

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A

MONDAY, 14 MAY 2018 AT 09:30 HOURS
IN ELLEN PINSENT ROOM, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM, B1 1BB

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

Chairman to advise meeting to note 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 that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

3 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3 - 16

4 MINUTES - PUBLIC

To note the public section of the Minutes of the meeting held on 18 December 2017 and to confirm and sign the Minutes of the meeting held on 29 March 2018.

17 - 56

5 LICENSING ACT 2003 PREMISES LICENCE (GRANT) - THE MILL, 29 LOWER TRINITY STREET, DIGBETH, BIRMINGHAM, B9 4AG

Report of the Acting Director of Regulation & Enforcement.
N.B. Application scheduled to be heard at 09:30am.

57 - 82

6 LICENSING ACT 2003 PREMISES LICENCE (GRANT) - DOMUS, 28-30 BRISTOL STREET, BIRMINGHAM, B5 7AA

Report of the Acting Director of Regulation & Enforcement.
N.B. Application scheduled to be heard at 1.00p.m.

7 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

8 **EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraph 3

P R I V A T E A G E N D A

1 **MINUTES - PRIVATE**

Item Description

2 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE A 18 DECEMBER 2017

**MINUTES OF A MEETING OF
LICENSING SUB COMMITTEE A
HELD ON MONDAY 18 DECEMBER 2017
AT 0930 HOURS IN COMMITTEE
ROOM 1, COUNCIL HOUSE,
BIRMINGHAM**

PRESENT: - Councillor Barbara Dring in the Chair

Councillors Nagina Kauser and Bob Beauchamp

ALSO PRESENT

Shaid Yasser, Licensing Section
Joanne Swampillai, Committee Lawyer
Gwin Pountney, Committee Manager

NOTICE OF RECORDING

- 1/181217 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 2/181217 There were no Nominee members.

**LICENSING ACT 2005 PREMISES LICENCE – GRANT CRAFT INN, 40
BIRMINGHAM ROAD, SUTTON COLDFIELD, WEST MIDLANDS, B72 1QQ**

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See document No. 1)

The following persons attended the meeting.

On behalf of the Applicant

Aaron Harte – Director Emerald Enterprise Ltd
Rob Edge - Licensing Agent

On behalf of those making Representations

There was no-one present

Following introductions by the Chairman, Shaid Yasser, Licensing Section, made introductory comments relating to the report.

In presenting the case for the applicant, and in response to questions from Members of the Sub-Committee, Mr. Edge made the following points:-

1. That in March 2017 the company had started the craft inn brand as a wonderful place with an inviting atmosphere sourcing beers from all over the UK very different to the normal beers available.
2. Craft beers would be available on tap and as bottled beers with a tasting room try out the different beers and wines on location to take away from the premises.
3. There were a number of these premises throughout the UK but none in the West Midlands. The average pint of beer cost £3 - £3.50 – craft beers cost between £4 and £5 per pint.
4. Customers were predominantly business men and office workers coming in after work – however the premises would not be open past 11pm – this was not a night time economy.
5. The applicant had created an operational folder with a site training manual, records and documents of staff training, a refusals log, institute of licensing guidance, a Challenge 25 policy and guidance on running the premises.
6. The applicant had liaised with the responsible authorities including Environmental Health, West Midlands Police and Trading Standards regarding the type of premise and conditions they would like on the licence and that they were happy with the application submitted.
7. Paul Lett, the manager would meet with Pub Watch on a monthly basis.
8. The applicant would meet the licensing objectives through due diligence and strict management control with minimal hours from 12noon to 11pm.
9. That the objection received had been regarding the perception of noise from the premises – the premises as a café had had speakers in the ceiling – these had now all been removed.
10. The only music on the premises would be recorded music played on a domestic music machine, playing incidental background music. The

equipment would have a noise limiter not allowing staff to turn the music up beyond a certain level.

11. It would be all seated drinking with a capacity of 20 on the premises – it was very small. There would be no vertical drinking.
12. That with regard to anti-social behavior (ASB) referred to in the representation – there would be 2 members of staff present at all times (9 staff working rotationally) – any problems would be referred to the police. A closing time of 11pm, possibly earlier initially, should not cause many problems of ASB.
13. An alarm system for staff and CCTV would be in place.
14. The premises would be located away from the High Street – much further down the road than other establishments.
15. There would no seats outside the front of the premises and smokers would have an area at the rear. Customers would be discouraged from standing outside the premises
16. This would be smart premises with loose furniture dispensing craft samples with the tills and bar at the back, a smoking area and no drinking outside the premises.
17. Deliveries would be every 2 weeks at the restaurant owners (next door) loading section. The beers would come in kegs with some cans and bottles.
18. Parking was limited but most of the customers would not come and park up on a regular basis and there was public parking behind Pizza Express.
19. There was provision for rubbish in containers at the back and a washing system on the premises.
20. Beer was sold in 6 bottle carrier crates or in a demi-john.
21. A lock-in system could be put in place to prevent children from entering the premises.
22. The clientele would be more affluent people with money to spend on craft beers, 'a bit geeky' quite intelligent individuals between 25 and 85.
23. The DPS, currently working elsewhere, had held his licence for 2 years and there were no objections from WMP regarding him.

In summing up, Mr. Edge stressed that the applicant had tried their best to work around the Section 182 guidance for licensing. An operating schedule had been put in place to take account of the local area, there was a strong management team, full diligence had been given to the licensing objectives, they were a member of Pub Watch, signage would put in place for customers to leave quietly, 9 staff would be employed at the premises, an initial investment of £60 000 had

been put into the premises and the applicant was a professional organization setting up a business in a responsible manner.

Mr. Edge further agreed that; the DPS would ensure regular litter pickups outside the premises; signage would be put up regarding no alcohol/glassware to be taken outside or into the smoking area; all deliveries would be carried out during daytime hours (midday onwards); the DPS would attend Pub Watch and an intercom lock system would be put in place to control entry to the premises.

