

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Director of Regulation and Enforcement
Date of Meeting:	Monday 16th October 2023
Subject:	Licensing Act 2003 Premises Licence – Summary Review
Premises:	Zulu Bar and Restaurant, Unit 1, 105 – 127 Brearley Street, Newtown, Birmingham, B19 3XJ
Ward affected:	Newtown
Contact Officer:	David Kennedy, Principal Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

A review of the premises licence is required following an application for an expedited review under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006).

2. Recommendation:

To consider the review application and representation and to determine this matter, 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 under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) was received on 20th September 2023 in respect of Zulu Bar and Restaurant, Unit 1, 105 – 127 Brearley Street, Newtown, Birmingham, B19 3XJ.

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

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

5. Relevant background/chronology of key events:

On 20th September 2023, Superintendent Munro, on behalf of West Midlands Police, applied for a review, under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006), of the Premises Licence granted to Michael Kahsay in respect of Zulu Bar and Restaurant, Unit 1, 105 – 127 Brearley Street, Newtown, Birmingham, B19 3XJ.

The application was accompanied by the required certificate, see Appendix 1.

Within 48 hours (excluding non-working days) of receipt of an application made under Section 53A, the Licensing Authority is required to consider whether it is appropriate to take interim steps pending determination of the review of the Premises Licence, such a review to be held within 28 days after the day of its receipt, review that Licence and reach a determination on that review.

Licensing Sub-Committee A met on 21st September 2023 to consider whether to take any interim steps and resolved that the licence be suspended, and that Michael Kahsay be removed as the Designated Premises Supervisor (DPS), pending the review of the licence. A copy of the decision is attached at Appendix 2.

The review application was advertised, by the Licensing Authority in accordance with the regulations; the closing date for responsible authorities and other persons ended on 5th October 2023.

A representation has been received from Public Health as a responsible authority, which is attached at Appendix 3.

A copy of the current Premises Licence is attached at Appendix 4.

Site location plans are attached at Appendix 5.

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's functions under the Licensing Act 2003 are to promote the licensing objectives: -

- 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:

Review Application and Certificate from West Midlands Police, Appendix 1
Sub-Committee Interim Steps Meeting decision 20th July 2023, Appendix 2
Copy of the representation from Public Health, Appendix 3
Current Premises Licence, Appendix 4
Site location plans, Appendix 5

7. Options available:

Modify the conditions of Licence
Exclude a Licensable activity from the scope of the Licence
Remove the Designated Premises Supervisor
Suspend the Licence for a period not exceeding 3 months
Revoke the Licence
Take no action

In addition the Sub Committee will need to decide what action, if any, should be taken regarding the interim steps imposed on the 21st September 2023.



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 the 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

I - Supt 2643 Munro

(on behalf of) the chief officer of Police for the West Midlands Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003

1. Premises details: Zulu Bar and Restaurant

Postal address of premises, (or if none or not known, ordinance survey map reference or description): **Unit 1**

105 – 127 Brearley Street

Aston

Birmingham

B19 3XJ

2. Premises Licence details:

Name of premise licence holder (if known): **Michael Wolde Rufael KAHSAY**

Number of premise licence (if known): **5165**

3. Certificate under section 53A (1)(B) of the Licensing Act 2003 (Please read guidance note 1)

I confirm that this is a certificate has been given by a senior member of the police force for the police area above that in his/her opinion the above premises are associated with serious crime or serious disorder or both, and the Certificate accompanies this application.

(Please tick the box to confirm)



4. Details of association of the above premises with serious crime, serious disorder or both: (Please read guidance note 2)

Zulu Bar and Restaurant is a small two roomed premises located at the junction of Brearley Street and Summer Lane in Birmingham. It has recently changed owner and is in the process of rebranding.

The premises holds a license for late night refreshment from 23:00 as well as recorded music and sale of alcohol by retail daily from 13:00.

At 12:30 on Sunday 17th September, a 999 call alerted police to a disorder outside of the location. A number of males appeared involved and had blood on their hands and one had facial injuries. Enquiries inside showed that a disorder started inside of the premises and that the male with facial injuries had been glassed by another customer. This offence has been recorded as a S18 wounding which is classed as a serious crime.

