents a conflict of interest with our establishment. Our lounge operates within the same hours and is situated directly opposite The Afro Lounge, sharing the same building.

Over the past months, we have encountered numerous incidents involving parking and traffic congestion during the night, resulting in multiple interventions by law enforcement and traffic management authorities. Additionally, we have experienced environmental issues caused by patrons discarding cups and rubbish on the street.

Given the proximity of The Afro Lounge to our premises, located just 1 meter across the road, we anticipate further challenges in managing the crowd and potential incidents that may arise. Moreover, controlling the traffic flow during nighttime operations will pose significant difficulties.

We urge you to carefully consider these factors before granting a license similar to ours for The Afro Lounge. Issuing such a license directly opposite our business premises will create a highly competitive and bustling nighttime environment in the area, which may exacerbate existing challenges. Thank you for your attention to this matter. We trust that you will give due consideration to our concerns before making a decision on the premise license application.

Sincerely, 44 Lounge Birmingham Ltd

* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?
☒ Yes ☐ No Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

☐ Indicate here if 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 If the applicant's business is registered, use its registered name.

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

Legal status

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

☐ A private individual acting as an agent

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	<input type="text" value="CEO"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the headquarters of your business is located.
Agent Registered Address		Address registered with Companies House.
Building number or name	<input type="text" value="C.N.A. Risk Management Limited"/>	
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" value="United Kingdom"/>	



Birmingham
Application for a premises licence
Licensing Act 2003

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

required information

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name	<input type="text" value="Ground Floor, 14"/>
Street	<input type="text" value="Howard Street"/>
District	<input type="text" value="Hockley"/>
City or town	<input type="text" value="Birmingham"/>
County or administrative area	<input type="text" value="West Midlands"/>
Postcode	<input type="text" value="B19 3HN"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="45,250"/>

* required information

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /

* Nationality

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

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

/ /
dd mm yyyy

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

/ /
dd mm yyyy

Provide a general description of the premises

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

The applicants premises will be known as THE AFRO LOUNGE

The Premises is located in a two storey concrete building which used to be a Mobile Phone shop. The front is set back from the pavement with a hard standing parking area. Entrance is via a lobby to the front. Planning permission is being applied for change of use.

DESCRIPTION OF OPERATION

The applicant will be operating two types of operation throughout the day early evening and late into the night. From midday through to early evening top chefs will be serving up a selection of food from Asia, Africa and Europe to diners in the comfortable surroundings of the main room. Late into the evening part of the room will be serving up a selection of club music, fine cocktails and dancing through to the early hours of the morning. There will be a late evening menu for food.

GROUND FLOOR

This room will be comfortably furnished with booths, tables and chairs where customers can dine. There will be TV screens and WIFI Sockets fitted. Customers during the day through to early evening can eat & drink in comfort.

There will be a bar serving cocktails and spirits.

Parts of the room will be partitioned off into eight different areas which will have themes of African cities.

For customers wishing to listen & dance to club music through to the early hours of the morning, this can be done from within these areas.

Toilets for Ladies & Gents are located in this area together with a disabled toilet.

There is also a fully equipped Kitchen and glass wash room

Liaison has been made with Mark Swallow from West Midlands Police Licensing Team in relation to the hours.

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

required information

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

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 exhibition of films 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.

Continued from previous page...

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 exhibition of film

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 exhibition of film 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.

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes

☒ No

* required information

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

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

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.

Continued from previous page...

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.

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

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.

Continued from previous page...

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 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.

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☒ 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 performance of dance 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.

Continued from previous page...

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 dance

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 dance 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.

Section 13 of 21**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**[See guidance on regulated entertainment](#)

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

☒ Yes☐ No**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.

TUESDAYStart End Start End **WEDNESDAY**Start End Start End **THURSDAY**Start End Start End **FRIDAY**Start End Start End **SATURDAY**Start End Start End **SUNDAY**Start End Start End

Give a description of the type of entertainment that will be provided

Continued from previous page...

Will this entertainment 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 entertainment

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 entertainment 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.

Section 14 of 21**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

☒ Yes☐ No**Standard Days And Timings**

MONDAY

Start 23:00

End 02:00

Start

End

TUESDAY

Start 23:00

End 02:00

Start

End

WEDNESDAY

Start 23:00

End 02:00

Start

End

THURSDAY

Start 23:00

End 02:00

Start

End

FRIDAY

Start 23:00

End 04:00

Start

End

SATURDAY

Start 23:00

End 04:00

Start

End

SUNDAY

Start 23:00

End 03:00

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.

Continued from previous page...

