

# **BIRMINGHAM CITY COUNCIL**

## **LICENSING SUB-COMMITTEE A**

**MONDAY, 22 APRIL 2024 AT 10:00 HOURS**  
**IN ON-LINE MEETING, MICROSOFT TEAMS**

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

### **A G E N D A**

#### **1 NOTICE OF RECORDING/WEBCAST**

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

#### **2 DECLARATIONS OF INTERESTS**

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

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

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

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

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

3 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

**3 - 34**

4 **LICENSING ACT 2003 PREMISES LICENCE – VARIATION ADMAS,  
UNIT 3, 136 – 150 SOHO HILL, LOZELLS, BIRMINGHAM, B19 1AF**

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.

## BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee A</b>
<b>Report of:</b>	<b>Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Monday 22<sup>nd</sup> April 2024</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Variation</b>
<b>Premises:</b>	<b>Admas, Unit 3, 136 – 150 Soho Hill, Lozells, Birmingham, B19 1AF</b>
<b>Ward affected:</b>	<b>Lozells</b>
<b>Contact Officer:</b>	<b>David Kennedy, Principal Licensing Officer, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

**1. Purpose of report:**

To consider relevant representations that have been made in respect of an application to vary the Premises Licence which seeks to extend the hours for the Sale of Alcohol (for consumption on the premises), to operate from 02:00pm until 02:00am (Sunday to Thursday) and 02:00pm until 04:00am (Friday and Saturday).

To add the provision of Regulated Entertainment consisting of recorded music, to operate indoors only, from 11:00pm until 02:00am (Sunday to Thursday) and 11:00pm until 04:00am (Friday and Saturday).

The provision of late night refreshment, to operate indoors only, from 11:00pm until 02:00am (Sunday to Thursday) and 11:00pm until 04:00am (Friday and Saturday).

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

**2. Recommendation:**

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

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

**3. Brief Summary of Report:**

Variation application received on 26<sup>th</sup> February 2024 in respect of the Admas, Unit 3, 136 – 150 Soho Hill, Lozells, Birmingham, B19 1AF.

Representations have been received from 3 responsible authorities.

**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:**

Asmeron Okbu applied on 26<sup>th</sup> February 2024 to vary the Premises Licence for the Admas, Unit 3, 136 – 150 Soho Hill, Lozells, Birmingham, B19 1AF.

Representations have been received from West Midlands Police, Environmental Health and Birmingham City Council Licensing Enforcement, as responsible authorities, which are attached at Appendices 1 - 3 respectively.

The application is attached at Appendix 4.

The current Premises Licence is attached at Appendix 5.

Site Location Plans at Appendix 6.

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:-

- 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:**

Copies of the representations as detailed in Appendices 1 - 3.

Application Form, Appendix 4.

Current Premises Licence, Appendix 5.

Site Location Plans, Appendix 6.

**7. Options available**

To grant the variation application

To refuse the whole or part of the application

To modify the conditions of the Licence

**From:** Mark Swallow  
**Sent:** Friday, March 1, 2024 9:42 AM  
**To:** Licensing  
**Cc:** 'Optimised Training Centre'  
**Subject:** Variation - Admas REF 1480012

Good Morning Licensing,

I am in receipt of an application to vary the premises license for the above premises. The application is to increase the hours for the sale of alcohol, the provision of late night refreshment and the provision of regulated entertainment.

The premises are currently being prosecuted by Birmingham City Council for operating beyond the hours that are in place. The area is also residential and this significant increase in operating hours would have a marked impact on residents in the area.

West Midlands Police would not support this increase in licensable hours activity due to the impact this may have on the crime and disorder licensing objective and the public nuisance licensing objective and would wish to object to this application additionally West Midlands Police would have no confidence that the applicant would abide by the application or any operating conditions attached to it due to their current inability to abide by their premises license. I have copied the applicant into this email.

Mark Swallow.  
West Midlands Police.  
Birmingham Licensing Team.