"Serious crime" is defined by reference to S.81 of RIPA Act 2000. An offence for which an adult could reasonably be expected to be sentenced to imprisonment for a period of 3 years or more.

Further enquiries have revealed that males inside of the premises had been served alcohol by the licence holder, despite the licence not permitting the sale of alcohol until 13:00.

West Midlands Police are concerned that this incident was preventable if the licence was being complied with and wish to bring this to the urgent attention of the licensing committee.

Signature of applicant:

Date: 20/09/2023

Rank/Capacity: Det Sgt 2643 Hume

Contact details for matters concerning this application: BW Licensing

Address: Licensing Dept c/o Birmingham West and Central Police Station, Birmingham

Telephone Number(s):

E-mail -

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more: or

West Midlands Police

CERTIFICATE UNDER SECTION 53A (1)(B) OF THE LICENSING ACT 2003

I Supt 2643 Munro, hereby certify that in my opinion the premises described below are associated with both serious crime and serious disorder.

Premises: Zulu Bar And Restaurant

Address: Unit 1, 105 – 127 Brearley Street, Aston, Birmingham, B19 3XJ

Premise Licence Number: 5165

Premise Licence Holder: Michael Wolde Rufael KAHSAI

Designated Premise Supervisor: Michael Wolde Rufael KAHSAI

I am a Superintendent in West Midlands Police.

I am giving this certificate because I am of the opinion that the summary review procedure is necessary to ensure the licensing objectives are promoted expeditiously. Given the seriousness of the trigger incident on 17th September 2023, which involved a Section 18 wounding with a weapon and the breaches of premises licence by the operators on the morning of the incident, in my opinion immediate steps are required that can best be achieved through the summary review procedures. Other steps available under the Licensing Act 2003, including a standard review application, cannot lead to the imposition of immediately effective steps to promote the licensing objectives and so these are inadequate. I view this application as a proportionate and necessary response to the serious incident at the venue.

In coming to my opinion, I have had regard to the facts of the incident and current investigation, the track record of the premises, the terms of section 53A of the Licensing Act 2003 and Chapter 12 ("Summary Reviews") of the Guidance issued under section 182 of the Licensing Act 2003 (December 2022 revision).

Signed :

Dated:



BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE - A

THURSDAY 21 SEPTEMBER 2023

**Zulu Bar and Restaurant, Unit 1, 105 – 127 Brearley Street,
Newtown, Birmingham B19 3XJ**

That having considered the application made and certificate issued by a Superintendent on behalf of the Chief Officer of Police (West Midlands Police), under section 53A of the Licensing Act 2003, for an expedited review of the premises licence held by Micheal Wolde Rufael Kahsay in respect of Zulu Bar and Restaurant, Unit 1, 105 – 127 Brearley Street, Newtown, Birmingham B19 3XJ, this Sub-Committee hereby determines:

- that the licence be suspended, and
- that Micheal Wolde Rufael Kahsay be removed as the Designated Premises Supervisor

pending a review of the licence, such a review to be held within 28 days of receiving the Chief Officer of Police's application.

The Sub-Committee's reasons for imposing the two interim steps are due to the concerns which were expressed by West Midlands Police in relation to matters pertaining to serious crime and/or serious disorder, which had come to light as outlined in the Superintendent's certificate and application, in the Committee Report.

The Sub-Committee determined that the cause of the serious crime and/or serious disorder originated from a style of management which had been incapable of upholding the licensing objectives. The style of management was the responsibility of Micheal Wolde Rufael Kahsay, as premises licence holder for the Zulu Bar and Restaurant premises; he was also the person named on the licence as the designated premises supervisor. Although Mr Kahsay had been invited to the meeting, he did not attend, and was not represented.

Part of the meeting was conducted in private session after the Sub-Committee considered an application made by West Midlands Police under regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005. The Police explained that to play the CCTV evidence in public would undermine an ongoing criminal investigation as it identified the relevant patrons. The Police therefore asked for the Sub-Committee to go into private session for the playing of the CCTV evidence. The Sub-Committee agreed.

