

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee A</b>
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Monday 21<sup>st</sup> January 2019</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>The River, 30 – 34 River Street, Digbeth, Birmingham, B5 5SA</b>
<b>Ward affected:</b>	<b>Bordesley &amp; Highgate</b>
<b>Contact Officer:</b>	<b>Bhupinder Nandhra, Senior Licensing Officer, 0121 303 9896, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### 1. Purpose of report:

To consider a representation that has been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption on the premises) to operate from 10:00am until 12:00midnight (Sunday to Wednesday) and 10:00am until 01:00am (Thursday to Saturday).

The provision of Regulated Entertainment consisting of plays, films, indoor sporting events, boxing or wrestling, live music, recorded music, performances of dance and anything of a similar description, to operate indoors only, from 10:00am until 12:00midnight (Sunday to Wednesday) and 10:00am until 01:00am (Thursday to Saturday).

To permit the provision of Late Night Refreshment, to operate indoors only, from 11:00pm until 12:00midnight (Sunday to Wednesday) and 11:00pm until 01:00am (Thursday to Saturday).

Premises to remain open to the public from 08:00am until 12:30am (Sunday to Wednesday) and 08:00am until 01:30am (Thursday to Saturday).

Other dates and times as specified in the application form.

### 2. Recommendation:

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

### 3. Brief Summary of Report:

An application for a Premises Licence was received on 28<sup>th</sup> November 2018, in respect of The River, 30 – 34 River Street, Digbeth, Birmingham, B5 5SA.

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

<b>4. Compliance Issues:</b>
<b>4.1 Consistency with relevant Council Policies, Plans or Strategies:</b>
<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>
<b>5. Relevant background/chronology of key events:</b>
<p>HS2K Ltd applied on 28<sup>th</sup> November 2018 for the grant of a Premises Licence for The River, 30 – 34 River Street, Digbeth, Birmingham, B5 5SA.</p> <p>A representation has been received from Environmental Health, as a responsible authority. See Appendix 1.</p> <p>The application is attached at Appendix 2.</p> <p>Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 3.</p> <p>Site Location Plans at Appendix 4.</p> <p>It should be noted that there is a special policy in force for the Digbeth area. The effect of a special policy is to create a rebuttable presumption that applications for new licences or material variations to existing licences will normally be refused unless it can be shown that the premises concerned will not add to the cumulative impact on the licensing objectives being experienced.</p> <p>The Council will expect the applicant to demonstrate the steps it will take to promote the licensing objectives. Where relevant representations are made, the Council will consider the application on its individual merits and decide whether to apply the special policy.</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"> <li>The prevention of crime and disorder;</li> <li>Public safety;</li> <li>The prevention of public nuisance; and</li> <li>The protection of children from harm.</li> </ol>
<b>6. List of background documents:</b>
<p>Copy of the representation as detailed in Appendix 1</p> <p>Application Form, Appendix 2</p> <p>Conditions agreed with West Midlands Police, Appendix 3</p> <p>Site Location Plans, Appendix 4</p>
<b>7. Options available</b>
<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>



To:	Licensing Section, PO Box 17013, Birmingham, B6 9ES	Date: 20 <sup>th</sup> December 2018
From:	Jane Dunsford Environmental Health, 40 Moat Lane, Birmingham, B5 5BD	Tel:
Subject:	Application for Premises License – Licensing Act 2003 Address – The River, 30- 34 River Street, Birmingham, B5 5SA	

I, Jane Dunsford, as a representative of Environmental Health, formally raise a representation on the above application. My representation concern is the likely effect of the grant of the licence on the promotion of the licensing objectives relating to the prevention of public nuisance.

The premises is within a **Cumulative Impact Policy Area** and it is felt that the applicant has not demonstrated fully that they will not add to the cumulative impact within this area with regard to noise and public nuisance. The structure of the building in its present state is not designed to hold music events, without these events affecting local nearby residents due to noise breakout from the building.

Additionally patrons accessing and egressing the premises and using the smoking area at the front will add to the cumulative impact and it is felt this has not been fully addressed. This would likely include groups of people talking loudly outside the venue in the early hours, people parking cars and getting in and out of the cars with doors banging and loud music from car radios and taxi delivery and pick- ups, all related to the premises. The problem of people exiting and entering the site is made worse by the narrow streets around the site and the problems with parking in the area, before a large number of additional people arrive for an event at the site.