At 1038 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1137 hours all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

3/181217

RESOLVED

That the application by Emerald International Enterprise Ltd for a premises licence in respect of Craft Inn, 40 Birmingham Road, Sutton Coldfield, West Midlands, B72 1QQ

GRANTED SUBJECT TO THE FOLLOWING CONDITIONS to promote the prevention of crime and disorder, public safety, the prevention of public nuisance, the protection of children from harm objectives in the Act:

A.	Signage	<p>The applicant shall erect prominent, clear and legible signage inside and outside the premises requesting patrons to be considerate of local residents, particularly when leaving the premises after 8pm.</p> <p>The applicant shall erect prominent, clear and legible signage inside and outside the premises requesting that patrons do not congregate outside the premises so as to cause a nuisance to local residents.</p>
B.	Rubbish disposal	<p>The applicant shall ensure that staff undertake a litter patrol before the start of each trading day in order to clear up any litter outside the premises and dispose of this in the appropriate manner.</p>
C.	Entry to Premises	<p>The applicant volunteered to install a door entry system at the premises in response to concerns raised by the Sub Committee around children gaining unauthorised access to the premises throughout the trading day, given the proximity of schools nearby and a bus stop directly in front of the premises.</p>
D.	Smoking Area/Outside drinking	<p>The applicant will ensure that patrons are not permitted to take alcohol to the outside smoking area of the premises and will display clear prominent signage at the premises</p>

		reflecting this Condition of Licence.
E.	Deliveries	Deliveries of stock will only take place from midday onwards and where possible, at the start of each trading day so as to minimise any noise nuisance to any residents nearby during the trading day.
F.	Other Conditions volunteered by the Applicant	Once appointed, the Designated Premises Supervisor will attend the local meetings of “Pub Watch”, and take any such actions required in order to properly promote the licensing objectives particularly where matters of concern have been raised in connection with the premises and the locality within which they are situated or are otherwise needed in order to promote the licensing objectives.

The Sub-Committee's reasons for imposing these agreed/volunteered conditions are due to the submissions made by other persons regarding the location; impact of the proposed operation and the likelihood of public/noise nuisance and crime and disorder emanating from the premises.

The Sub-Committee carefully considered the operating schedule put forward by the applicant and the likely impact of the application but did not accept that there was evidence of a significant public nuisance/risk to crime and disorder, risk to public safety, risk to children arising from the proposed operation of the premises given the additional voluntary/agreed conditions which the applicant had agreed to in order to properly promote all the licensing objectives.

However, the concerns of the other persons were taken into account by imposing suitable conditions that would allay their apprehension / fear about the potential for disturbance/trouble/ from arising in connection with the proposed operation of the premises.

The Sub-Committee considers the conditions imposed to be appropriate, reasonable and proportionate to address concerns raised.

In addition to the above conditions, those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will form part of the licence issued.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the information in the application, the written representation received and the submissions made at the hearing by the applicant, their licensing adviser and those making representations.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

4/181217 **OTHER URGENT BUSINESS**

There were no matters of urgent business.

EXCLUSION OF THE PUBLIC

5/181217 **RESOLVED:**

That in view of the nature of the business to be transacted, which includes exempt information of the category indicated, the public be now excluded from the meeting:-

(Paragraphs 3 & 4 - Local Government Act 1972)

BIRMINGHAM CITY COUNCIL

**LICENSING SUB –
COMMITTEE A
29 MARCH 2018**

**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD
ON THURSDAY, 29 MARCH 2018 AT 1300 HOURS, IN COMMITTEE ROOM 2,
COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM.**

PRESENT: - Councillor Dring in the Chair;

Councillors Buchanan and Leddy.

ALSO PRESENT

David Kennedy – Licensing Section
Sanjeev Bhopal – Legal Services
Marie Reynolds – Committee Services

01/290318 **NOTICE OF RECORDING**

The Chair advised the meeting to note that members of the press/public could record and take photographs except where there were confidential or exempt items.

**GLAMOUROUS SHOW BAR, ALBANY HOUSE, 27-35 HURST STREET,
BIRMINGHAM, B5 4BD - LICENSING ACT 2003 AS AMENDED BY THE
VIOLENT CRIME REDUCTION ACT 2006 – APPLICATION FOR EXPEDITED
REVIEW OF PREMISES LICENCE: CONSIDERATION OF INTERIM STEPS**

The following report of the Director of Regulation and Enforcement was submitted:-

(See document No. 1)

The following persons attended the meeting.

PC Ben Reader	-	West Midlands Police
Duncan Craig	-	Barrister
Matt James Eason	-	DPS Manager
Sam Hibbard	-	Business Partner

Those Making Representations

PC Reader - West Midlands Police

On behalf of the Premises Licence Holder

Duncan Craig	-	Barrister
Matthew James Eason	-	Designated Premises Supervisor
Sam Hibbard	-	Business Partner

The Chairman introduced the Members and officers present and explained the Hearing procedure.

Prior to the commencement of proceedings the Chair asked if there were any preliminary points for the Sub-Committee to consider.

The main points of the report were outlined by David Kennedy, Licensing Section.

PC Reader made the following points on behalf of West Midlands Police:

- He confirmed that at present the male that had been attacked on 28 March 2018 at the premises was receiving treatment in hospital and was still unable to speak to West Midlands Police.
- It was noted that the offender that had committed the crime, had been arrested shortly after the incident had taken place.
- On the 28 March 2018, West Midlands Police had received calls from West Midlands Ambulance and the premises that a male had been glassed to the head at the premises, and then had his chest stamped on by the same offender whilst lying on the dance floor which had taken place at 0300 hours.
- This was not the first time the premises had been brought to the attention of West Midlands Police. Since October 2017 the premises had been having incidents that had warranted the attention of the licensing team.
- As a result of this, the premises had been placed on an action plan in October 2017 due to the level of calls West Midlands Police were receiving in terms of violence, drunkenness and disorder. It was noted that West Midlands Police had even objected to a number of Temporary Event Notices submitted by the premises due to these issues.
- In December 2017, the premises were formally warned that if the levels of drunkenness and disorder continued that the power of veto for the use of the premises past 0400 hours that existed on the licence, would be exercised.
- Up until a month ago the premises appeared to be working well and that the level of incidents had reduced dramatically. However, since the 16

February 2018 the level of incidents had escalated again and appeared to be growing in significance with people now suffering significant injuries.

