

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C

WEDNESDAY, 14 FEBRUARY 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**

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4 **LICENSING ACT 2003 TEMPORARY EVENT NOTICE STIRCHLEY
EVENTS, WHARFSIDE LEISURE COMPLEX, 7 LIFFORD LANE,
BIRMINGHAM, B30 3JH**

Report of the Director of Regulation and Enforcement.

N.B. Application scheduled to be heard at 10:00am.

5 **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.

Report to:	Licensing Sub Committee C
Report of:	Director of Regulation and Enforcement
Date of Meeting:	Wednesday 14th February 2024
Subject:	Licensing Act 2003 Temporary Event Notice
Premises:	Stirchley Events, Wharfside Leisure Complex, 7 Lifford Lane, Birmingham, B30 3JH
Ward affected:	Stirchley
Contact Officer:	Bhupinder Nandhra, Senior Licensing Officer licensing@birmingham.gov.uk

1. Purpose of report:

To consider the objection notice to the Temporary Event Notice (TEN), which seeks to permit the sale of alcohol (for consumption on the premises), the provision of regulated entertainment and the provision of late night refreshment, to operate from 12:00midnight until 03:00am on 31st May 2024 – 1st June 2024.

2. Recommendation:

To consider the objection that has been made and to determine the notice, 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:

A Temporary Event Notice was submitted by Steven Davis and received on 31st January 2024 in respect of Stirchley Events, Wharfside Leisure Complex, 7 Lifford Lane, Birmingham, B30 3JH.

An objection notice has been received from West Midlands Police.

4. Compliance Issues:

When carrying out its licensing functions, a licensing authority must have regard to the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.

4.1 Consistency with relevant Council Policies, Plans or Strategies:

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

<p>5. Relevant background/chronology of key events:</p> <p>A Temporary Event Notice was submitted on 31st January 2024 by Steven Davis in respect of Stirchley Events, Wharfside Leisure Complex, 7 Lifford Lane, Birmingham, B30 3JH, which was served on the responsible authorities on 1st February 2024.</p> <p>The Temporary Event Notice is attached at Appendix 1.</p> <p>An objection notice has been received from West Midlands Police, which is attached at Appendix 2.</p> <p>The current premises licence is attached at Appendix 3.</p> <p>Site location plans are attached, see Appendix 4.</p> <p>Under the licensing system of TENs, no actual permission is required to carry out a licensable activity on a temporary basis. An applicant must merely give notice of his intentions to operate a licensable activity to the licensing authority.</p> <p>However, the police or local authority exercising environmental health functions may intervene to prevent such events taking place or agree a modification of the proposed arrangements, and their intervention may in some cases result in the licensing authority imposing conditions on each TEN.</p> <p>Where TENs are submitted, and objection notice(s) are maintained, the licensing authority must consider the objection(s) at a hearing before a counter notice, or a notice including a statement of conditions can be issued relating to each TEN.</p> <p>When giving TENs, consideration should be given to the following four licensing objectives:</p> <ol style="list-style-type: none"> 1. The prevention of crime and disorder 2. public safety 3. The prevention of public nuisance; and 4. The protection of children from harm <p>If the TENs are in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TENs if it considers that this is appropriate for the promotion of the licensing objectives.</p>
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<p>6. List of background documents:</p> <p>Temporary Event Notice, attached at Appendix 1.</p> <p>Objection notice from West Midlands Police, Appendix 2.</p> <p>Current premises licence, Appendix 3.</p> <p>Site location plans, Appendix 4.</p>

<p>7. Options available</p> <p>Allow the proposed temporary licensable activities as stated in the TEN</p> <p>Impose conditions on a TEN to promote the licensing objectives</p> <p>Refuse the proposed temporary licensable activities as stated in the TEN</p>

From: bw licensing
Sent: Tuesday, February 6, 2024 2:30 PM
To: Licensing Online
Cc:
Subject: RE: [External]: TEN - Stirchley Events Ltd - 1471728

Good Afternoon Licensing,

West Midlands Police are in receipt of the below application for a temporary events notice 31/5/24-1/6/24.

I have requested from the applicant the risk assessment for the event and asked if they would be prepared for the operating conditions from the premises license number 164006 to be carried over to the event. Despite the request by email and two telephone calls to the applicant this information has not been provided.