I do not believe that the cumulative impact has been adequately addressed and this along with my concerns about public nuisance and the need to carry out significant work to the premises to mitigate noise have lead to my recommendation to refuse the license. If however, contrary to my recommendation, the licence is granted the condition(s) I suggest to mitigate this concern are numbered C1 to C15

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### **Recommended Conditions**

C1 - An assessment of the building design and structure and a proposed scheme of noise insulation and attenuation shall be produced by a suitably qualified and experienced noise consultant. This scheme shall be submitted in writing to the Environmental Protection Unit of Birmingham City Council and entertainment involving live music or amplified recorded music, speech or sound shall take place until the mitigation measures that have been approved in writing by the Environmental Protection Unit of Birmingham City Council have been implemented. The noise mitigation measures shall be thereafter maintained.

C2 – To avoid nuisance being caused to neighbours the DPS, or other nominated person/staff, shall monitor the external areas of the Premises after 23:00 hours, including the smoking area, and frontage onto Fazeley Street. If necessary, they shall remind customers to be respectful of neighbours and where necessary they shall limit the number of customers going outside to use the smoking area and take appropriate steps to avoid customers who use the frontage of the premises causing a nuisance.

C3 – All external doors and windows shall be kept closed during live music or amplified music, speech or sound except as necessary for safe and effective access and egress.

C4 – Prior to any entertainment involving amplified music, speech or sound taking place, a Noise Limiting Device (NLD) of a type approved by the Environmental Protection Unit of Birmingham City Council shall be fitted to serve any area of the premises used for amplified music, speech or sound. The NLD shall be set at a level agreed with the Environmental Protection Section to ensure that the volume is controlled to avoid noise nuisance to the occupiers of nearby buildings. The installation of the NLD shall be notified to the Environmental Protection Section prior to use and shall meet the following criteria:

- a) The device shall be fitted in an approved position by a competent person and once fitted shall not be moved from the approved position or tampered with in any manner unless prior approval is given,
- b) The device shall be capable of either:-
  - i) cutting off the mains power to the amplification equipment if the volume exceeds the pre-set level determined by the Environmental Protection Unit and shall not restore power to the amplification equipment until the NLD is reset by the DPS or their nominated person, or
  - ii) otherwise maintaining the volume of the music at the pre-set level determined by the Environmental Protection Unit,

- c) where the NLD operates by cutting off the mains power to the amplification equipment, amplification equipment shall be operated through the sockets/power points linked to and controlled by the NLD at all times,
- d) The NLD shall be maintained in full working order and at the approved pre-set volume whilst the amplification equipment is operational,
- e) Any damage or malfunction to the NLD shall be reported to the Environmental Protection Unit as soon as possible and within 24 working hours of the damage occurring or malfunction being noted. The NLD shall not be used in this damaged or malfunctioning state until approval has been given by the Environmental Protection Unit.

C5 – Prior to any live music or amplified music, speech or sound taking place, the fire exit doors to the premises shall be fitted with an audible alarm that sounds in a suitable location in the main bar area to warn staff that the doors have been opened when the building is in use. The DPS or their nominated person shall ensure that fire exit doors are only opened appropriately in an emergency and if the alarm activates shall immediately investigate and ensure the doors are closed as soon as possible.

C6 – The Licensee shall, within 3 months of the date of issue of this licence, submit in writing a noise management plan to Environmental Protection Unit of Birmingham City Council. The noise management plan shall outline the measures to be adopted to reduce the noise impact of activities associated with the premises including music, smoking area and dispersal policy. All operational controls and management actions required by the approved noise management plan shall be instigated at all times. The noise management plan shall be updated regularly and all staff shall be adequately trained in their role in implementing the plan.

C7 – No drinks shall be removed from the premises.

C8 - No waste or recyclable material, including bottles, shall be moved, removed or placed in areas outside the premises building between the hours of 22.00 and 08.00.

C11 No new customers shall enter the premises after 23.00.

C12 There shall be no speakers used for amplified music, speech or sound outside the building.

C13 The Premises Licence Holder shall ensure notices are displayed at all entrances and exits of the premises advising customers to have respect for the nearby residents and keep noise levels to a minimum as they depart.