- Since February 2018, the issues had involved drunkenness, poor lack of control by the premises and the door staff, disorder and violence as well as underage issues.
- West Midlands Police were concerned that even though the premises had been action planned and had significant intervention from the licensing team, the level of incidents were on the rise again, and that they were growing in significance.
- The incident on the 28 March 2018 was significant enough to warrant the use of this power as it was deemed a serious offence both under serious crime and would constitute serious disorder and with the history of recent issues only compounds the concerns. It was highlighted that West Midlands Police had lost confidence in how the premises were being run.
- In response to a question from David Kennedy (Licensing Section), PC Reader confirmed that they were seeking suspension of the premises licence and some form of wholesale change.

Duncan Craig (Barrister) and Matt Eason made the following points:

- Reference was made to the incident on 27 March 2018 and the individual that had entered the premises prior to committing the crime and on an initial assessment by the door supervisor, the individual appeared to pose no threat, especially as he had stood talking amicably to the door supervisor for 20 minutes before entering the venue.
- It was highlighted that as the offender did not pose any threat what could have been done to prevent this unprecedented attack taking place.
- It was noted that there was only one member of the door staff on duty at the time of the incident due to the fact that the other door supervisor had failed to arrive and the DPS was not in attendance as it was his night off.
- Once the premises were aware that the expected door supervisor would not be reporting to work, they sought to obtain a replacement door supervisor which unfortunately arrived after the incident had taken place.
- It was noted that they were looking at other door companies in order to improve the security aspect of the premises due to the fact that several of the door staff had proven to be inadequate.
- It was highlighted that there was no condition that stipulated there required to be a particular number of door staff on duty at any particular time.
- Reference was made to the fact that that the license holder and business partner took their responsibilities hugely seriously and reference was

made to the positive steps that had recently been taken to improve the health and safety aspect of the premises. New barriers had been installed for customers that smoked outside and additional CCTV had been installed, as well as improved outdoor floodlights in order to provide greater visibility.

- It was further highlighted that a female senior door supervisor had recently been employed which was having a positive effect on the premises.
- It was highlighted the steps that had been taken especially since the action plan and reference was made to the number of proposed interim steps that had been offered in order to modify the licence pending the review:-
 - Last entry 4 am
 - ID Entry Scanner
 - Polycarb condition (including bottles)
 - Minimum 3 door staff every night the premises were open
 - Door staff bodycam
 - Additional Knife Arch
- It was noted that the above-mentioned conditions were offered as well as working in conjunction with the reduction of time to the last entry to the premises.
- With regard to recent issues that had arisen, it was emphasised that they had been most unfortunate with the poor selection of door staff and with the most recent incident, this had been difficult to prevent as it was completely unexpected.
- It was noted that the changes requested by West Midlands Police had been undertaken and a number of voluntary steps had also been taken.
- In response to a question from Sanjeev Bhopal, it was confirmed that night activities were licensable actions carried out on the premises.

In summing up, Mr Duncan Craig, acting on behalf of the premises, made the following points;

- Mr Matthew Eason had demonstrated positive actions in engaging with West Midlands Police in order to promote the licensing objectives for the premises.
- He questioned how the incident could have been prevented given the circumstances that had been presented.

In summing up PC Ben Reader, on behalf of West Midlands Police made the following points:

- There had been a great deal of communication between West Midlands Police and the premise licence holder especially in the last few months with regard to increasing issues.
- There was concern about the deficient security measures in not having the requisite number of door supervisors on duty on the night in question.
- Management's inability to properly assess the risks of opening the venue with inadequate door supervisors, and the consequential risk this would pose to members of the public, particularly when a Risk Assessment for premises determined that a minimum number of door supervisors were needed in order to operate safely and yet despite this the venue chose to open.
- West Midlands Police remain concerned that with the imposition of the additional conditions, the venue would not be able to adhere to these conditions in light of the apparent management failures to date.
- This had resulted in a lack of confidence and trust by West Midlands Police and it was their view, that only a suspension of the premises licence would allow the premises licence holder to engage more fully with the Police and determine what changes to the premises licence were needed, in order to restore their confidence with the venue's operation.

At 1410 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1530 hours all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

02/290318 **RESOLVED:-**

That having considered the Application made and Certificate issued by West Midlands Police under Section 53A of the Licensing Act 2003 for an expedited review of the premises licence held by Matthew Eason in respect of Glamorous Show Bar, Albany House, 27-35 Hurst Street, Birmingham, B5 4BD this Sub-Committee hereby determines:

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

The Sub-Committee's reasons for imposing this interim step are due to concerns by West Midlands Police in relation to matters which came to light at the premises on the early hours of 28 March 2018 as outlined in the Chief Officer of Police's Certificate and Application.

The Sub Committee determined the causes of the serious crime and or serious disorder appeared to originate from a number of factors, namely:-

- the actions of a specific patron of the premises, who on initial assessment by the door supervisor, appeared to pose no threat to venue and its patrons but then went on to glass a patron in the head and stamp on his chest;
- deficient security measures in not having the requisite number of door supervisors on duty on the night in question, albeit the premises sought to resolve this issue on the night as soon as they became aware of the matter but sadly, the additional door supervisor did not arrive at the premises until after the event giving rise to this Review Application had occurred;
- the inability of management to properly assess the risks of opening the venue with inadequate door supervisors, and the consequential risk this would pose to members of the public, particularly when a Risk Assessment for premises determined that a minimum number of door supervisors were needed in order to operate safely and yet despite this the venue chose to open;

It was therefore necessary and reasonable to impose this step to address the immediate problems with the premises, in particular the likelihood of serious crime and or serious disorder, and to promote the prevention of crime and disorder objective in the Act.