Members heard the submissions of West Midlands Police, namely that the certificate, which had been issued by a Superintendent under s53A of the Act, related to an allegation of serious crime and/or serious disorder which was said to have originated at the premises. It was the advice of the Police that a complete absence of management control had led to the incident; of particular note was the suggestion that the premises had permitted the sale of alcohol by retail before the start time permitted under the licence, namely 13.00 hours.

The Police summarised the investigation thus far – exactly as detailed in the Report. An offence under s18 of the Offences Against the Person Act 1861 had been reported, which was classed as a serious crime under s81 of the Regulation of Investigatory Powers Act 2000.

It was the advice of the Police that interim steps were required in order to deal with the causes of the serious crime and/or serious disorder. A criminal investigation was under way. The CCTV was played to the Sub-Committee. It appeared that the licence holder had been on duty in the premises at the time of the incident. Two calls to Police had been made at the time in question; one from a passer-by, and the other from a person who was thought to be connected with the licence holder.

Overall, the Police had no confidence whatsoever in the premises' ability to prevent further serious crime and/or serious disorder. It was the Police's recommendation that the incident had been so serious, and the risk to the upholding of the licensing objectives so grave, that a specific interim step was required.

The Police recommended that the correct course was to suspend the licence pending the full Summary Review hearing, for the reasons given in the Superintendent's certificate and application. Regarding the option of the removal of the designated premises supervisor, the Police were content to leave this to the discretion of the Sub-Committee, but reminded the Members that it was the responsibility of the designated premises supervisor to ensure that alcohol sales were conducted in accordance with the licence.

The Sub-Committee noted that the licence holder did not attend the meeting and was not represented; the Members therefore had no opportunity to ask him questions.

Having heard all of the evidence, the Members were mindful of the Guidance issued by the Secretary of State under s182 of the Act, which advised them to only impose those steps which were necessary to guard against the risks of further serious crime and/or serious disorder. However, the starting point was that the Members were not confident that Mr Kahsay understood his responsibilities as licence holder, and were definitely not satisfied that there was proper management control of the premises.

The Sub-Committee agreed with the Police that it was not possible to have any trust in the management of the operation, and the Members felt that they were not prepared to take any risks regarding the potential for further serious crime and/or serious disorder, pending the full Review hearing.

In deliberating, the Sub-Committee determined that there had been an allegation of serious crime and/or serious disorder, which was being investigated by Police. It was abundantly clear that the operation was not being run in accordance with the licensing objectives. An offence of wounding had been reported; this was a serious criminal offence and a clear risk to the prevention of crime and disorder objective. All in all, the management style seen at the Zulu Bar and Restaurant was not at all the standard expected of premises licence holders in Birmingham.

The Sub-Committee was not satisfied that those at the premises could be trusted to operate in a manner capable of promoting the licensing objectives. The Sub-Committee considered the options of modification of the conditions of the licence, and exclusion of the sale of alcohol by retail from the scope of the licence, but did not consider that these would adequately cover the risks, given what had been described in the Superintendent's certificate and application. Moreover, the Police had not recommended either of these as a satisfactory course for the Sub-Committee to take.

The correct way forward was therefore to suspend the licence pending the full Review hearing, as recommended by the Police. The Sub-Committee found the Police recommendation to be entirely the proper course given what had been described in the documents, and determined that it was both necessary and reasonable to impose the interim step of suspension of the licence to address the immediate problems with the premises, namely the potential for further serious crime and/or serious disorder.

The Sub-Committee noted that the Police had not made a specific recommendation regarding the designated premises supervisor. However, the Members observed that he had been on duty inside the premises at the time in question. The Members also bore in mind the Police's reminder that it was the designated premises supervisor who was specifically responsible for alcohol

sales, and noted that there had been a suggestion that alcohol sales had been conducted outside the hours permitted under the premises licence.