C15 The premises shall have an approved documented dispersal policy (approval needed in writing from Birmingham City Council Environmental Health department), which shall be implemented for dispersal at all times the premises are open for licensable activity. The policy shall include the dispersal of customers exiting the premises away from nearby residential properties. The dispersal policy shall be reviewed periodically or in the case of noise complaints relating to dispersal activities and revised as necessary and the revised policy shall be submitted in writing Environmental Health Department for approval. All operational controls and management actions required by the approved dispersal policy shall be instigated at all times. On Thursdays ,Friday's and Saturday's from 21:00 hours all entrances shall be supervised by door staff who shall ensure that the dispersal policy is followed and people accessing and egressing the premises do not cause noise nuisance to nearby residential premises.

**In light of the matters set out above I object to the licence being granted.**

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We HS2K LTD

*(Insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description		<b>REGULATION 4 ENFORCEMENT LICENSING SECTION DATE RECEIVED</b> <b>28 NOV 2018</b> PAO 29.11.18 REF NO 009487/000762 INITIALS LW - £190.00	
The River 30 - 34 River Street Digbeth			
Post town	Birmingham	Postcode	B5 5SA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£28,250

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as      Please tick as appropriate

- |                                                      |                                                                 |
|------------------------------------------------------|-----------------------------------------------------------------|
| a) an individual or individuals *                    | <input type="checkbox"/> please complete section (A)            |
| b) a person other than an individual *               |                                                                 |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/> please complete section (B)            |
| iii as an unincorporated association or              | <input type="checkbox"/> please complete section (B)            |
| iv other (for example a statutory corporation)       | <input type="checkbox"/> please complete section (B)            |
| c) a recognised club                                 | <input type="checkbox"/> please complete section (B)            |
| d) a charity                                         | <input type="checkbox"/> please complete section (B)            |
| e) the proprietor of an educational establishment    | <input type="checkbox"/> please complete section (B)            |
| f) a health service body                             | <input type="checkbox"/> please complete section (B)            |

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Nationality.					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

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

Name HS2K LTD
Address 122, Stratford Road Shirley Solihull B90 3BB
Registered number (where applicable) 09100813
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company set up to develop building project, for an events venue at River Street.
Telephone number (if any)
E-mail address (optional). Via agent

### Part 3 Operating Schedule

When do you want the premises licence to start? **ASAP**

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

The River is located close to the City Centre Night Time Economy and within the Cumulative Impact Area, it will be a "high end" venue catering to more discerning clients, for a variety of events, as a key "Events space".

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- |                                                                                                             |                                     |
|-------------------------------------------------------------------------------------------------------------|-------------------------------------|
| a) plays (if ticking yes, fill in box A)                                                                    | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B)                                                                    | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)                                                   | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)                                        | <input checked="" type="checkbox"/> |
| e) live music (if ticking yes, fill in box E)                                                               | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)                                                           | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)                                                    | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

☒

Supply of alcohol (if ticking yes, fill in box J)

☒

In all cases, complete boxes K, L and M

A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	1000	0000	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	1000	0000			
Wed	1000	0000	<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur	1000	0100			
Fri	1000	0100	<b><u>Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	1000	0100	Activity to 0200 hrs on Bank holidays, Valentine's Day, Christmas Eve, and New Year's Eve		
Sun	1000	0000			

**B**

<b>Films</b>  Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	1000	0000	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	1000	0000			
Wed	1000	0000	<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur	1000	0100			
Fri	1000	0100	<b><u>Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	1000	0100	Activity to 0200 hrs on Bank holidays, Valentine's Day, Christmas Eve, and New Year's Eve		
Sun	1000	0000			

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon	1000	0000	
Tue	1000	0000	<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed	1000	0000	
Thur	1000	0100	<b><u>Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Fri	1000	0100	
			Activity to 0200 hrs on Bank holidays, Valentine's Day, Christmas Eve, and New Year's Eve
Sat	1000	0100	
Sun	1000	0000	

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	1000	0000			
Tue	1000	0000			
Wed	1000	0000			
			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur	1000	0100			
Fri	1000	0100			
			<b><u>Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6) Activity to 0200 hrs on Bank holidays, Valentine's Day, Christmas Eve, and New Year's Eve		
Sat	1000	0100			
Sun	1000	0000			