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

☒ Indoors ☐ Outdoors ☐ Both

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

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

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.

Section 15 of 21

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

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

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'.

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.

Non

required information

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 08:00

End 02:30

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

Start

End

TUESDAY

Start 08:00

End 02:30

Start

End

WEDNESDAY

Start 08:00

End 02:30

Start

End

THURSDAY

Start 08:00

End 02:30

Start

End

FRIDAY

Start 08:00

End 04:30

Start

End

SATURDAY

Start 08:00

End 04:30

Start

End

SUNDAY

Start 08:00

End 03:30

Start

End

State any seasonal variations

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

Continued from previous page...

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.

- required information

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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.

1. Staff other than personal license holders involved in the sale of alcohol are to be trained under the Licensing Act 2003 prior to being allowed to sell/ supply alcohol.
2. All training is to be documented and signed by the Premises License Holder and the trainee.
3. All training records are to be made available to any of the responsible authorities on request.
4. Staff other than personal license holders involved in the sale/ supply of alcohol are to receive documented refresher training every six months.

b) The prevention of crime and disorder

5. The licence holder will ensure that an incident log will be maintained at the premises. Each entry will be signed off by the DPS.
6. The licence holder will ensure that CCTV approved by West Midlands police will be fitted in the premises. Images will be retained for a period of at least 31 days and will be made available to any of the responsible authorities to view or copies produced on request. 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 31 days and made immediately available to any of the responsible authorities on request.
7. The licence holder will ensure that the premises will deploy door staff from 22:00hrs when trading past 22:00hrs.
8. Door staff will sign on and off duty. The premises will keep a profile of all door staff which will include a copy of their SIA licence and photographic ID. (If photographic ID is not available then a utility bill no older than 3 months will be acceptable.) The signing in & out sheets and profiles will be kept on the premises for a minimum of 3 months and made immediately available to any of the responsible authorities on request.
9. Door staff will wear a fluorescent coat, jacket or waistcoat while on duty outside the premises and fluorescent tabards inside the premises.
10. Door staff will remain on duty until all the customers have dispersed.
11. The licence holder will ensure that the numbers of door staff and any earlier start time will be risk assessed by the premises. This risk assessment will be made available to any of the responsible authorities immediately on request.
12. No persons will be allowed to enter the premises between Monday to Thursday after 00:00hrs and Friday to Saturday after 03:00hrs and Sunday 02:00hrs.
13. The premises will operate a search policy. This will be made available to any of the responsible authorities on request.
14. The premises will operate a dispersal policy. This will be made available to any of the responsible authorities on request.
15. The premises will operate a vulnerability policy this will be made available to any of the responsible authorities on request.

c) Public safety

16. 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.
17. There shall be no smoking or use of shisha which contains tobacco or produces tobacco smoke inside the premises (this does not prohibit the use of electronic shisha providing it does not contain tobacco).

