

Report to:	Licensing Sub Committee A
Report of:	Director of Regulation & Enforcement
Date of Meeting:	Monday 26th February 2024
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	VIP, 90 – 96 Hospital Street, Hockley, Birmingham, B19 3QP
Ward affected:	Newtown
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

To consider the representations that have been made in respect of an application for a Premises Licence which initially sought to permit the Sale of Alcohol (for consumption on the premises) to operate from 02:00pm until 02:00am (Sunday to Thursday) and 02:00pm until 05:00am (Friday and Saturday).

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 05:00am (Friday and Saturday).

To permit the provision of Late Night Refreshment, to operate indoors only, from 11:00pm until 02:00am (Sunday to Thursday) and 11:00pm until 05:00am (Friday and Saturday).

After discussions with West Midlands Police the applicant has agreed to amend the scope of the application. The applicant has agreed to cease all licensable activities at 04:00am on Friday and Saturday. The agreement is attached to this report at Appendix 4.

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:

An application for a Premises Licence was received on 4th January 2024 in respect of VIP, 90 – 96 Hospital Street, Hockley, Birmingham, B19 3QP.

Representations have been received from other persons.

<p>4. Compliance Issues:</p> <p>4.1 Consistency with relevant Council Policies, Plans or Strategies:</p> <p>The report complies with the City Council’s Statement of Licensing Policy and the Council’s Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.</p>
<p>5. Relevant background/chronology of key events:</p> <p>Eden Tekle applied on 4th January 2024 for the grant of a Premises Licence for VIP, 90 – 96 Hospital Street, Hockley, Birmingham, B19 3QP.</p> <p>Representations have been received from other persons, which are attached at Appendices 1 and 2.</p> <p>The application is attached at Appendix 3.</p> <p>Conditions, including amendments to the scope of the application, which have been agreed with West Midlands Police, Environmental Health and Birmingham City Council Licensing Enforcement and the applicant, are attached at Appendix 4.</p> <p>Site Location Plans at Appendix 5.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ul style="list-style-type: none"> a. The prevention of crime and disorder; b. Public safety; c. The prevention of public nuisance; and d. The protection of children from harm.
<p>6. List of background documents:</p> <p>Copies of the representations as detailed in Appendices 1 and 2. Application Form, Appendix 3. Conditions agreed with West Midlands Police, Environmental Health, Birmingham City Council Licensing Enforcement, Appendix 4. Site Location Plans, Appendix 5.</p>
<p>7. Options available</p> <p>To Grant the licence in accordance with the application. To Reject the application. To Grant the licence subject to conditions modified to such an extent as considered appropriate. Exclude from the licence any of the licensable activities to which the application relates. Refuse to specify a person in the licence as the premises supervisor.</p>

From:
Sent: 12 January 2024 12:03
To: Licensing
Subject: Licensing Objection- VIP 90-96 Hospital Street, B19 3QP

Dear Sir/Madam,

We write with regard to the application of premises licence VIP, 90-96 Hospital Street, B19 3QP.

The purpose of this correspondence is to register our objection under the following three areas as outlined by the licensing objectives:

- 1) The prevention of crime and disorder
- 2) Public Safety
- 3) The prevention of public nuisance.

Concerns have developed around current and recent late night activity based at 51 St George's St and 90-96 Hospital Street in the past, which fall into the categories noted above. CCTV footage and images are available of such flagrant abuses of public safety and good general order and public safety. Urinating in streets, the 'disposal' of partially consumed food items and alcoholic beverages, illegal parking of vehicles and the involvement of West Midlands Police (26 July and 2nd August 2021 regarding weapon/knife related incidents) are all real consequences of the activities at both 51 St George's St (trading as Elite) and 90-96 Hospital Street, B19 3QP.

We the undersigned feel very strongly that the positive efforts of all stakeholders to regenerate this area of our city are being openly undermined by the activity of VIP.

The operation of VIP lounge would only menace further, the prospect of a thriving and, crucially, safe neighbourhood.

Should you require, we would be pleased to make our objections in person and provide evidence of the legitimacy of our concerns.

We look forward to hearing from you shortly. Thank you, in advance, for your attention regarding this matter.

Yours Sincerely,

Best regards,

From:
Sent: 12 January 2024 16:02
To: Licensing
Subject: Objection to VIP 90-96 Hospital St, B19 3QP

Subject: Objection to License Application for VIP 90-96 Hospital St, B19 3QP by Eden Efrem Tekle

Dear Sirs,

I am writing on behalf of Fosco Hayes Hurdley Ltd, a business located at 105 Hospital St, which is within 20 meters of the proposed site for VIP at 90 - 96 Hospital St. This letter formally objects to the license application submitted by Eden Efrem Tekle for the sale of alcohol at the aforementioned location, as advertised on the premises on 8th January.