**From:** Peter R Brown  
**Sent:** Tuesday, February 27, 2024 12:31 PM  
**To:** Licensing Online  
**Cc:** bw licensing  
**Subject:** Variation - Admas REF 1480012

Good afternoon

I have reviewed this application to vary a premises licence by means of an extension of operating hours and wish to object to the application for the following reasons:

1. The requested extension is very significant, including for five hours on Fridays and Saturdays.
2. The area is not a part of what could be considered the night-time economy area.
3. Although mixed use, the general area is highly residential and noise associated with late night entertainment premises poses a risk to the amenity of residents.
4. There are no other late night entertainment premises in the surrounding area.

In this residential area, Environmental Health does not consider an extension to the existing hours is appropriate and is likely to result in failure to uphold the public nuisance licensing objective.

Regards

Peter Brown  
**Environmental Health Officer**

City Operations Directorate  
1-3 Ashted Lock Way  
Birmingham  
B7 4AZ

**From:** Christina McCullough  
**Sent:** Monday, March 18, 2024 5:49 PM  
**To:** Licensing ; Optimised Training Centre <  
**Subject:** REPRESENTATION TO VARIATION OF PREMISES LICENCE 5609 - ADMAS 136-150  
SOHO HILL, BIRMINGHAM

**REPRESENTATION OF BIRMINGHAM CITY COUNCIL, LICENSING ENFORCEMENT  
ADMAS, 136-150 SOHO HILL, BIRMINGHAM  
PREMISES LICENCE NUMBER 5609**

I, Christina McCullough, a Licensing Enforcement Officer, wish to submit representations on behalf of Birmingham City Council, Licensing Enforcement, in respect of the application to vary the abovementioned premises licence.

It is alleged that breaches of the Licensing Act 2003 have occurred in respect of licensable activity been provided outside of the licensable hours. CCTV has been obtained and is now being dealt with formally as a criminal investigation under the Act.

This application to vary the premises licence, is to extend the hours when licensable activity can take place. Taking into account the alleged breaches, Licensing Enforcement does not have any confidence that the licence holder is capable of upholding the Licensing objectives; the alleged breaches of The Licensing Act 2003 clearly undermine the prevention of crime and disorder.

The details within this representation have been kept to a minimum due to the ongoing investigation.

Regards

Christina McCullough  
Licensing Enforcement Officer



**Birmingham**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact  
[licensingonline@birmingham.gov.uk](mailto:licensingonline@birmingham.gov.uk)  
 Telephone: 0121 303 9896

\* required information

### Section 1 of 18

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

Not Currently In Use

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

Asmerom Rezene

\* Family name

Okbu

\* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☐ Applying as a business or organisation, including as a sole trader

☒ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.



Continued from previous page...

### Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text"/>

### Agent Details

* First name	<input type="text" value="Mijanur"/>	
* Family name	<input type="text" value="Rahman"/>	
* E-mail	<input type="text"/>	
Main telephone number	<input type="text"/>	Include country code.
Other telephone number	<input type="text"/>	
<input type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone		

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
- ☐ A private individual acting as an agent

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

### Agent Business

Is your business registered in the UK with Companies House?

☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number	<input type="text" value="7021919"/>	
Business name	<input type="text" value="Optimised Training Centre"/>	If your business is registered, use its registered name.
VAT number	<input type="text" value="-"/>	Put "none" if you are not registered for VAT.
Legal status	<input type="text" value="Private Limited Company"/>	
Your position in the business	<input type="text" value="Manager"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the headquarters of your business is located.

Continued from previous page...

**Agent Registered Address**

Address registered with Companies House.