The Sub-Committee therefore determined that the removal of the designated premises supervisor was a very important safety feature, given that it was this individual who was responsible for the day to day running of the premises. The Members considered that Mr Kahsay had fallen far short of the standard expected, and that the style of operation described in the Superintendent's certificate and application was a significant risk to the upholding of the licensing objectives in Birmingham. Public safety was of paramount importance.

In reaching this decision, the Sub-Committee has given due consideration to the application made and certificate issued by a Superintendent of West Midlands Police, the City Council's Statement of Licensing Policy, the Guidance issued by the Home Office under s182 of the Act, the written submissions made, and the submissions made at the hearing by West Midlands Police.

All parties are advised that the premises licence holder may make representations against the interim steps taken by the Licensing Authority. On receipt of such representations, the Licensing Authority must hold a hearing within 48 hours.

All parties are advised that there is no right of appeal to a Magistrates' Court against the Licensing Authority's decision at this stage.

Licensing Review Representation

To:	Birmingham City Council Licensing Department /		
From:	Name:		
	Address:		
	Email:		
Premises to which the application relates:		Zulu Bar	
Application Reference Number (if known):			
I am:	<input type="checkbox"/> A resident, or representative thereof, living within the vicinity of the premises; <input type="checkbox"/> A Business, or representative thereof, operating within the vicinity of the premises; <input checked="" type="checkbox"/> A Responsible Authority		

Stance:	<input checked="" type="checkbox"/> I support the application for a licensing review. <input type="checkbox"/> I am opposed to the application.
Objectives:	I believe the following objective(s) are engaged / at risk: <input checked="" type="checkbox"/> Prevention of Crime & Disorder <input type="checkbox"/> Prevention of Public Nuisance <input checked="" type="checkbox"/> Public Safety <input type="checkbox"/> Protection of Children from Harm
Comments:	<p>The misuse of alcohol has serious implications for health; therefore, regulating its use is key to preventing physical and other health health-harming effects.</p> <p>The premise under review sits in Aston, one of the most deprived wards of Birmingham. It's also one of the wards where we see reported high levels of antisocial behaviour, public order, violence, and sexual offences. Most of these offences occur within a one-mile radius of the reviewing premise, an area which has more than 13 other licensed premises.</p> <p>The admission rates for violent crimes were higher than for all localities (72 per 100,000), much higher than across the city (63 per 100,000) and worse than the England average (42 per 100,000).</p> <p>The failure of the license holder to abide by his license conditions resulted in immediate harm to patrons and psychological harm to those exposed to the resulting violent act. Violence is bad for health. Alcohol use contributes to public disorder and anti-social behaviour in our communities, contributing to 40% of violent crimes in England.¹</p> <p><u>Alcohol-related violence (ARV) and public health</u> ARV also poses serious social harm because incidents with injuries frequently result in an increased burden on health services and the accident and emergency departments. ARV significantly negatively impacts physical and mental health, making it a major public health issue. Because of its many negative impacts,</p>

¹ [Local Alcohol Profiles for England - Alcohol and crime - OHID \(phe.org.uk\)](#)

	<p>alcohol use has a detrimental effect on several other outcomes for individuals and communities.²</p> <p>Alcohol is the biggest risk factor for death, ill health, and disability for those aged 15-49 years and the fifth biggest risk factor across all ages.³ Alcohol use has been implicated in more than 60 medical conditions, including depression, liver disease and certain cancers, including mouth, throat, stomach, liver, and breast.⁴</p> <p>Over 10% of the assault wounds treated in UK A&E departments involved bar glass. In addition to bodily harm, other effects include psychological and emotional anguish.</p> <p>Hospital admissions for alcohol-related harm in Birmingham are worse than the average for England. This represents 6,748 admissions per year. The rates of hospital admissions (64.7%) for violence for ages 16-64 are worse than the England average (42.9%). The healthcare cost of alcohol misuse is estimated to be as much as £3.5bn per year.⁵</p> <p>In 2020, Birmingham's alcohol-related mortality rate was 44 per 100,000, higher than England's 37.8 per 100,000.⁶ It also had a higher alcohol-specific death rate (17.3 versus 13 per 100,000, respectively).</p>
Declaration:	The information provided in this proforma is true to the best of my knowledge and belief. I understand that my representation will be provided to the applicant/licence holder in full and that my name and stance regarding this application will be published in publicly available committee papers, for which I will be invited to attend.
Signed:	<p>X</p> <hr/> <p>Sherine Edwards-Dodd Senior Public Health Officer</p>
Date:	