Our objection is grounded in the licensing objective of:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

It is our belief that granting this license would severely undermine these objectives due to the following reasons:

1. **History of Serious Incidents**: The previous establishment 2 doors up in the same location was shut down following a series of grave incidents involving alcohol abuse, shootings, rape, gang fighting, and drug usage. This history suggests a high risk of similar activities recurring if another alcohol-serving venue were to open in this area.
2. **Safety of Staff and Public Nuisance**: Our employees have been confronted by intoxicated and aggressive individuals associated with the former night establishment, causing significant distress and concern for personal safety. This has occurred frequently during early morning hours as staff arrived for work.
3. **Impact on Local Businesses and Community**: The presence of the previous establishment led to numerous police inquiries and a requirement for our business to provide CCTV footage due to criminal activities in the vicinity. This not only disrupted our operations but also placed an unwelcome burden on our resources.
4. **Proximity to a Children's School**: There is a school located within 100 meters of the proposed establishment. The sale of alcohol in such close proximity poses a direct threat to the safety and welfare of the children and contradicts the objective of protecting children from harm. Families have to walk through litter, drunken gangs and drug capsules.
5. **Potential Loss of Employees and Economic Harm**: The prospect of a new establishment that could attract the same clientele as the previous one has caused considerable anxiety among our staff. Some have indicated that they would feel compelled to leave their positions if the license were granted, which would cause operational difficulties and could force us to consider relocating our business, resulting in economic harm.

Given these points, it is our strong conviction that the licensing board should deny the application for VIP to prevent a recurrence of the past issues that have significantly impacted the safety, well-being, and economic stability of this long established Industrial area.

We request that our objection be considered, and we are prepared to provide further information or testimony at a hearing if required.

Thank you for your attention to this matter.

Sincerely,

Fosco Hayes Hurdley Ltd
12th January 2023



Birmingham
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

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

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader A sole trader is a business owned by one person without any special legal structure.
- A private individual acting as an agent

Agent Business

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

Registration number

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

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

Legal status

Your position in the business

Home country 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

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PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name	VIP
Street	90-96 Hospital Street
District	
City or town	Birmingham
County or administrative area	
Postcode	B19 3QP
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	10,250

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details 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.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential 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	<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"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those 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.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy
* Nationality	<input type="text"/>
Right to work share code	<input type="text"/>

Documents that demonstrate entitlement to work in the UK
Right to work share code if not submitting scanned documents

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start? 01 / 02 / 2024
dd mm yyyy

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

Provide a general description of the premises

Continued from previous page...

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.

Premises to be used as a lounge and bar.

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

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

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Indoors Outdoors Both

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

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.

Continued from previous page...

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

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

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

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

[See guidance on regulated entertainment](#)

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

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start 23:00

End 02:00

Start

End

FRIDAY

Start 23:00

End 05:00

Start

End

SATURDAY

Start 23:00

End 05:00

Start

End

SUNDAY

Start 23:00

End 02:00

Start

End

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

Indoors

Outdoors

Both

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

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

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

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

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Continued from previous page...

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the 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.

Continued from previous page...

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

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

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

Continued from previous page...

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

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

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

NONE

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

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

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

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 you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

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

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LICENSING OBJECTIVES

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

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

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

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 both inside and outside the premises.
SIA approved door staff will be recruited.

b) The prevention of crime and disorder

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.

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 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.

Continued from previous page...

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.

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.

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

A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Unit and Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device. The sound limiter device shall be under the strict control of the premises licence holder or their representative and not allowed to be controlled by performing artists or their representatives.

When music takes place, the licensee or management shall undertake regular monitoring of noise levels at the nearest noise-sensitive locations. A record shall be kept of any monitoring, including the date, time and location of monitoring; the name of the monitor; and any action taken. Records shall be kept for no less than six months and shall be made available upon request by an authorised officer of the Environmental Health Unit of the Council.

No noise shall emanate from the premises nor vibration to be transmitted through the structure of the premises which

Continued from previous page...

gives rise to a nuisance.

Loudspeakers shall not be located in the entrance lobby or outside the premises building.

All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

Signs shall be displayed at the exit of the premises requesting customers to maintain peace and quiet whilst outside.

No drinking shall take place outside the premises.
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 23:00 and 02:00 (Monday – Thursday, Sunday) and 23:00 and 05:00 (Friday and Saturday) whilst 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.

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

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.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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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 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at <https://www.tax.service.gov.uk/business-rates-find/search>

- Band A - No RV to £4300 - £100.00
- Band B - £4301 to £33000 - £190.00
- Band C - £33001 to £87000 - £315.00
- Band D - £87001 to £125000 - £450.00*
- Band E - £125001 and over - £635.00*

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

- Band D - £87001 to £125000 - £900.00
- Band E - £125001 and over - £1,905.00

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

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

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

- Capacity 5000-9999 - £1,000.00
- Capacity 10000 -14999 - £2,000.00
- Capacity 15000-19999 - £4,000.00
- Capacity 20000-29999 - £8,000.00
- Capacity 30000-39999 - £16,000.00
- Capacity 40000-49999 - £24,000.00
- Capacity 50000-59999 - £32,000.00
- Capacity 60000-69999 - £40,000.00
- Capacity 70000-79999 - £48,000.00
- Capacity 80000-89999 - £56,000.00
- Capacity 90000 and over - £64,000.00

* Fee amount (£)

DECLARATION

Continued from previous page...