Building number or name	Optimised Training Centre
Street	1 Guildford Street
District	
City or town	Birmingham
County or administrative area	
Postcode	B19 2HN
Country	United Kingdom

**Section 2 of 18**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number 5609

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

☒ Address ☐ OS map reference ☐ Description

**Postal Address Of Premises**

Building number or name	Admas
Street	Unit 3, 136-150 Soho Hill
District	
City or town	Birmingham
County or administrative area	
Postcode	B19 1AF
Country	United Kingdom

**Premises Contact Details**

Telephone number	
Non-domestic rateable value of premises (£)	24,750

**Section 3 of 18**

**VARIATION**

Continued from previous page...

Do you want the proposed variation to have effect as soon as possible?

☒ Yes ☐ No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

☐ Yes ☒ No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

#### Describe Briefly The Nature Of The Proposed Variation

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

Increase hours with the provision of Regulated entertainment, Late Night refreshment and Sale of alcohol on the premises.

#### Section 4 of 18

##### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

☐ Yes ☒ No

#### Section 5 of 18

##### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

☐ Yes ☒ No

#### Section 6 of 18

##### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

*Continued from previous page...*

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes ☒ No

#### Section 7 of 18

##### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes ☒ No

#### Section 8 of 18

##### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

☐ Yes ☒ No

#### Section 9 of 18

##### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☒ Yes ☐ No

##### Standard Days And Timings

###### MONDAY

Start

End

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

Start

End

###### TUESDAY

Start

End

Start

End

###### WEDNESDAY

Start

End

Start

End

###### THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start 23:00

End 04:00

Start

End

SATURDAY

Start 23:00

End 04:00

Start

End

SUNDAY

Start 23:00

End 02:00

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

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

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

State any seasonal variations for playing recorded music.

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

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

#### Section 10 of 18

#### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes

☒ No

#### Section 11 of 18

Continued from previous page...

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes

☒ No

**Section 12 of 18**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☒ Yes

☐ No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

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

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

**SATURDAY**

Start

End

Start

End

**SUNDAY**

Start

End

Start

End

*Continued from previous page...*

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

☒ Indoors

☐ Outdoors

☐ Both

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

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

State any seasonal variations.

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

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

#### Section 13 of 18

#### SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes

☐ No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start 14:00

End 02:00

Start

End

THURSDAY

Start 14:00

End 02:00

Start

End

FRIDAY

Start 14:00

End 04:00

Start

End

SATURDAY

Start 14:00

End 04:00

Start

End

SUNDAY

Start 14:00

End 02:00

Start

End

Will the sale of alcohol be for consumption?

☒ On the premises ☐ Off the premises ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

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

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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ADULT ENTERTAINMENT

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*Continued from previous page...*

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

#### Section 15 of 18

#### HOURS PREMISES ARE OPEN TO THE PUBLIC

##### Standard Days And Timings

###### MONDAY

Start 14:00

End 02:30

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

Start

End

###### TUESDAY

Start 14:00

End 02:30

Start

End

###### WEDNESDAY

Start 14:00

End 02:30

Start

End

###### THURSDAY

Start 14:00

End 02:30

Start

End

###### FRIDAY

Start 14:00

End 04:30

Start

End

###### SATURDAY

Start 14:00

End 04:30

Start

End

###### SUNDAY

Start 14:00

End 02:30

Start

End

State any seasonal variations.

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

Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

NONE

☒ I have enclosed the premises licence

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

#### Section 16 of 18

#### LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

A Challenge 25 policy will be strictly followed by all staff.  
Staffs are trained as appropriate in respect of relevant licensing law.  
The open nature of the Lounge allows for good viewing coverage.  
CCTV is installed covering all areas where licensable activities will take place.  
SIA approved door staff will be recruited.

b) The prevention of crime and disorder

Staff other than personal license holders involved in the sale/ supply of alcohol are to receive documented refresher training every six months.

The premises will deploy door staff from 22.00hrs when trading past 22.00hrs. 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

*Continued from previous page...*

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.

The numbers of door staff and any earlier start time will be risk assessed by the premises. This risk assessment will be made available to any of the responsible authorities immediately on request.