In reaching its decision, the Sub Committee considered whether the proposals submitted by the premises licence holder through the imposition of additional conditions, would address the concerns raised by the Police. Although, these were viewed as positive steps by the Sub Committee, the Police nevertheless continued to express concerns about allowing the premises to undertake licensable activities, even with the imposition of these additional conditions when they had lost all confidence and trust with the venue given its most recent history of service calls to the premises.

The Sub Committee were informed that since the 16 February 2018, the Police had received 6 service calls to the venue not including the serious incident of crime and or serious disorder on the 28 March 2018. Full details of these matters would be referred to at the Summary Review hearing, but the history of these incidents within a relatively short period of time resulted in the Police expressing some doubt as to whether any of the measures which the Premises had previously agreed to put into place were being actually being actioned by the management.

Although a breach of an imposed condition could result in a criminal sanction against the Premises Licence Holder, the Police remain concerned that the venue would not be able to adhere to these conditions in light of the apparent management failures to date.

This had resulted in a lack of confidence and trust by the Police and it was their view that only a suspension of the premises licence would allow the premises licence holder to engage more fully with the Police and determine what changes to the premises licence were needed in order to restore their confidence with the venue's operation.

The Sub Committee considered whether it could impose other interim steps including modification of licence conditions, exclusion of the sale of alcohol or other licensable activities, or removal of the Designated Premises Supervisor. The Sub Committee did not believe however that any of these would address the totality of issues brought to their attention by the Police in light the concerns they had raised at today's meeting.

The Sub Committee did note the submissions made by both the Police and the premises licence holder's legal representative, about the way the premises had engaged constructively with the Police to try and alleviate their concerns. The Sub Committee viewed this as positive step. However, it was also clear that a more formal review of the conditions attached to the Licence was now needed which included a thorough review of the venues policies and procedures, including all appropriate risk assessments and how these would be actioned.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued by the Home Office, and the submissions made by the Police, the premises licence holder and legal representative at the Hearing.

All parties are advised that the premises licence holder may make representations against the interim steps taken by the Licensing Authority. On receipt of such representations, the Licensing Authority must hold a hearing within 48 hours. All parties are advised that there is no right of appeal to a Magistrates' Court against the Licensing Authority's decision at this stage.

03/290318 **OTHER URGENT BUSINESS**

There were no matters of urgent business.

The meeting ended at 1535 hours.

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CHAIRMAN

Report to:	Licensing Sub Committee A
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Monday 14th May 2018
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	The Mill, 29 Lower Trinity Street, Digbeth, Birmingham, B9 4AG
Ward affected:	Bordesley & Highgate
Contact Officer:	David Kennedy, Principal Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:
<p>To consider relevant representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption both on and off the premises) to operate from 10:00am until 01:30am (Sunday to Wednesday) and 10:00am until 02:30am (Thursday to Saturday).</p> <p>The provision of Regulated Entertainment consisting of plays, films, indoor sporting events, boxing or wrestling entertainments, recorded music, performances of dance, and anything of a similar description, to operate indoors only from 10:00am until 02:00am (Sunday to Wednesday) and 10:00am until 03:00am (Thursday to Saturday).</p> <p>To permit the provision of live music, inside the premises, to operate from 10:00am until 00:00 midnight (Monday to Sunday).</p> <p>To permit the provision of Late Night Refreshment to operate from 11:00pm until 02:00am (Sunday to Wednesday) and 11:00pm until 03:00am (Thursday to Saturday).</p> <p>Premises to remain open to the public from 10:00am until 02:00am (Sunday to Wednesday) and 10:00am until 03:00am (Thursday to Saturday).</p> <p>To extend the provision of licensable activities on 12 occasions per year until 05:30am notice of which will be given to the Police and Licensing Authority 21 days before each event with the premises closing 30 minutes thereafter. Other non-standard timings as detailed in the application.</p>

2. Recommendation:
To consider the representations that have been made and to determine the application.

3. Brief Summary of Report:
<p>An application for a Premises Licence was received on 23rd March 2018, in respect of The Mill, 29 Lower Trinity Street, Digbeth, Birmingham, B9 4AG.</p> <p>Representations have been received from West Midlands Police, Environmental Health and Birmingham City Council Licensing Enforcement as responsible authorities.</p> <p>A representation has also been received from other persons.</p>

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:
<p>MJR Group Limited applied on 23rd March 2018 for the grant of a Premises Licence for The Mill, 29 Lower Trinity Street, Digbeth, Birmingham, B9 4AG.</p> <p>A representation has been received from West Midlands Police, as a responsible authority. See Appendix 1.</p> <p>A representation has been received from Environmental Health, as a responsible authority. See Appendix 2.</p> <p>A representation has been received from Birmingham City Council Licensing Enforcement, as a responsible authority. See Appendix 3.</p> <p>A representation has been received from other persons, see Appendix 4.</p> <p>The application is attached at Appendix 5.</p> <p>Site Location Plans at Appendix 6.</p> <p>It should be noted that there is a special policy in force for the Digbeth area. The effect of a special policy is to create a rebuttable presumption that applications for new licences or material variations to existing licences will normally be refused unless it can be shown that the premises concerned will not add to the cumulative impact on the licensing objectives being experienced.</p> <p>The Council will expect the applicant to demonstrate the steps it will take to promote the licensing objectives. Where relevant representations are made, the Council will consider the application on its individual merits and decide whether to apply the special policy.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ol style="list-style-type: none"> The prevention of crime and disorder; Public safety; The prevention of public nuisance; and The protection of children from harm.

6. List of background documents:
<p>Copies of the representations are detailed in Appendices 1 – 4</p> <p>Application Form, Appendix 5</p> <p>Site Location Plans, Appendix 6</p>

7. Options available

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.