West Midlands Police would therefore wish to object to this application under the licensing objectives in particular the prevention of crime and disorder, the promotion of public safety and the prevention of public nuisance. I have copied the applicant into this email.

Mark Swallow.
West Midlands Police.
Birmingham Licensing Team.

* required information

Section 1 of 9

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 you would prefer not to be contacted by telephone

Are you:

- ☒ 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? ☒ Yes ☐ No Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 9

APPLICATION DETAILS [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

☐ Yes

☐ No

* Your date of birth / /

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

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

☐ Yes

☒ No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

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

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

☒ Yes

☐ No

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

* Does the premises have an address?

☒ Yes

☐ No

Address

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

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

☐ Yes

☒ No

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☐ Neither

☒ Premises licence

☐ Club premises certificate

* Premises licence number

Location Details

* Provide further details about the location of the event

Sally Browns is a live music venue in the site of the former Roadhouse, we plan to have a mini indoor festival this weekend and would like to have the option to go later on the Friday and Saturday night with DJs only after 11pm.

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

Describe the nature of the premises below [\(see also guidance on completing the form, note 4\)](#)

Live music venue and bar.

Describe the nature of the event below [\(see also guidance on completing the form, note 5\)](#)

Ska and reggae music festival, with live bands up till 11pm then DJs on after until 3am. The premises license already goes till midnight, so we just need the extra 3 hours on Friday and Saturday night just in case people want to stay

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises
[\(see also guidance on completing the form, note 6\):](#)

- ☒ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☒ The provision of regulated entertainment
- ☒ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

[\(See also guidance on completing the form, note 7\).](#)

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 8\).](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 9\)](#)

Event start date / /
 dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
 dd mm yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

12:00 - 03:00

[\(see also guidance on completing the form, note 10\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

250

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 11\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- ☒ On the premises only
☐ Off the premises only
☐ Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

Not applicable

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PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence?

☒ Yes ☐ No

Provide the details of your personal licence below.

Issuing licensing authority

Kirklees Council

Licence number

KMCPL05482

Date of issue

31 / 12 / 2021
dd mm yyyy

Any further relevant details

I can't remember exactly the date of issue but it was around 3 years ago and the expiry date

Continued from previous page...	on the license says 31 December 9999	
Section 7 of 9		
PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 15)		
<p>Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?</p> <p style="text-align: center;"> <input type="radio"/> Yes <input checked="" type="radio"/> No </p> <p>Have you already given a temporary event notice for the same premises in which the event period:</p> <p style="margin-left: 20px;"> a) Ends 24 hours or less before; or <input type="radio"/> Yes <input checked="" type="radio"/> No </p> <p style="margin-left: 20px;"> b) Begins 24 hours or less after the event period proposed in this notice? </p>		
Section 8 of 9		
ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 16)		
<p>Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?</p> <p style="text-align: center;"> <input type="radio"/> Yes <input checked="" type="radio"/> No </p> <p>Has any associate of yours already given a temporary event notice for the same premises in which the event period:</p> <p style="margin-left: 20px;"> a) Ends 24 hours or less before; or <input type="radio"/> Yes <input checked="" type="radio"/> No </p> <p style="margin-left: 20px;"> b) Begins 24 hours or less after the event period proposed in this notice? </p> <p>Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?</p> <p style="text-align: center;"> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>		

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

☐ Yes

☒ No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9

CONDITION [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

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.

This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 19\)](#)

- * THE INFORMATION CONTAINED IN THIS FORM IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT IT IS AN OFFENCE:
- * (I) TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS TEMPORARY EVENT NOTICE AND THAT A PERSON IS LIABLE ON SUMMARY CONVICTION FOR SUCH AN OFFENCE TO A FINE OF ANY AMOUNT; AND
- * (II) TO PERMIT AN UNAUTHORISED LICENSABLE ACTIVITY TO BE CARRIED ON AT ANY PLACE AND THAT A PERSON IS LIABLE ON SUMMARY CONVICTION FOR ANY SUCH OFFENCE TO A FINE OF ANY AMOUNT, OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING SIX (6) MONTHS, OR TO BOTH.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

[Add another signatory](#)

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/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.