The premises will operate a search policy. The policy will be made available to any of the responsible authorities on request.

The premises will operate a vulnerability policy. The policy will be made available to any of the responsible authorities on request.

The premises will operate a dispersal policy. The policy will be made available to any of the responsible authorities on request.

CCTV that is approved by West Midlands police will be fitted in the premises. Images will be retained for a period of at least 31 days and will be made available to any of the responsible authorities to view or copies produced on request. If for any reason the CCTV hard drive needs to be replaced the previous / old hard drive will be kept on site for a minimum of 31 days and made immediately available to any of the responsible authorities on request.

All windows to be closed and remain closed while regulated entertainment is taking place after 20:00 hours except for ingress and egress or cases of emergency.

Once each week the CCTV system will be checked by the DPS or their nominated deputy. The time and date of the check the identity of the checker and the result of the check will be recorded in the incident log for the premises.

Door staff will remain on duty until all the customers have dispersed and this will form part of the premises dispersal plan

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. 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 stages names of any artist, DJ, band or performer. Any recommendations made by West Midlands Police in relation to an event will become conditions of the premises license for that event. West Midlands Police retain a right of veto for any event proposed.

The premises will be free of customers half an hour after the conclusion of licensable activity.

The premises is to adopt and display a clear notice to the effect that there is a strict policy of "NO ID, NO ENTRY".

A refusals log will be maintained at the premises. Each entry will be signed off by the DPS.

An incident log will be maintained at the premises. Each entry will be signed off by the DPS.

#### c) Public safety

A fire risk assessment will be conducted. Any findings will be actioned and the premises made safe in the allocated time of the risk assessment.

*Continued from previous page...*

All sofas and furnishings will comply with the BS 7166 regulations (to a minimum of crib ignition source 5)

Suitable fire alarm will be installed which meets the BS 5839 standards and a copy of the certificate will be made available to responsible authorities. The system will be tested weekly and records will be kept. Any faults will be recorded and rectified by an approved competent person.

The emergency lighting system will be installed to the BS 5266 standards to ensure all exits routes are illuminated in the event of a power failure. The system will be tested monthly, and records kept.

The Designated Premises Supervisor is aware of his responsibilities to the staff and customers in respect of public safety and will take all reasonable steps to ensure the maintenance of all provided safety arrangements and equipment in accordance with the requirements of current installations.

**d) The prevention of public nuisance**

All deliveries will be received between 10:00 and 18:00.

The Designated Premises Supervisor or other competent person shall carry out observations in the vicinity of the premises on at least two intervals between 20:00 and 02:00 (Sunday to Thursday) and 20:00 and 04:00 (Friday and Saturday) whilst recorded music is playing in order to establish whether there is a noise breakout from the premises. If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance. A record of such observations shall be kept, records shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise breakout and any action taken to reduce noise breakout. Records shall be available at all times upon request to an authorised officer of the Licensing Authority, Environmental Health Department or the Police.

All doors shall be kept closed except for the purpose of access/egress during the performance of regulated entertainment.

The Licence Holder shall erect prominent, clear and legible signage inside the premises requesting patrons to be considerate of local residents when leaving the premises.

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

A Challenge 25 policy will be strictly followed by all staff. No member of staff shall be permitted to sell alcohol until trained in the operation of the Challenge 25 policy. Any person who appears to be under the age of 25 who attempts to buy alcohol shall be challenged to provide age verification in the form of a passport, photo driving licence or PASS accredited card. Where proper verification is not provided the sale shall be refused. A record of the refusal shall be kept in the refusals log, identifying the member of staff who refused the sale.

We recognise the importance of protecting children from harm and this is supported by our commitment to health and safety in the operation and maintenance of the premises and also our approach to managing the risk of under age drinking.

The Designated Premises Supervisor and staff will at all times remain aware of their responsibilities under the objective, including that alcohol shall not be sold to anyone under the age of 18. Staff on duty will be trained and made aware of a challenge 25 policy and the requirements and the need to demand an acceptable form of age id. Training records will be maintained and updated by DPS every six months.