d) The prevention of public nuisance

18. The licence holder will ensure that all windows to be closed and remain closed while regulated entertainment is taking place after 20:00hrs except for ingress and egress or cases of emergency.
19. The licence holder will ensure that the volume of all entertainment/music will be controlled by the DPS, premises licence holder or their nominated representative and not the DJ, artist or persons hiring the venue.
20. All deliveries will be received between 08:00hrs and 19:00hrs.
21. The Designated Premises Supervisor or other competent person shall carry out observations in the vicinity of the premises on at least two intervals between:
 - a. 23:00hrs and 00:00hrs (Monday to Thursday)
 - b. 23:00hrs and 03:00hrs (Friday and Saturday)
 - c. 23:00hrs and 02:00hrs (Sunday)whilst live music or recorded music is playing in order to establish whether there is a noise breakout from the premises. If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity, then the volume of music shall be reduced to a level that does not cause disturbance. A record of such observations shall be kept, records shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise breakout and any action taken to reduce noise breakout. Records shall be available at all times upon request to an authorised officer of the Licensing Authority, Environmental Health Department or the Police.
22. The Licence Holder shall erect prominent, clear and legible signage inside the premises requesting patrons to be considerate of local residents when leaving the premises.
23. The rating noise level for cumulative sound from all extraction plant and machinery shall not at any time exceed the background sound level at any noise-sensitive premises when assessed in accordance with British Standard 4142(2014) or any subsequent guidance or legislation amending, revoking and/or re-enacting BS4142 with or without modification.
24. There shall be no live or recorded music performed outside the building and there shall be no speakers for amplified speech, sound or music in any external area. There shall be no use of fireworks external to the building at any time.
25. The premises licence holder or their nominated representative shall supply a written noise risk assessment and noise management plan to Birmingham City Council Environmental Health Department for approval prior to opening.
26. The noise management plan shall outline the measures to be adopted to reduce the noise impact of activities associated with the premises including management of noise from regulated entertainment, building noise break-out, deliveries, recycling and refuse collections, external areas, smoking areas, access and egress and customers. All operational controls and management actions required by the approved noise management plan shall be instigated at all times.
27. There shall be no more than 10 persons permitted in the external smoking area at any time.
28. No alcoholic drinks shall be taken into or consumed in the external smoking area.
29. The fire escape doors shall be acoustically rated, close-fitting, effective fire doors and they shall be fitted with an alarm which sounds and/or visually warns at the bar if anybody tries to open the doors when the premises are in use other than for escape in the case of an emergency.
30. No waste/recyclable glass material, including bottles, shall be moved, removed or placed in areas outside the building between the hours of 22.00 and 08.00.
31. The house PA sound system shall be based on a distributed speaker system with the sound output directed away from external walls, doors or the roof/ceiling.
32. The house PA sound system shall be fitted with a noise limiting device such as an inline compressor and this shall be set and managed by the premises licence holder or their nominated representative to ensure noise levels do not cause a nuisance at any noise-sensitive premises. Control of the main outputs of the amplification speaker system shall only be available to the premises licence holder or their nominated representative. The sound output from the PA system shall be gradually reduced during the 30 minutes prior to the end of the licensable hour for regulated entertainment.
33. There should be no additional amplification or speaker systems used at any time other than house PA.
34. No alcoholic drinks shall be removed from premises unless in a sealed container and intended for off-site consumption.
35. All external doors and windows shall be kept closed when there is amplified music, speech or sound within the building except as necessary for safe and effective access and egress.
36. The use of the smoking area shall cease 1 hour prior to the terminal hour for regulated entertainment and shall be cleared of patrons.
37. The premises licence holder or their nominated representative shall supply a written dispersal policy Birmingham City Council Environmental Health Department for approval. The policy shall detail the measures for proactively

Continued from previous page...

encouraging customers to vacate the environs of the premises quietly and with respect for others and to ensure that patrons leave gradually over a period. The policy shall also detail the mechanisms for control of vehicles in the street

e) The protection of children from harm

38. 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.
39. The licence holder will ensure that the company will operate the Challenge 25 Policy. The only acceptable forms of identification will be a passport, photo driving licence, military id card or PASS id card with the hologram logo, a refusals log will be maintained at the premises. Each entry will be signed off by the DPS.
40. 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. Training records will be maintained and updated by DPS every six months.
41. No persons under the age of 18 will be allowed to be on the premises after 22:00 hours.
42. The licence holder will ensure that no persons under the age of 18 will be allowed into the premises unless accompanied by a person over the age of 18.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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.

required information

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NOTES ON REGULATED ENTERTAINMENT

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.

response information

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 (£)

315.00

DECLARATION

[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

Continued from previous page...

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

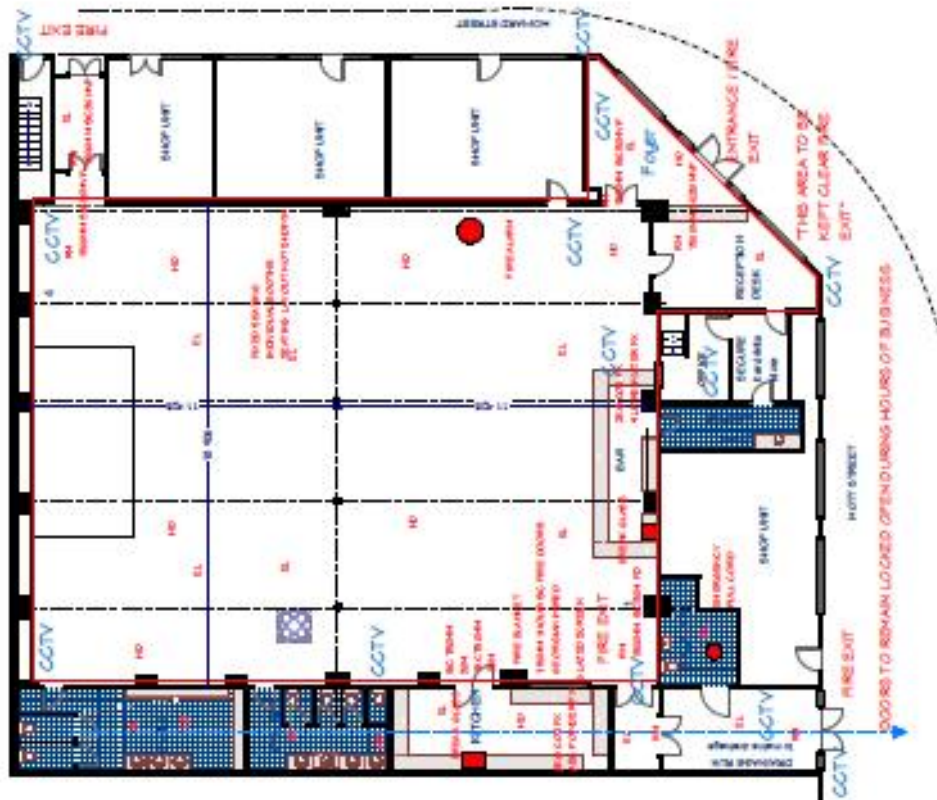
[Add another signatory](#)