² [The range and magnitude of alcohol's harm to others: a report delivered to the Five Nations Health Improvement Network \(publishing.service.gov.uk\)](#)

³ Office for Health and Disparities [Local Alcohol Profiles for England.](#)

⁴ Office for Health and Disparities [Local Alcohol Profiles for England.](#)

⁵ Office for Health Improvement and Disparities [Public Health Profiles.](#)

⁶ Office for Health and Disparities [Public Health Profiles.](#)



Licensing Act 2003

Premises Licence

Premises Licence Number	5185
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description Zulu Bar & Restaurant , Unit 1, 105 Brearley Street, Birmingham, B19 3XJ
Telephone Number N/A

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 Playing of Recorded Music

Times the licence authorises the carrying out of licensable activities

Sale of Alcohol by retail:		
Day	Start Time	End Time
Monday	13:00	01:00
Tuesday	13:00	01:00
Wednesday	13:00	01:00
Thursday	13:00	01:00
Friday	13:00	03:00
Saturday	13:00	03:00
Sunday	13:00	01:00
Place:		
Seasonal Variations:		
Non-Standard Times:		

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Provision of Late Night Refreshment:		
Day	Start Time	End Time
Monday	23:00	01:00
Tuesday	23:00	01:00
Wednesday	23:00	01:00
Thursday	23:00	01:00
Friday	23:00	03:00
Saturday	23:00	03:00
Sunday	23:00	01:00
Further Details:		
Place:		
Seasonal Variations:		
Non-Standard Times:		

Playing of Recorded Music:		
Day	Start Time	End Time
Monday	13:00	01:00
Tuesday	13:00	01:00
Wednesday	13:00	01:00
Thursday	13:00	01:00
Friday	13:00	03:00
Saturday	13:00	03:00
Sunday	13:00	01:00
Further Details:		
Place:		
Seasonal Variations:		
Non-Standard Times:		

The opening hours of the premises		
Day	Start Time	End Time
Monday	13:00	01:00
Tuesday	13:00	01:00
Wednesday	13:00	01:00
Thursday	13:00	01:00
Friday	13:00	03:00
Saturday	13:00	03:00
Sunday	13:00	02:00
Seasonal Variations:		
Non-Standard Times:		

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

Part 2

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

Michael Wolde Rufael Kahsay

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

Mr Micheal Wolde Rufael Kahsay

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: 168054

Issuing Authority: BIRMINGHAM

Dated 19-09-2023

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 glorify 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: 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 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 pence, 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.

Annex 2 – Conditions consistent with the Operating Schedule

The premises licence holder shall ensure staff are trained as appropriate in respect of relevant licensing law.

All staff will be trained in their responsibility of the licensing act, challenge 25 policy and premises licensing objectives. This training will be documented and signed by both the trainer and trainee. No staff, with the exception of personal licence holders to work at the premises without this documented training. Staff training records will be made immediately available to any of the responsible authorities on request.

Any person who appears drunk /aggressive will not be permitted on the premises.

The Designated Premises Supervisor and their staff will at all times remain aware of their responsibilities for the prevention of crime and disorder on the premises and demonstrate a responsible attitude to the marketing and sale of alcohol.

CCTV to be installed / updated to the specifications and recommendations of West Midlands Police. CCTV signage will be prominently displayed on the entrance door.

Customers may not take any drinks past the boundary of the building.

When regulated takes place the DPS or their nominated will conduct a noise assessment outside of the premises to ensure and regulated entertainment is not causing a statutory noise nuisance. These assessments are to be documented and signed by the person making the assessment. The assessments are to be made immediately available to any of the responsible authorities.

The premises license holder will ensure that a trained member of staff will be on duty and be available to download the CCTV to any of the Responsible Authorities.