Appendix 1

From: Abdool Rohomon
Sent: 12 April 2018 13:20
To: Licensing
Subject: The Mill
Attachments: The Mill - objection.doc

Dear Licensing

West Midlands Police have received and reviewed the application submitted by the MJR group for The Mill.

West Midlands Police formally object to this application, with the objection being recorded and documented in the attached document

West Midlands Police formally request a hearing for this application

Kind regards

Abs Rohomon

**PC 4075 Rohomon
BW Licensing
Police headquarters
Lloyd House
Colmore Circus
Birmingham
B4 6NQ**

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The Mill

Premise licence application made by MJR group limited

West Midlands Police have received an application for a new premise licence for The Mill, 29 Lower Trinity Street, Digbeth

West Midlands Police along with other responsible authorities have met with the applicant and their solicitor prior to an application being submitted.

During the discussions the applicant made it clear that they wanted to be a live music venue with the occasional club night. From initial discussion (although nothing had been supplied in writing or application made), West Midlands Police were comfortable with what was being suggested although reserved any comment until an application had been made.

Prior to the formal application being submitted a draft application was submitted. West Midlands Police were concerned on reading this draft application, that the premises were applying for all licensable activities, for considerably longer hours than we had discussed in the pre meetings and conditions that did not reflect the type of operation or the fact the premises is located within a Cumulative Impact Policy area.

Concerns around all these issues were fed back to the applicant.

The new application was then submitted which virtually mirrored the draft application.

West Midlands Police therefore object to this application on the following grounds.

The premise is contained within a Cumulative Impact Policy area, which was granted due to the crime and disorder and public nuisance issues in the area (of Digbeth). The granting of this policy means it is for the applicant to demonstrate that the granting of the license would not impact on both crime and disorder and public nuisance.

West Midlands Police are not convinced that the application has met this threshold. They have applied for all types of licensable activity, which both goes against what the responsible authorities were told in pre meetings but also raises the risk significantly, and the threat of crime and disorder and public nuisance.

The hours that the applicant has applied for also increase the risk as they propose to go into the late night time economy, again this goes against the advice given to the applicant during the pre-meetings. Not only does it increase the risk during the normal night time economy days but as they have applied for the hours 7 days a week, this risk is extended to the whole week.

West Midlands Police have proposed hours that would in our view reduce this risk to a level that is less likely to increase crime and disorder and public nuisance. These have not been accepted by the applicant.

West Midlands Police have also reviewed the conditions submitted on the application, again these conditions do not go far enough to address what the premise wishes to operate as. West Midlands Police have proposed conditions that it feels are necessary and proportionate to ensure that all the

licensing objectives are met and that go towards rebutting the presumption that the premises will not add to the cumulative impact policy.

These conditions are based on the proposal sent to the applicant that the hours of operation would be limited to the following –

Live Music to cease at 12 midnight (7 days a week)

Recorded music to cease at 12 midnight (Sun-Thurs)

Recorded music to cease at 2am (Fri,Sat and Sun before bank holiday)

Alcohol sales to cease 30 minutes after such hours

West Midlands Police objection is based on 3 strands and would recommend that the licensing committee consider the following

- Reduce the operating hours to those as above
- Remove boxing and indoor sporting events from licensable activities
- Impose the conditions as sent

Kind regards

Abs Rohomon
Licensing Officer
West Midlands Police



To:	Licensing Section,	Date: 17th April 2018
From:	Paul R Samms, Environmental Protection Officer Environmental Health	
CC:	Ref:	
Subject:	Application for Premises License – Licensing Act 2003 Address – The Mill, 29 Lower Trinity Street B9 4AG	

I, Paul R Samms, as a representative of Environmental Health, formally raise a representation on the above application.

Responsible Authorities and MJR Group met in November 2017 to discuss the possibility of MJR applying for a Premises licence for the old Rainbow site (The Mill).

MJR Group informed us they wished to operate primarily a live venue with operating hours terminating at midnight during the week and 00:30 hrs at the weekend. The current application seeks hours far in excess of this.

My representation concerns the likely effect of the grant of the licence (in it's current form) on the promotion of the licensing objectives of:

- a) the prevention of public nuisance
- b) Crime and disorder (in relation to illegal fly-posting and/or advertisements).

Noise

I am concerned that the grant of the licence may cause occupants of neighbouring residents to be affected by intrusive noise during noise sensitive times as a result of activities at The Mill. Noise sources include:

- a. patrons accessing the external areas during noise sensitive times particularly as patrons disperse at the end of events (bearing in mind the venue is said to have a capacity of 1000).
- a. Regulated entertainment (particularly live music).

We have an outstanding complaint since January 2017 (complainant located at the High street Deritend) regarding noise from patrons leaving venues in the Digbeth area in the early hours of the morning.

The complainant has informed us of a marked difference in noise levels from patrons leaving the area since the Rainbow (i.e. The Mill) has been closed. The premises has been closed since November 2017 when the Rainbow lost it's licence.

Previously to that Env H'lth received 2 complainants (1 from the high Street Deritend and 1 from the Abacus) complaining of intrusive noise from loud music. This particular issue appears to have been resolved since 2013, however, it demonstrates that the venue has a potential to cause noise nuisance.

The applicant has informed us that the venue is to be used predominantly for live music (i.e. to intensify live music activities).

The intrusiveness of live music is much more difficult to predict and control compared to recorded music.

Recorded music is much more balanced and is not as variable as live music.

I am concerned therefore that the applicant has not:

- A. fully assessed the noise impact of an intensified live music venue.
- B. implemented steps fully to ensure the objective of prevention of public nuisance is not undermined.

As a result, I am concerned that the grant of the licence in it's present form would potentially result in noise nuisance during noise sensitive times due to:

- 1. noise breakout from the building (particularly arising from performance of live music) and/or
- 2. patrons accessing the external areas particularly when they leave the area after events.