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



THE AFRO LOUNGE
LICENSING PLAN
14 HOWARD STREET
BIRMINGHAM
B19 3HN
SCALE 1:200 @ a3
FEBRUARY 2024

AFRO SAFETY SYSTEMS

AFRO SAFETY SYSTEMS is a leading provider of security and safety solutions for businesses and homes. We offer a wide range of services, including CCTV, fire alarm, and access control. Our systems are designed to protect your property and your people, and we offer a free consultation to help you choose the right solution for your needs.

AFRO SAFETY SYSTEMS is a leading provider of security and safety solutions for businesses and homes. We offer a wide range of services, including CCTV, fire alarm, and access control. Our systems are designed to protect your property and your people, and we offer a free consultation to help you choose the right solution for your needs.

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AFRO SAFETY SYSTEMS
14 HOWARD STREET
BIRMINGHAM
B19 3HN



From: bw licensing
Sent: Tuesday, April 2, 2024 11:09 AM
To: Licensing
Cc: carl
Subject: Re: Addition Conditions - The Afro Lounge - Ground Floor - 14 Howard Street - Hockley – Birmingham - B19 3HN - 178113

Good Morning Licensing,

With regard to the premises licence application for The Afro Lounge, 14 Howard Street, Hockley B19 3HN

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 below conditions have been agreed with the applicant, via their agent, as per below email chain who is copied in this.

- The premises licence holder or their nominated person will check the CCTV system daily, prior to carrying out any licensable activity to ensure the system is working and recording. This check will be documented, dated, timed and signed by the person checking. This documentation to be made available to any of the responsible authorities on request.
- For any third party promoted event, whether fully or part prompted with the premises, the premises licence holder or their nominated person will send West Midlands Police Central Licensing Team a notification of the event a minimum of 28 days prior to the event. If the event is graded as medium risk or above the notification will be accompanied by a bespoke risk assessment for that event.
- If the premises is hired out or booked by an individual or company and not open to the general public on a 'walk-in' basis, the premises licence holder or their nominated person will send West Midlands Police Central Licensing Team a notification of the event a minimum of 28 days prior to the event. If the event is graded as medium risk or above the notification will be accompanied by a bespoke risk assessment for that event.
- The premises fire risk assessment will be made available to any of the responsible authorities immediately on request.

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

Regards and thanks



Chris Jones 55410
Birmingham Licensing Team
West Midlands Police

Working in partnership, making communities safer



From: Carl Moore

Sent: 26 March 2024 10:32

To: Christopher Jones

Subject: [External]: Re: Premises licence: New application - The Afro Lounge - Ground Floor - 14 Howard Street - Hockley – Birmingham - B19 3HN - 178113

Hi Chris,

Sorry for the delay, just waiting on the applicant to reply.

They are happy for the below conditions to be included on the New Premises License.

- The premises licence holder or their nominated person will check the CCTV system daily, prior to carrying out any licensable activity to ensure the system is working and recording. This check will be documented, dated, timed and signed by the person checking. This documentation to be made available to any of the responsible authorities on request.
- For any third party promoted event, whether fully or part prompted with the premises, the premises licence holder or their nominated person will send West Midlands Police Central Licensing Team a notification of the event a minimum of 28 days prior to the event. If the event is graded as medium risk or above the notification will be accompanied by a bespoke risk assessment for that event.
- If the premises is hired out or booked by an individual or company and not open to the general public on a 'walk-in' basis, the premises licence holder or their nominated person will send West Midlands Police Central Licensing Team a notification of the event a minimum of 28 days prior to the event. If the event is graded as medium risk or above the notification will be accompanied by a bespoke risk assessment for that event.
- The premises fire risk assessment will be made available to any of the responsible authorities immediately on request.

Regards

Carl