Licensing Act 2003**Premises Licence**

Premises Licence Number	164006
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description Stirchley Events Ltd, Unit 7, Lifford Lane, Stirchley, Birmingham, B30 3JH
Telephone Number Not Specified

Where the licence is time limited the dates N/A

Licensable activities authorised by the licence Sale of Alcohol by Retail Provision of Late Night Refreshment Performance of a Play Exhibition of a Film Performance of Live Music Playing of Recorded Music Performance of Dance

Times the licence authorises the carrying out of licensable activities

<u>Sale of Alcohol by retail:</u>		
<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	00:00
Saturday	11:00	00:00
Sunday	11:00	00:00
Place: Seasonal Variations: On the eve of Bank Holidays, licensable activities will be extended by 1 hour. From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Non-Standard Times:		

<u>Provision of Late Night Refreshment:</u>		
<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	00:00
Saturday	23:00	00:00
Sunday	23:00	00:00
Further Details:		

Place: Seasonal Variations: Non-Standard Times:
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Performance of a Play:

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	00:00
Saturday	23:00	00:00
Sunday	23:00	00:00

Further Details: On the eve of Bank Holidays, licensable activities will be extended by 1 hour. From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Place:

Seasonal Variations:

Non-Standard Times:

Exhibition of a Film:

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	00:00
Saturday	23:00	00:00
Sunday	23:00	00:00

Further Details: On the eve of Bank Holidays, licensable activities will be extended by 1 hour. From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Place:

Seasonal Variations:

Non-Standard Times:

Performance of Live Music:

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	00:00
Saturday	23:00	00:00
Sunday	23:00	00:00

Further Details: On the eve of Bank Holidays, licensable activities will be extended by 1 hour. From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Place:

Seasonal Variations:

Non-Standard Times:

Playing of Recorded Music:

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	00:00
Saturday	23:00	00:00
Sunday	23:00	00:00

Further Details: On the eve of Bank Holidays, licensable activities will be extended by 1 hour. From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Place:

Seasonal Variations:
Non-Standard Times:

Performance of Dance:

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	00:00
Saturday	23:00	00:00
Sunday	23:00	00:00

Further Details:

Place:

Seasonal Variations:

Non-Standard Times:

Anything of a similar description to that falling within Live Music, Recorded Music or Dance

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	00:00
Saturday	23:00	00:00
Sunday	23:00	00:00

Further Details: On the eve of Bank Holidays, licensable activities will be extended by 1 hour. From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Place:

Seasonal Variations:

Non-Standard Times:

The opening hours of the premises

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	00:30
Tuesday	11:00	00:30
Wednesday	11:00	00:30
Thursday	11:00	00:30
Friday	11:00	00:30
Saturday	11:00	00:30
Sunday	11:00	00:30

Seasonal Variations: On the eve of Bank Holidays, opening hours will be extended by 1 hour. From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Non-Standard Times:

Where the licence authorises supplies of alcohol whether these are on and /or off supplies

For consumption on and off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Steven Davis

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name and address of designated premises supervisor where the premises licence authorises the supply of alcohol

Steven Davis

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence Number: KMCPL05482

Issuing Authority: KIRKLEES COUNCIL

Dated 17-01-2024

Mr. Shaid Yasser
Senior Licensing Officer
For Director of Regulation & Enforcement

Annex 1 – Mandatory Conditions

No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises— (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to— (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either— (a) a holographic mark, or (b) an ultraviolet feature.

The responsible person must ensure that— (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures— (i) beer or cider: ½ pint; (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and (iii) still wine in a glass: 125 ml; (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

- (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. (2) In this condition:— (a) “permitted price” is the price found by applying the formula $P = D + (D \times V)$, where— (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence— (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Each individual assigned to carrying out a security activity must be licensed by the Security Industry Agency. The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendation made: (a) By the British Board of Film Classification (BBFC), where the film has been classified by that Board, or (b) By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20(3)(b) (s74(3)(b) for clubs) of the Licensing Act 2003 applies to the film.