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	1000	0000			
Tue	1000	0000			
			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Wed	1000	0000			
Thur	1000	0100			
			<b><u>Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6) Activity to 0200 hrs on Bank holidays, Valentine's Day, Christmas Eve, and New Year's Eve		
Fri	1000	0100			
Sat	1000	0100			
Sun	1000	0000			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	1000	0000			
Tue	1000	0000			
			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Wed	1000	0000			
Thur	1000	0100			
			<b><u>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6) Activity to 0200 hrs on Bank holidays, Valentine's Day, Christmas Eve, and New Year's Eve		
Fri	1000	0100			
Sat	1000	0100			
Sun	1000	0000			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	1000	0000	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	1000	0000			
Wed	1000	0000	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur	1000	0100			
Fri	1000	0100	<b><u>Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	1000	0100	Activity to 0200 hrs on Bank holidays, Valentine's Day, Christmas Eve, and New Year's Eve		
Sun	1000	0000			

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	1000	0000		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1000	0000	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed	1000	0000			
Thur	1000	0100	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri	1000	0100			
Sat	1000	0100	<b><u>Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun	1000	0000	Activity to 0200 hrs on Bank holidays, Valentine's Day, Christmas Eve, and New Year's Eve		

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	2300	0000			
Tue	2300	0000			
			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Wed	2300	0000			
Thur	2300	0100			
			<b><u>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)  Activity to 0200 hrs on Bank holidays, Valentine's Day, Christmas Eve, and New Year's Eve		
Fri	2300	0100			
Sat	2300	0100			
Sun	2300	0000			

# J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)		On the premises	<input checked="checked" type="checkbox"/>
					Off the premises	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 5)			
Mon	1000	0000				
Tue	1000	0000				
Wed	1000	0000	<b><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
Thur	1000	0100				
Fri	1000	0100				
			Activity to 0200 hrs on Bank holidays, Valentine's Day, Christmas Eve, and New Year's Eve			
Sat	1000	0100				
Sun	1000	0000				

**State the name and details of the individual whom you wish to specify on the licence as Designated Premises Supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

Name	
Date of birth	
Address	
DPS. To be added at a later date	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	0800	0030	
Tue	0800	0030	
Wed	0800	0030	
Thur	0800	0130	
Fri	0800	0130	<b>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6)  Activity to 0200 hrs on Bank holidays, Valentine's Day, Christmas Eve, and New Year's Eve
Sat	0800	0130	
Sun	0800	0030	

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

The premises will be professionally run and detailed policies put in place to address the four licensing objectives.

The following policies and procedures in place are to ensure full compliance, for a well-run and well-managed licensed premises, within a Cumulative impact Zone; these include; not least:

- Dress Code and Search policy
- Noise monitoring
- Operations manual and staff training
- Challenge 25
- Notifying WM Police Licensing of all events
- Risk Assessments, all
- Fire Risk Assessment
- Refusals and Incident logs maintained
- Designated smoking area policy
- Pre-Event Safety Checks

**b) The prevention of crime and disorder**

1. The premises will maintain door staff profiles for all door staff working at the premises.

Door supervisors stationed outside and inside the premises will wear hi-visibility jackets/coats and will have their SIA badge held in a clear arm sleeve.

2. A refusals log will be kept at the premises and completed on any occasion a sale is refused; this will be made available to all Responsible Authorities on request.

3. The Premises licence holder will ensure that they request a SAG, if it is deemed necessary for a specific event.

4. The Premises License Holder shall ensure that a CCTV system is installed at the premises to an agreed specification with Police Licensing. CCTV is to be operational whilst the premises are open and be recording continually. If a hard drive system is used the recordings are to be kept for minimum of 31 days. All CCTV images are to be made available to Responsible Authorities. Entrance and queuing areas are to be covered by cameras, in addition to all 'till' serving areas.

5. Risk Assessments will be carried out for each event, and the correct measures will be put in place as deemed necessary to mitigate any risk to customers, staff and members of the general public.

6. The Premises License Holder shall ensure that they request a SAG {Safety Advisory Group} meeting as appropriate, and fully comply with the requirements of this group. The DPS {Designated Premises Supervisor} Promoter and other appropriate persons will attend all SAG meetings.

7. The Premises License Holder will give 28 days' notice of all events of a significant nature, in writing to West Midlands Police, along with a full Risk Assessment and

8. Door staff will use radios to enable them to communicate with each other and the management on site.

**c) Public safety**

1. A Challenge 25 proof of age scheme will be in operation at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram.

2. All staff involved in the sale of alcohol will be trained in the main aspects of the Licensing Act 2003, records will be kept of all training and retraining will take place every six months; training will be delivered by Licence Leader Ltd or a similar competent person.