Illegal Flyposting

I am also concerned that there will be an issue regarding illegal fly-posting and/or advertisements. The previous licence (reference no. 5859 - application number ref 91860)

was amended as a result of a premises licence review to include conditions to control illegal fly posting.

Conclusion

Page 48 of The Birmingham City Council Statement of Licensing Policy indicates that the application site is within a Special Policy Area.

Section 14.3 of the Birmingham City Council Statement of Licensing Policy states that the effect of a Special Policy Area is to create a rebuttal presumption that applications for new licences/certificates or material variations to existing licences will normally be refused unless it can be shown that the premises concerned will not add to the cumulative impact on the Licensing Objectives being experienced.

The applicant has not shown that the proposed application will not add to the cumulative impact.

Conditions and Suggested Hours

I believe that the above concerns can be dealt with by the use of appropriate conditions as well as amended hours.

If the licence is granted, the hours should be amended as follows:

- Live Music to cease at 12 midnight (7 days a week)
- Recorded music to cease at 12 midnight (Sun-Thurs)
- Recorded music to cease at 2am (Fri,Sat and Sun before bank holiday)
- Alcohol sales and operating hours to cease 30 minutes after such hours

In addition the following conditions should be attached:

1. premise licence holder to supply a full calendar of events in writing to West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health department. List to be sent a full month in advance or such period as agreed with West Midlands Police.
2. if the premises uses a new promoter for any event then then Premise Licence holder and DPS will meet with West Midlands Police Birmingham Licensing Department at least 28 days before the event, with risk assessments for the event

3. if the premises holds any new event the Premise licence holder/DPS must provide an event notification and risk assessment to West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health department, at least 28 days before the event. West Midlands Police retain the power to veto any new event
4. –written recommendations will become conditions for any such event, and if that event repeats itself then for any such repeat. Conditions specifically associated to any event will be displayed at the entrance to the venue.
5. Additional – if the premises is used for any event which involves licensable activity under codes C & D (Indoor sporting event and boxing), then irrelevant if this is a repeat event, the premises licence holder/dps will provide a separate risk assessment/medical assessment and event manual to West Midlands Police Birmingham Licensing Department no later than 28 days before the event, and any recommendations request by West Midlands Police Licensing Department will become conditions of the operation for the event and will be displayed at the entrance to the venue.
6. –if the premises is used for an event, that involves another premises/location (whether licensed or not), the premise licence holder/dps must provide written notification to West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health department at least 28 days before the event.
7. if the premises is used as per condition 5 then the premise licence holder must call a Safety Advisory Group (sag) meeting. (A Sag meeting must include invites to all responsible authorities, highways, traffic management, and or any other party deemed relevant for that event)
8. written conditions set by the SAG group will become operating conditions for the use of the premises for that event. Conditions specifically associated to any event will be displayed at the entrance to the venue.
9. the premises will have an approved documented dispersal policy (approval needed in writing from West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health department), which will be implemented for dispersal at all times the premises is open for licensable activity.
10. any additional measures deemed necessary from a debrief will be then incorporated into the dispersal policy. The document must be approved by West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health department
11. the premise licence holder will ensure that all external windows and doors (other than for necessary access/egress) shall be closed whenever licensed activity is provided at the premises.
12. For all events, the applicant will supply a written noise risk assessment and noise management plan that has been approved by Birmingham City Council Environmental Health Department. prior to any event taking place and/or being advertised.
13. The noise risk assessment and management plan will look at the area to be used by each event as well as the cumulative impact of all events at the premises. All operational control's and management required of the approved noise management plan shall be instigated at all times. If a noise risk assessment identifies a specific event or operation as a concern then a

substantive noise assessment will be completed and shared with Birmingham City Council Environmental Health Department for approval before any events take place.

14. If a noise monitoring report is required then monitoring by an acoustic consultant using subjective (consultations perception of the noise) and objective methods (noise monitoring using a Sound Level Meter) shall be undertaken at local noise sensitive residential premises and all results documented. The monitoring locations and methodology shall be agreed with the BCC Environmental Health before monitoring is undertaken.
15. Any Noise limiting Devices (NLD's) that are installed to meet the requirements of the licence they shall be of a type approved by the Birmingham City Council Environmental Health Department and shall be fitted to the amplification system and set at a pre-set volume level approved by the Birmingham City Council Environmental Health Department, to ensure the volume of music is pre-set so as not to cause a noise nuisance to the occupiers of nearby buildings. The installation of the NLD shall be notified to the Environmental Protection Unit at least 14 days before its' initial operation and shall fulfil the following criteria:
 - a) The device shall be fitted in an approved position by a competent person and once fitted shall not be moved from the approved position unless prior approval is given
 - b) The device shall be capable of cutting off the mains power to the amplification system if the volume exceeds the pre-set level determined by the Environmental Protection Unit or shall be capable of maintaining the volume of the music at the pre-set level determined by the Environmental Protection Unit and shall not restore power to the sound system until the NLD is reset by the licensee or their nominated person.
 - c) The amplification system shall only be operated through the sockets/power points linked to and controlled by the NLD at all times.
 - d) The NLD shall be maintained in full working order and at the approved pre-set volume whilst the amplification system is operational.
 - e) Any damage or malfunction to the NLD shall be reported to the Environmental Protection Unit as soon as possible and within 24 working hours of the damage occurring or malfunction being noted. The NLD shall not be used in this damaged or malfunctioning state until approval has been given by the Environmental Protection Unit.
16. No amplification equipment for music, speech or sound shall be used in the mezzanine area until a Noise Limiting Device (NLD) of a type approved by the Environmental Protection Unit of Birmingham City Council shall be fitted to the amplification system and set at a pre-set volume level agreed with the Environmental Protection Unit, to ensure the pre-set volume does not cause a noise nuisance to the occupiers of nearby buildings. The installation of the NLD shall be notified to the Environmental Protection Unit at least 14 days before its' initial operation and shall fulfil the following criteria listed in condition 15.
17. The Premises Licence Holder shall ensure notices are displayed at all entrances and exits of the premises advising customers they have respect for the nearby residents and keep noise levels to a minimum as they depart.