Annex 2 – Conditions consistent with the Operating Schedule

1. Training in relation to the promotion of the licensing objectives must be provided and undertaken by all members of staff (whether paid or unpaid) before he / she makes a sale or supply of alcohol and at least every six months thereafter.
 2. Documented training records must be kept at the premises and made available to an officer of a responsible authority on request.
 3. Premises will have a documented vulnerability policy. All staff to be trained in this policy prior to their first shift when the premises is carrying out licensable activity. This training will be signed by both the trainer and trainee. This documentation to be made available to any of the responsible authorities on request.
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- 1 (i) A digital Closed Circuit Television System (CCTV) will be installed and maintained in good working order and be correctly time and date stamped.
 - (ii) The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed.
 - (iii) The system will record and retain CCTV footage for a minimum of 28 days
 - (iv) The system will record at all times when the premises are open.
 - (v) The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer.
 - (vi) CCTV footage must be made available to be viewed by an officer of a responsible authority during an inspection of or visit to the Premises.
 - (vii) Upon receipt of a request for a copy of CCTV footage from any officer of a responsible authority, the premises will produce that footage within 24 hours.
 - (viii) CCTV system to be checked daily prior to the commencement of licensable activity. This check to be documented and signed by the person checking. This documentation to be made immediately available to any of the responsible authorities on request.
 - (ix) If the CCTV hard drive needs to be replaced then the old / previous hard drive will be kept on the premises for a minimum of 28 days and made immediately available to any of the responsible authorities on request.
-
2. An incident book must be kept at the Premises and maintained up to date (no later than 24 hours after the incident) at all times and will record the following:
 - (i) Time date and details of all incidents/complaints of crime and disorder or anti-social behaviour
 - (ii) All crimes reported to the venue.

(iii) Any faults in the CCTV system, searching equipment or scanning equipment

(iv) Any visit by a responsible authority or emergency service

The incident book must be made available to officers of a responsible authority upon request or during an inspection

3. A refusals register must be kept at the Premises and maintained up to date at all times recording the date and time, type of product refused, reasons for every refusal to sell alcohol to a customer and the name and signature of member of staff refusing the sale. The refusals record must be made available to an officer of a responsible authority upon request.

1. The Licence Holder shall ensure that all emergency lighting is checked on a weekly basis. Entrances, exits and passageways shall be kept clear. The premises' Fire Risk Assessment will be made available to any officer of a responsible authority upon request.

2. The Licence Holder shall ensure that the maximum number of persons on the premises at any one time shall not exceed the number agreed with West Midlands Fire Service.

1. Refuse shall not be collected from any external bins between 11pm and 7am.

2. Signs shall be placed at all exits asking customers to respect the needs of local residents and requesting that they leave the premises quietly.

3. The premises shall have an operational dispersals policy and noise management plan.

The premises will adopt the Challenge 25 scheme with appropriate signage to be placed at the entrance to the premises and adjacent to the counter area.

Doors and windows will remain closed whilst regulated entertainment is taking place after 2000 hours except for ingress and egress or cases of emergency.

While regulated entertainment is taking place the premises will ensure that regular noise assessments two checks one at 2100 and one at 2300 hours are carried out at the nearest residential property to ensure noise or vibration from the premises does not cause a public nuisance.

These checks are to be documented, dated, timed and signed by the person who has made the check. This documentation to be made immediately available to any of the responsible authorities on request and held on the premises for a minimum of 3 months.

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. The premises will risk assess the Doors and windows will remain closed If regulated entertainment is taking place need for door staff when trading and deploy door staff accordingly. 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. Door staff will wear a fluorescent coat, jacket or waistcoat while on duty at the premises. Door staff will remain on duty until all the customers have dispersed and this will form part of the premises dispersal plan.

The risk assessment and profiles will be made available to any of the responsible authorities immediately on request.

No persons under the age of 18 will be allowed into the premises unless accompanied by a person over the age of 18.

If the premises is hired out or any promoted event with/by a third party the premises will notify West Midlands Police Central Licensing Team (by email) a minimum of 28 days prior to the event taking place unless West Midlands Police agree to a reduced notice period. This notification will be accompanied by a risk assessment tailored for that event. As well as the security plan the risk assessment will include the names, addresses and dates of birth of the person(s) hiring the room or promoter.

It will also include the real names and stage names of any artist, DJ, band or performer. If West Midlands Police make any recommendations in relation to an event these will become conditions of the license for that

event and West Midlands Police will have a veto of any event which is likely to impact on the licensing objectives.

The premises must supply an event planner of a full month's list of events in writing or email to the Birmingham Central Police Licensing Department at least 28 days in advance, for any event were licensable will take place. This event planner shall include, as a minimum Type of event, dates and times of all events. Name, address, date of birth of persons hiring the premises and / or promoter.

Details of all DJs, live acts or other performers including stage names, full names, and date of birth. Details of where / if the events are being advertised and expected audience numbers. For short notice events where it is impossible for the premises / organiser to have prior notification / knowledge of the event, the premises must inform West Midlands Police Licensing Department immediately as the venue is booked with the required details as above, no later than 4 days prior to the event.