The premises licence holder shall ensure CCTV is installed inside the premises. CCTV will be recording at all times the premises are open for any licensable activities and images will be held for a minimum of 28 days and made available immediately on request by any of the Responsible Authorities.

The licensable hours for all licensable activity at the premises will finish at 00.30hrs Sunday to Thursday and 03.00hrs Friday & Saturday nights. The premises will be clear of all customers half an hour after the termination time for licensable activity.

The premises will supply West Midlands Police with a full written risk assessment prior to commencement of the premises licence for their normal operating procedure / evenings. If the premises wish to operate outside their norm then they will supply West Midlands Police a minimum of 28 days notice and a full written risk assessment a minimum of 21 days prior to the event. West Midlands Police will have the power of veto on any event outside their normal operating risk assessment if they believe any of the licensing objectives will be compromised.

On Friday and Saturday nights when trading past midnight the premises will employ door staff from no later than 22.00hrs until all customers have dispersed at closing. Door staff will sign on and off duty. Door staff profiles will be kept on the premises for no less than 3 months. Profiles to include a copy of their SIA badge and utility bill no less than 3 months old. If a utility bill not available then a copy of photographic ID either passport or driving licence. Door staff signing in sheets and profiles will be made immediately available to any of the responsible authorities on request. Door staff will wear a fluorescent tabard or jacket while on duty at the premises.

The premises will keep an incident log. All incidents of crime, disorder and anti-social behaviour will be entered into the log irrespective as to whether the emergency services are called or not.

Last entry to the premises will be 01.30 Friday & Saturday nights. Signage to be displayed on the entrance door informing customers of this.

Doors and windows will be kept closed as deemed necessary by the Designated Premises Supervisor.

All deliveries will be received during daytime prior to 6pm to control noise nuisance.

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The Designated Premises Supervisor will arrange to monitor levels from both inside and outside the premises and remedial action will be taken as appropriate.

Floor staff will conduct physical sweep inside the premises to remove hazardous objects/waste as deemed necessary by the premises licence holder.

The premises licence holder shall fully support any directives received from the authorities.

A Challenge 25 policy will be strictly followed by all staff.

Challenge 25 signage to be displayed on the entrance door and bar serving area.

No children under the age of 18 will be allowed on the premises after 18.00 without an appropriate adult. Staff not to be left in sole charge of any child.

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.

No adult entertainment is permitted at these premises.

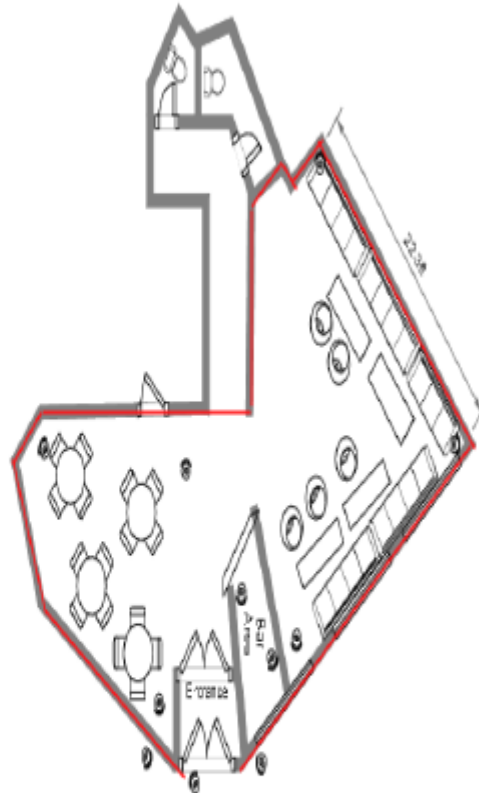
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Annex 3 – Conditions attached after a hearing by the Licensing Authority

N/A

Annex 4 – Plans

Plan Reference; - 169440 as attached.



Key:		Scale/Plan:	1:100 @ A4
Accessible Area		Premises Details	
CCTV			
Client		By	
Samuel Tipton		Majid Rahman	

Reference: 169440

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