3. 'Till' prompts will be used at all times, when all alcohol sales are made.

4. In accordance with the Licensing Act 2003, any person who appears to be drunk or heavily under the influence of alcohol will not be served and those arriving intoxicated at the point of entry will not be granted entry.

5. Where it is deemed necessary in a risk assessment, or when direct intelligence is received by the police, additional measures of security will be implemented for specific events.

6. The Premises License Holder is to maintain door staff profiles for all door staff working at the premises, and for any door staff that have worked on the premises during the last three months. The door staff profile will consist of identification for the member of staff. A copy of his/her SIA badge, Passport or driving License. If the proof of identification is anything other than the photo driving licence, then the member of staff will need proof of address, which must be a copy of a utility bill and be dated within the last six months. The Premises License Holder shall ensure that Door supervisors stationed outside the front of the premises will wear hi-visibility jackets/coats, and will have their SIA badge held in a clear arm sleeve. Door supervisors inside the premises will wear hi-visibility waistcoats, with their SIA badge held in a clear arm sleeve.

7. The Premises License Holder will operate an incident book and record all incidents that occur inside and immediately outside premises. The incident book is to be made available at all times to be inspected by any Responsible Authority.

8. Search policies will be included in Risk Assessments and the policy will reflect the event risk and security deployment plans, in consultation with the designated security company

**d) The prevention of public nuisance**

1. Clear signage will prominently be displayed requesting customers to leave the premises quietly; showing respect to neighbouring residents.
2. Doors and windows will remain firmly closed whilst regulated entertainment takes place, with the exception of entry/exit by customers.
3. Undue noise shall not emanate from the premises, or cause disturbance to neighbours or residents within the area.
4. A Noise Monitoring officer will be nominated by the Premises Licence Holder. This person will conduct regular patrols near the premises, using a 'noise meter'. The Environmental Protection Unit {EPU} of the City Council will approve the noise monitoring equipment. Noise recordings will be entered into a logbook and made available to Responsible Authorities upon request.

**e) The protection of children from harm**

1. A "challenge 25" policy will be used for age verification, meaning any person who appears to be under 25 will be asked for proof of age when attempting to purchase alcohol.
2. Staff will be diligent in observing those attempting to make proxy purchases on behalf of underage persons and alert the DPS when this occurs.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☒

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

**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.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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).</li> <li>• 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)</li> </ul>
Signature	
Date	27, November 2018
Capacity	Agent for the applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

## D I G B E T H



**Licence Leader Ltd**  
[www.licence-leader.co.uk](http://www.licence-leader.co.uk)  
[licence-leader@hotmail.com](mailto:licence-leader@hotmail.com)  
Rob. 07982917819

**From:** Licence Leader Ltd  
**Sent:** Friday, December 07, 2018 2:29 PM  
**To:** Deano Walker;  
**Subject:** RE: The River. B5 5SA

Licensing and PC Walker,

The applicant does agree to these and the existing {original} conditions to apply to this application.

Regards

Rob

---

**From:** Deano Walker  
**Sent:** 07 December 2018 14:26  
**To:** Licence Leader Ltd'  
**Subject:** RE: The River. B5 5SA

Hi all,

West Midlands Police are happy to agree with these conditions but before we do can the applicant please confirm that all the conditions that were in the original application will also be placed on the granted licence?

Regards

Deano

PC 1978 Deano Walker  
Birmingham Police Central Licensing Team

---

**From:** Licence Leader Ltd  
**Sent:** 07 December 2018 13:15  
**To:**  
**Cc:** Deano Walker  
**Subject:** The River. B5 5SA

Good afternoon,

Please find attached, signed condition agreed with WM Police to be added to the existing licensing conditions for this application.

Kind regards

Rob Edge  
Licence Leader Ltd

**The River  
30-34 River Street  
Digbeth, Birmingham.  
B5 5SA**

These conditions as amendments to the operating schedule of the premises licence are agreed with West Midlands Police licensing team on 6 December 2018

1. When licensable activity takes place there will always be a personal licence holder on duty at the premises.

The premises will only operate licensable activity for pre-booked events.

When the premises is not booked for planned events, it will not operate as a walk in venue for the general public.