18. The premises licence holder shall, ensure that events held at the premises are not in any way promoted by the use of illegal fly-posting or unauthorised advertisements attached to street furniture.
19. The premises licence holder shall ensure that agreements/contracts with promoters for the use of their premises or for events to be held at their premises prohibit the use of illegal fly-posting and/or advertisements attached to street furniture, and shall take all steps reasonable to enforce such agreement/contract terms. The Premises License Holder shall maintain a register of individuals and companies contracted with, for inspection by any Responsible Authority on request.
20. The premises licence holder shall take all reasonable precautions and exercise all due diligence to ensure that no person/company promoting or providing entertainment on the premises, nor any person acting on behalf of any promoters, shall display in an unlawful manner advertisements promoting the entertainment or the premises, in particular: a) no display of advertisements should take place on street furniture; b) no display of advertisements should take place on premises or structures placed on, over, in or adjacent to the highway, unless the licensee has first obtained the written consent of the owner of the premises or structure. Such consent shall be shown to a responsible authority on request.
21. The premises licence holder shall remove any unlawful advertisements at any location of events to be held or have been held at their premises where they become aware of them or they are advised by Birmingham City Council, its agent(s) or West Midlands Police of an illegal advertisement being displayed. Such removal shall take place within 48 hrs of receiving the said notice.

On the basis of the above, I believe the application should be refused in it's present form.
The licence should only be granted subject the above suggested hours and conditions.

Appendix 3

I, Christina Jayne McCullough, am employed as a Licensing Enforcement Officer by Birmingham City Council.

I wish to make the following representations with regard to an application for the grant of a Premises Licence under The Licensing Act 2003 for the premises to be known as The Mill, 29 Lower Trinity Street, Digbeth, Birmingham.

Birmingham City Council's Statement of Licensing Policy stipulates that certain areas are classified as cumulative impact areas. Digbeth is classified as such and therefore a rebuttable presumption that applications for new licences/certificates or material variations to existing licences will normally be refused unless it can be shown that the premises concerned will not add to the cumulative impact on the licensing objections being experienced.

It is with the above in mind that I do not believe that the proposed conditions put forward by the applicant satisfy the criteria.

I therefore object to the licence being granted in its proposed format. However, I have attached a list of proposed and varied conditions for Committee to consider if it is minded to grant the licence.

Crime and Disorder

I would request that the proposed conditions on the application form numbered 4, 5, 7 to 16, inclusive, be replaced with the following. I would ask that condition 6 on the application form in relation to CCTV remains with the same wording.

1. The premise licence holder to supply a full calendar of events in writing to West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health department. List to be sent a full month in advance or such period as agreed with West Midlands Police.
2. If the premises uses a new promoter for any event then then Premise Licence holder and DPS will meet with West Midlands Police Birmingham Licensing Department at least 28 days before the event, with risk assessments for the event
3. The premises will not hold any new event without written agreement from West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health department. West Midlands Police retain the power to veto any new event
4. Written recommendations will become conditions for any such event, and if that event repeats itself then for any such repeat. Conditions specifically associated to any event will be displayed at the entrance to the venue.
5. If the premises is used for any event which involves licensable activity under codes C & D (Indoor sporting event and boxing), then irrelevant if this is a repeat event, the premises licence holder/DPS will provide a separate risk assessment/medical assessment and event manual to West Midlands Police Birmingham Licensing Department no later than 28 days before the event, and any recommendations request by West Midlands Police Licensing Department will become conditions of the operation for the event and will be displayed at the entrance to the venue.

6. If the premises is used for an event, that involves another premises/location (whether licensed or not), the premise licence holder/ DPS must provide written notification to West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health department at least 28 days before the event.
7. If the premises is used as per condition 9 above then the premise licence holder must call a Safety Advisory Group (sag) meeting. (A Sag meeting must include invites to all responsible authorities, highways, traffic management, and or any other party deemed relevant for that event)
8. Written conditions set by the SAG group will become operating conditions for the use of the premises for that event. Conditions specifically associated to any event will be displayed at the entrance to the venue.
9. The premises will have an approved documented dispersal policy, which will be implemented for dispersal at all times the premises is open for licensable activity. The Policy will be approved by West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health Department.
10. Any additional measures deemed necessary from a debrief will be then incorporated into the dispersal policy which must be approved West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health Department.
11. The premises will have a documented duty of care policy, that will deal with any person who has been at the premises and is deemed vulnerable (through drink, drugs or other). The duty of care policy will be shared with West Midlands Police Birmingham Licensing Department.
12. Door staff – the number of door staff deployed for each event will be assessed through a written risk assessment for that event.
13. Where door staff are used the premises will retain a profile for each door supervisor. The profile is to contain proof of id (passport/driving licence) and proof of address dated in the last 3 months (utility bill/ bank statement or other official document). No proof of address is needed if the proof of id is a photo driving licence.
14. Door staff will sign on duty at the start of the shift and off duty when they leave
15. All door staff will be assigned a numbered high visibility jacket which will be signed off against their full name. The number will be displayed on the back so as to be visible for CCTV purposes.
16. All door staff will wear a high visibility jacket/waist coat where ever they are deployed.
17. The SIA badge will be displayed on a clear sleeve on the arm of the door supervisor
18. Incident book as per condition 12 on the application form
19. training records as per condition 13 on the application
20. The premises will have a documented drugs policy which will deal with searching (and methods of searching) confiscation, storage, disposal.
21. The premises will have a documented lost and found policy.
22. All policies and procedures will be accessible to all responsible authorities when requested
23. The entrance area and any subsequent queuing area will be sufficiently lit (excluding local authority lighting) and covered by CCTV

Public Safety

I would request that the proposed conditions on the application form numbered 17 and 18 be replaced with the following.