The venue will not take late bookings for birthday parties, weddings, christenings etc.

If West Midlands Police make any recommendations in relation to an event these will become conditions of the license for that event and West Midlands Police will have a veto of any event which is likely to impact on the licensing objectives.

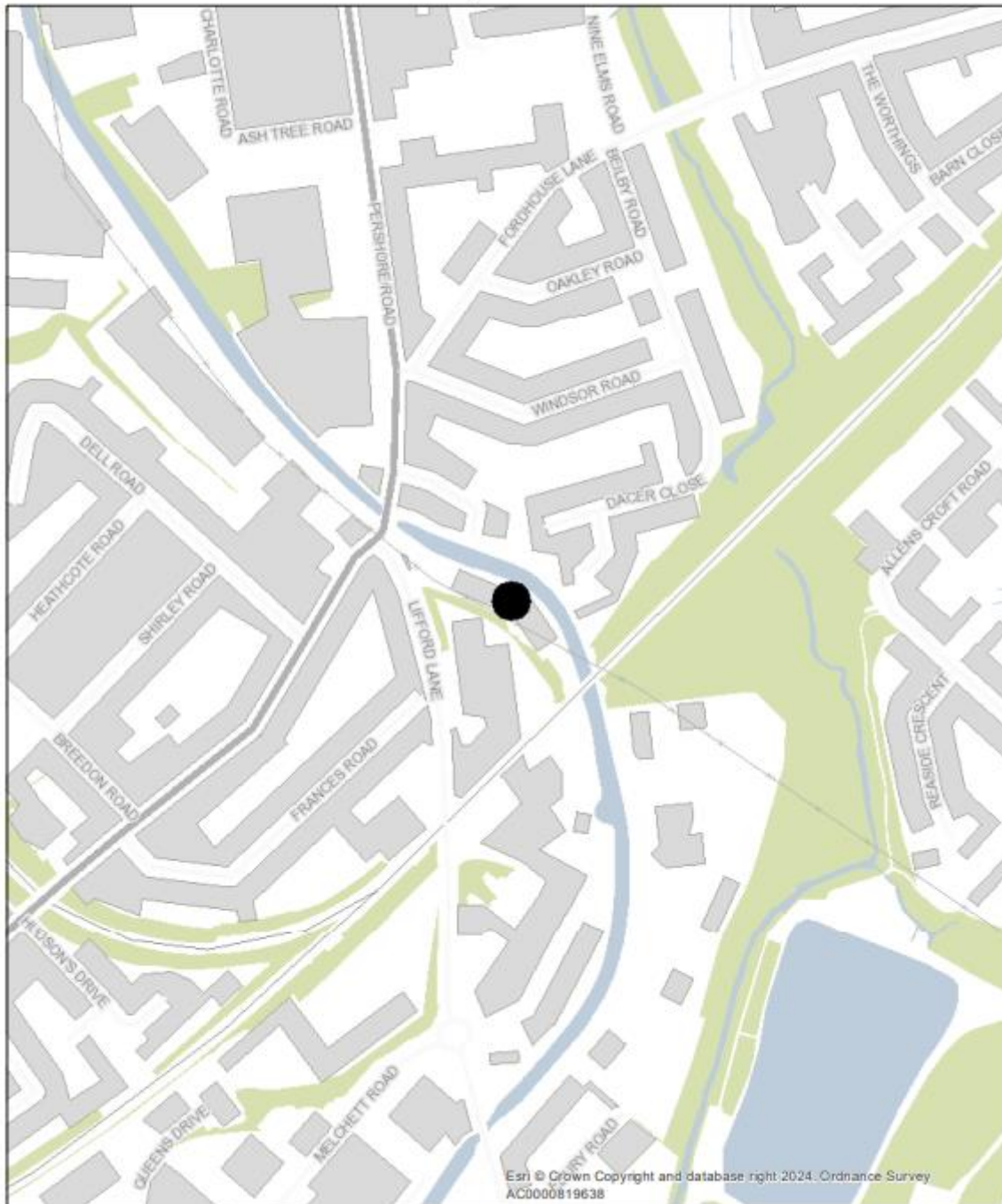
Annex 3 – Conditions attached after a hearing by the Licensing Authority

N/A

Annex 4 – Plans

Plan Reference; - 174527 as attached.





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