No adult entertainment is permitted at these premises

No persons under the age of 18 will be allowed to be on the premises after 2200 hours.

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.



Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

#### Section 18 of 18

#### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at <https://www.tax.service.gov.uk/business-rates-find/search>

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00\*

Band E - £125001 and over - £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 - £1,000.00

Capacity 10000-14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

\* Fee amount (£)

190.00

#### DECLARATION

*Continued from previous page...*

I/WE UNDERSTAND THAT 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.

☒ 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

Licensing Act 2003Premises Licence

<b>Premises Licence Number</b>	5609
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**Part 1 – Premises Details**

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>  Admas, Unit 3, 136 - 150 Soho Hill, Birmingham, B19 1AF
<b>Telephone Number</b>  Not specified

<b>Where the licence is time limited the dates</b>  N/A
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<b>Licensable activities authorised by the licence</b>  The supply or sale by retail of Alcohol
---

**Times the licence authorises the carrying out of licensable activities**

<b><u>The supply or sale by retail of Alcohol:</u></b>		
<b><u>Day</u></b>	<b><u>Start Time</u></b>	<b><u>End Time</u></b>
Monday	12:00	23:00
Tuesday	12:00	23:00
Wednesday	12:00	23:00
Thursday	12:00	23:00
Friday	12:00	23:00
Saturday	12:00	23:00
Sunday	12:00	23:00

<b><u>The opening hours of the premises</u></b>		
<b><u>Day</u></b>	<b><u>Start Time</u></b>	<b><u>End Time</u></b>
Monday	12:00	23:00
Tuesday	12:00	23:00
Wednesday	12:00	23:00
Thursday	12:00	23:00
Friday	12:00	23:00
Saturday	12:00	23:00
Sunday	12:00	23:00
<b>Seasonal Variations:</b>		
<b>Non-Standard Times:</b>		

<b>Where the licence authorises supplies of alcohol whether these are on and /or off supplies</b>  On supplies
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**Part 2**

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

Mr Asmerom Rezene Okbu

**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 Asmerom Rezene Okbu

**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:** 170998

**Issuing Authority:** Nottingham City Council

Dated

Shaid Yasser  
Senior Licensing Officer  
**For Director of Regulation & Enforcement**

## Annex 1 – Mandatory Conditions

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

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.

(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.

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 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 free potable water is provided on request to customers where it is reasonably available.

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.

## **Annex 2 – Conditions consistent with the Operating Schedule**

A Challenge 25 policy will be strictly followed by all staff. Staffs are trained as appropriate in respect of relevant licensing law. CCTV cameras are installed, CCTV recording will be held for 31 Days.

CCTV to be checked daily prior to the premises carrying out licensable activity to ensure it is working and recording. This check to be documented, signed, dated and timed by the person checking. Premises to 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 to be documented and signed by both the trainer and trainee. These training records to be made available to any of the responsible authorities on request. Premises to keep an incident book. All incidents of crime, disorder or ASB to be logged in this book irrespective of whether the emergency services are called or not. This log to be made available to any of the responsible authorities on request. Premises to risk assess the need for door staff. If door staff are deployed at the premises then they will sign on and off duty with their full SIA licence number. A profile of all door staff will be kept on the premises which will include a copy of the SIA licence and photographic ID.(If photographic ID is not available then a copy of a utility bill, no older than 3 months old will be acceptable.) Profiles and signing sheets will be held on the premises for a minimum of 3 months and made available to any of the responsible authorities on request. Door supervisors will wear high visibility, coats, jacket or waist coats while on duty at the premises. The premises will make their fire risk assessment (including capacity numbers) available to any of the responsible authorities on request.