The premises will record the name, date of birth, address and contact number of any persons hiring the venue. (Booking form.) The risk assessment grading will be written on the booking form.

When carrying out licensable activity the premises will display prominent signage outside the front of the venue stating that the venue is open for a private function or event, invite only and no access is permitted to the general public.

All events will be risk assessed and the premises will notify West Midlands Police licensing team of any event deemed to be medium or high risk. This notification will be made 28 days before the event.

Both parties have agreed these conditions and West Midlands Police Licensing will notify the Council's Licensing Authority that they are withdrawing any representation to the application.

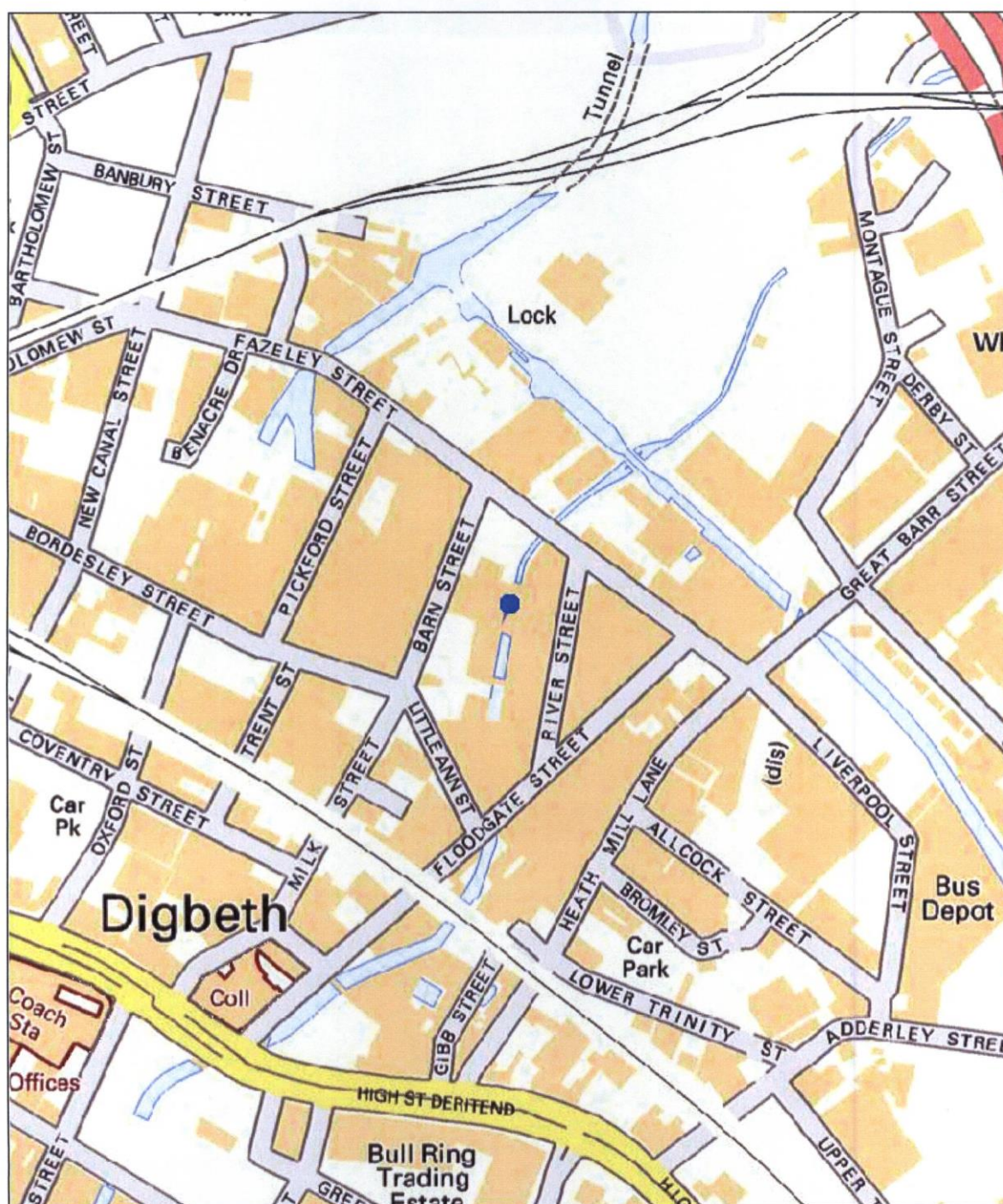
**Signed by.**

**PC D Walker  
Police Licensing Team**

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**R V Edge  
Agent for the applicant**