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15).

THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

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

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

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/birmingham/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

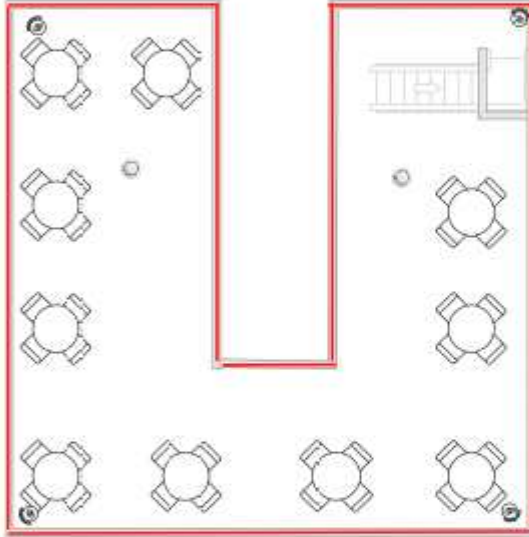
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED



Key	
Licenseable Area	
DCTV	
Smoke detector	

Client	
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Scale Plan	1:100 @ A3
Premises Details	
VIP	90,98 Hospital Street, Birmingham, B19 3QP
Date	December 2023
By	Mujibur Rahman



First Floor

Key:	
Locatable Area	_____
CCTV	📹
Smoke detector	🔥
Client	

Scale Plan:	1:100 @ A3
Project Details	
V/P	
00-86 Hospital Street, Birmingham, B10 3QP	
Date:	December 2023
By:	Mujibur Rahman

From: Optimised Training Centre
Sent: 24 January 2024 22:21
To: Sarah Hemsall
Cc: Jane Dunsford ; bw licensing; Licensing
Subject: new conditions [external]: Grant Application: VIP, 90-96 Hospital Street, B19 3QP - 174629

Dear all,

Please accept my apologies for the delay as I have been unwell. I can confirm that we are happy to accept the conditions from West Midlands Police, Environmental Health, and licensing enforcement as shown below.

Please do not hesitate to contact me if you require any further information.

Kind regards

Mij

On 19/01/2024 12:31 AM, Sarah Hemsall wrote:

Hi Mij

Please find below proposed condition in respect of staff training, to be included in addition to those already offered. Please confirm your clients' agreement to this condition.

All members of staff will receive training regarding;

* _The contents of the Premises Licence and on compliance with the conditions attached to the premises licence.

* _The search policy; vulnerability policy and dispersal policy adopted by the premise.

ALL__ training provided to staff will be recorded and state the name of the module undertaken and the person conducting the training. Each member of staff will sign and date their training records to confirm they have received and understood the training provided.

Refresher training will be completed and documented every 6 months._

The staff training records will be kept at the premises and made available to any Responsible Authority upon request.

Kind Regards

Sarah Hemsall
Licensing Enforcement Officer

From: Jane Dunsford
Sent: 18 January 2024 15:20
To: Optimised Training Centre
Cc: Sarah Hemsall; bw licensing; Licensing
Subject: RE: [External]: Grant Application: VIP, 90-96 Hospital Street, B19 3QP - 174629

Dear Mij,

Please find attached my suggested noise assessment condition please advise if you agree and copy in licensing:

A noise assessment shall be undertaken to assess the potential impact of entertainment and associated noise on nearby noise sensitive receptors. The assessment shall cover the noise impact of activities associated with the venue including amplified music until 5am, site access and egress, parking and vehicle movements associated with the premises, and customer noise. The assessment shall include a scheme of mitigation including any changes to the structure of the building. The assessment shall be submitted to and approved by the Environmental Protection Unit and no licensable activities shall take place until the agreed measures have been implemented and approved.

I have also emailed planning to advise of you future application.

Regards

Jane Dunsford

Environmental Protection Officer
Environmental Protection Unit
Regulation & Enforcement

From: bw licensing
Sent: 18 January 2024 07:29
To: Optimised Training Centre
Cc: Sarah Hempsall; Jane Dunsford
Subject: FW: [External]: Grant Application: VIP, 90-96 Hospital Street, B19 3QP - 174629

Morning Mij,

Please see below conditions and amended licensing hours as per our meeting yesterday.

* All licensable activity to cease at 04.00 Friday & Saturday.

* Premises to have a completed written fire risk assessment, to include capacity numbers prior to opening. This risk assessment to be shared with West Midlands Police Licensing Team prior to the premises carrying out licensable activity.

* When door staff are deployed at the premises they will keep a written document of customer numbers and record occupancy figures every hour. Live time figures will be kept up to date by means of a 'clicker' count or similar. This paperwork will be kept on the premises for a minimum of 28 days and made available to any of the responsible authorities on request. The live time count will be made available to all responsible authorities on request.

* Last entry to the premises, save for returning smokers will be 01.00hrs Sunday to Thursday and 02.00hrs Friday & Saturday.

Regards

Chris Jones 55410
Birmingham Licensing Team
West Midlands Police