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 31 days and made available immediately on request by 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 at anytime licensable activities take place. 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. Any person who appears drunk /aggressive will not be permitted on the premises. A challenge 25 policy shall be operated. No member of staff shall be permitted to sell alcohol until trained in the operation of the challenge 25 policy. A record of refusal shall be kept in the refusals register and kept on the premises. This will be made available to responsible authorities on request. All staff shall be trained on the four licensing objectives and a training record kept on the premises. The training record will be made available to responsible authorities on request.

Notices will be displayed at the exit of the premises asking patrons to leave the premises quietly. All deliveries will be conducted prior to 7pm to control noise nuisance. In conjunctions with the steps proposed for the prevention of crime and disorder objectives, the Licensees and staff will at all times remain responsible for the prevention of public nuisance in and around the premises. The Designated Premises Supervisor will arrange to monitor levels of noise from both inside and outside the premises and remedial action will be taken as appropriate. Doors and windows will be kept closed as deemed necessary by the Designated Premises Supervisor.

A fire alarm system will be installed to meet BS 5839 Part 1 current standards. An emergency lighting system will be installed to meet BS 5266 current standards. Firefighting equipment will be available in the premises to meet BS 5306 current standards. Floor staff will conduct physical sweep inside the premises to remove hazardous objects/waste as deemed necessary by the management. The Designated Premises Supervisor is aware of his responsibilities to the staff and customers in respect of public safety and will take all reasonable steps to ensure the maintenance of all provided safety arrangements and equipment in accordance with the requirements of current installations.

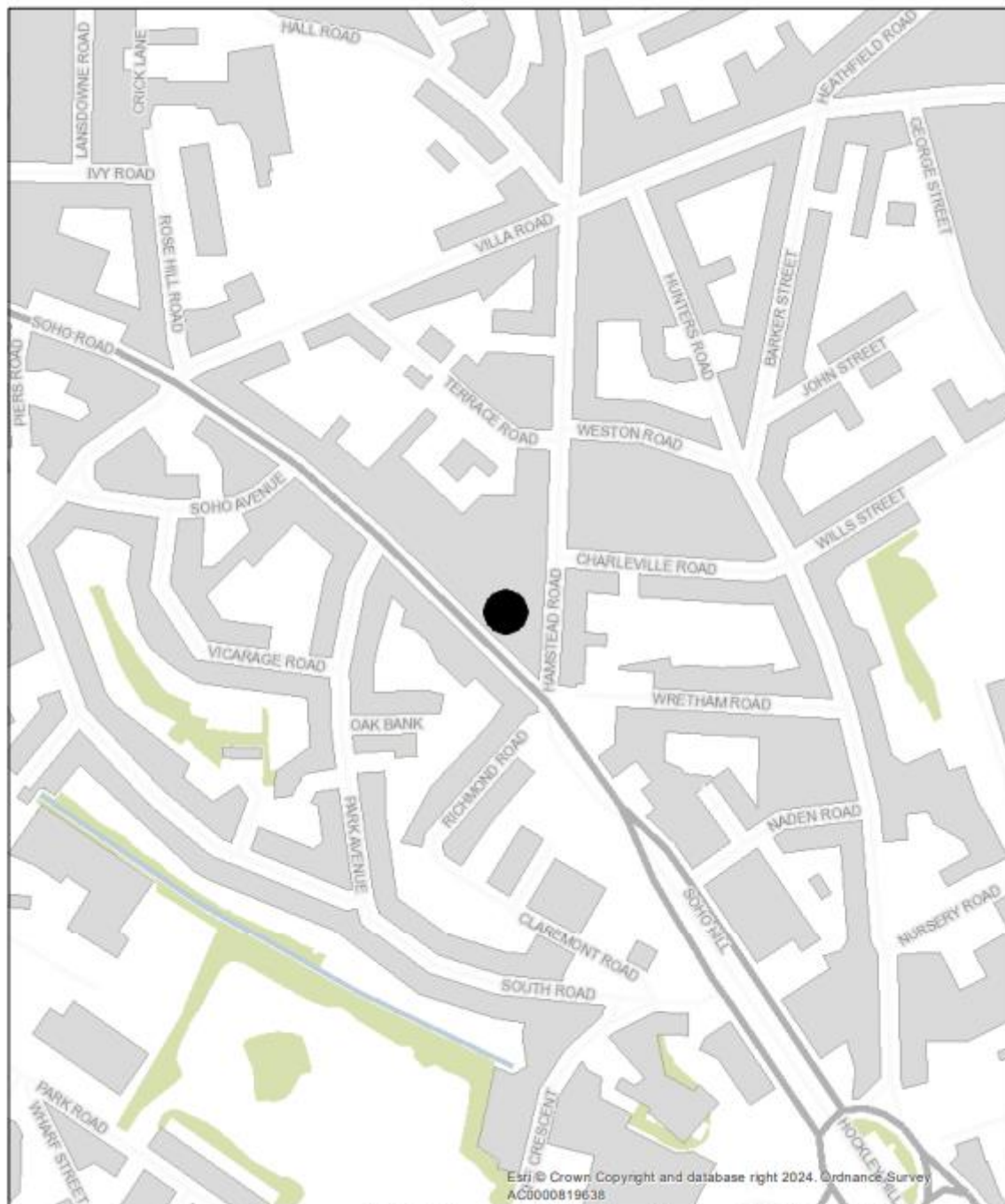
The Designated Premises Supervisor and staff will at all times remain aware of their responsibilities under the objective, including that alcohol shall not be sold to anyone under the age of 18. Staff on duty have will be trained and made aware of these requirements and the need to demand an acceptable form of age id. The premises will operate Challenge 25 policy. No adult entertainment is permitted at these premises.