**Thursday 6 December 2018**



**Birmingham City Council**

Map Created By:

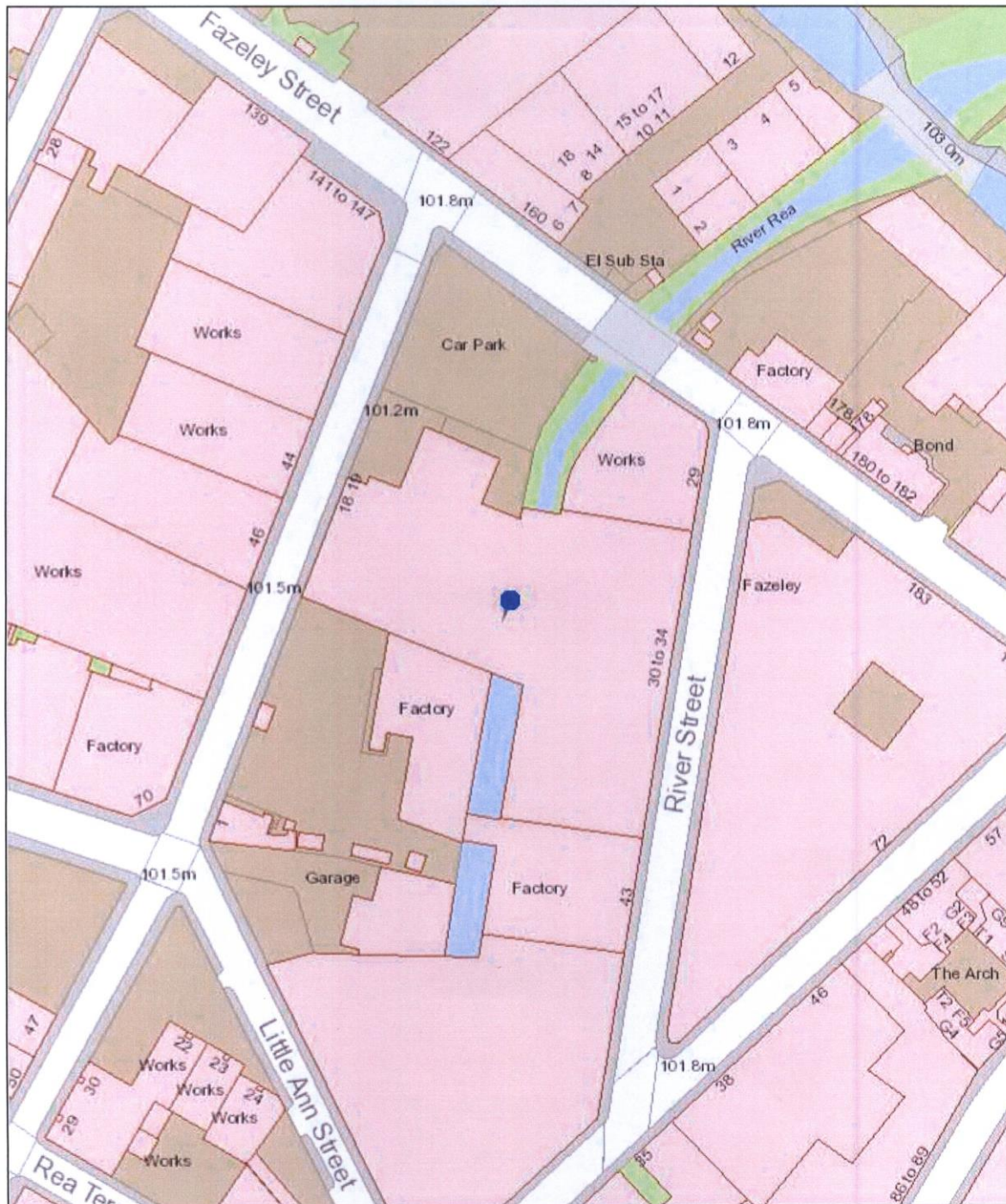
Notes

Date of Map Creation: 08/01/2019



Scale:  
1:4,000

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**Birmingham City Council** Map Created By:

Date of Map Creation: 08/01/2019

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Scale:  
1:1,250