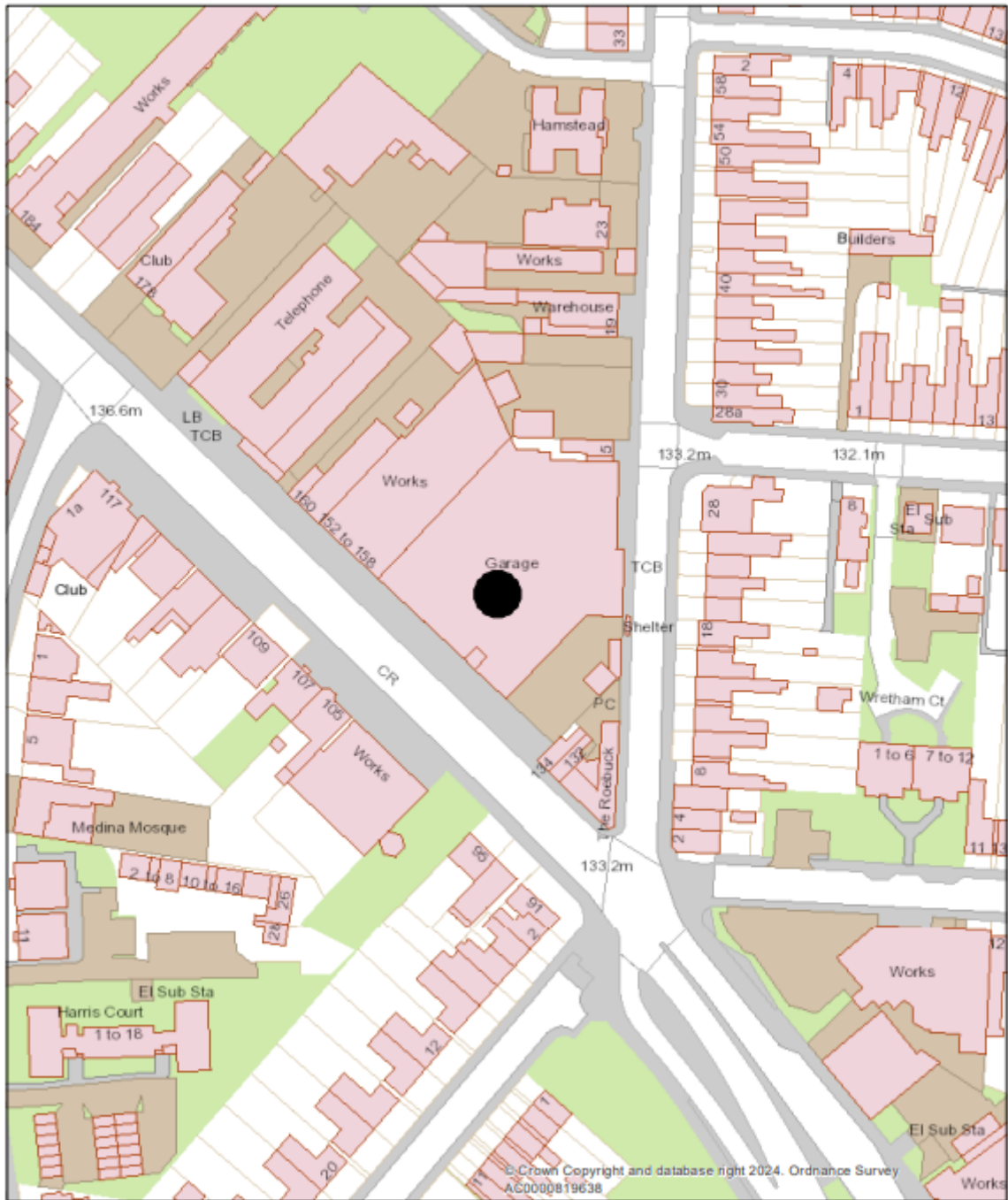
**Annex 3 – Conditions attached after a hearing by the Licensing Authority**

N/A

#### **Annex 4 – Plans**

The Plan of the premises with reference number 160140 which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please ring the Licensing Section on 0121 303 9896 to book an appointment.







OFFICIAL – (when complete)

MG11

**WITNESS STATEMENT****Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B****Crime No.****URN**

Statement of Mark Swallow.

Age if under 18 Over 18. (if over 18 insert "over 18")

Occupation Police Licensing Officer 60264.

This statement (consisting of one page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

**Signature: M.Swallow.** (witness)**Date 15<sup>th</sup> April 2024.**Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am Licensing Officer 60264 Mark Swallow of the West Midlands Police currently stationed at Lloyd House Police Station. I am part of a team one of who's roles is to examine all new applications for premises licences in the Birmingham City Council area to ensure that they promote the licensing objectives.

On 26.2.24 an application was received from a premises called Admas. Unit 3, 136-150, Soho Hill. Hockley, Birmingham. B19 1AF license number 5609. This application was to increase the hours for regulated entertainment, late night refreshment and the sale of alcohol at the premises to 0200 hours from Sunday to Thursday and 0400 hours on Fridays and Saturdays. The current terminal time for licensable activity is 2300 hours each day.

On 4.10.22 an application was made by the premises for a Temporary Events Notice for 15.10.22. This application was objected to as it was not possible to confirm that it would promote the licensing objectives. A counter notice was issued.

I am aware that the premises is being prosecuted by Birmingham City Council for trading in excess of their statutory hours when they were open till 0245 hours on 29.1.24.

It is clear that the premises wishes to trade as a late night premises regardless of the effects this may have on others. The area is residential and any increase in hours would impact negatively on the residents in the area. The premises has also both in its current guise and previously when trading as Selam traded outside the law and it is feared that any increase in hours would have a negative impact on the crime and disorder licensing objective. West Midlands Police have grave concerns that should this variation be granted that it would negatively impact on the licensing objectives and would therefore recommend and request that the application is rejected.M.Swallow.

Signature .....

Signature witnessed by .....

03/2016

OFFICIAL – (when complete)