24. The fire risk assessment will be made available to any responsible authority immediately on request
25. The fire risk assessment will have a documented capacity figure (if any individual room then per room and then full capacity)

The Protection of Children From Harm

Condition 24 on the application, with regards to the operation of Challenge 21 be amended to Challenge 25.

Condition 25 remains in its current format as per the application form

Suggested hours of operation

I would also ask that if the Committee is minded to grant the licence that a reduction in the proposed operating hours be considered, namely

- Live music to cease at 24.00 hours, 7 days a week
- Recorded music to cease at 24.00 hours, Sunday- Thursday
- Recorded music to cease at 02.00 hours, Friday and Saturday and on any Sunday before a Bank Holiday
- Alcohol Sales and operating hours to cease 30 minutes after such hours

Appendix 4

From:
Sent: 28 March 2018 11:38
To: Licensing
Subject: The Mill. 29 Lower Trinity Street Birmingham. B94AG.

It has been brought to our attention that this venue is seeking certain permissions that we feel will have a negative impact on our residency. 1. Anti-social behaviour. 2. Loud music from the venue. 3. premises very close proximity to our home. 4. Music every night would have a massive impact on us. 5. Taxis picking up people that already disturb us. We have been victims of the music...anti-social behaviour..criminal damage from venues in Digbeth and feel that every night of the week and Sundays is going to have a massive affect on our lives. ...Regards

Sent from my Samsung Galaxy smartphone.

Birmingham City Council

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We MJR Group Limited

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description		BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED 23 MAR 2018 REF NO <u>00 2539</u> INITIALS <u>190 chs</u>	
The Mill 29 Lower Trinity Street Digbeth		Postcode	B9 4AG
Post town	Birmingham		

Telephone number at premises (if any)	
Non-domestic rateable value of premises	

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | |
|---|---|
| a) an individual or individuals * | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |

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

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name MJR Group Limited
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

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

DD	MM	YYYY

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

The premises will be operated by MJR Group Limited as a live music venue, events space and nightclub.

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

N/A

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon	10:00	02:00	Please give further details here (please read guidance note 3)		
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for performing plays (please read guidance note 4)		
Thur	10:00	03:00			
Fri	10:00	03:00	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	10:00	03:00	On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.		
Sun	10:00	02:00	New Year's Eve - licensable activities will be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. To extend the provision of licensable activities on 12 occasions per year until 05:30, notice of which will be given to the Police and Licensing Authority 21 days before each event with the premises closing 30 minutes thereafter. On Bank Holiday Sundays including (Easter) licensable activities will be extended by 1 hour.		

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	10:00	02:00			
Tue	10:00	02:00			
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed	10:00	02:00			
Thur	10:00	03:00			
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	10:00	03:00			
Sat	10:00	03:00			
			On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.		
Sun	10:00	02:00	New Year's Eve - licensable activities will be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. To extend the provision of licensable activities on 12 occasions per year until 05:30, notice of which will be given to the Police and Licensing Authority 21 days before each event with the premises closing 30 minutes thereafter. On Bank Holiday Sundays including (Easter) licensable activities will be extended by 1 hour.		

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon	10:00	02:00	
Tue	10:00	02:00	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed	10:00	02:00	
Thur	10:00	03:00	
Fri	10:00	03:00	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5) On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.
Sat	10:00	03:00	
Sun	10:00	02:00	
			New Year's Eve - licensable activities will be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. To extend the provision of licensable activities on 12 occasions per year until 05:30, notice of which will be given to the Police and Licensing Authority 21 days before each event with the premises closing 30 minutes thereafter. On Bank Holiday Sundays including (Easter) licensable activities will be extended by 1 hour.

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon	10:00	02:00	Please give further details here (please read guidance note 3)			
Tue	10:00	02:00				
Wed	10:00	02:00	State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)			
Thur	10:00	03:00				
Fri	10:00	03:00	Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat	10:00	03:00				
			On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.			
Sun	10:00	02:00	New Year's Eve - licensable activities will be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. To extend the provision of licensable activities on 12 occasions per year until 05:30, notice of which will be given to the Police and Licensing Authority 21 days before each event with the premises closing 30 minutes thereafter. On Bank Holiday Sundays including (Easter) licensable activities will be extended by 1 hour.			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	10:00	00:00			
Tue	10:00	00:00			
			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed	10:00	00:00			
Thur	10:00	00:00			
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	10:00	00:00			
Sat	10:00	00:00			
			On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.		
Sun	10:00	00:00	New Year's Eve - licensable activities will be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
			To extend the provision of licensable activities on 12 occasions per year until 05:30, notice of which will be given to the Police and Licensing Authority 21 days before each event with the premises closing 30 minutes thereafter.		
			On Bank Holiday Sundays including (Easter) licensable activities will be extended by 1 hour.		

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	10:00	02:00			
Tue	10:00	02:00			
			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed	10:00	02:00			
Thur	10:00	03:00			
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	10:00	03:00			
Sat	10:00	03:00			
			On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.		
Sun	10:00	02:00			
			New Year's Eve - licensable activities will be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. To extend the provision of licensable activities on 12 occasions per year until 05:30, notice of which will be given to the Police and Licensing Authority 21 days before each event with the premises closing 30 minutes thereafter. On Bank Holiday Sundays including (Easter) licensable activities will be extended by 1 hour.		

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	10:00	02:00			
Tue	10:00	02:00			
			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed	10:00	02:00			
Thur	10:00	03:00			
			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	10:00	03:00			
Sat	10:00	03:00			
			On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.		
Sun	10:00	02:00	New Year's Eve - licensable activities will be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. To extend the provision of licensable activities on 12 occasions per year until 05:30, notice of which will be given to the Police and Licensing Authority 21 days before each event with the premises closing 30 minutes thereafter. On Bank Holiday Sundays including (Easter) licensable activities will be extended by 1 hour.		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	10:00	02:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10:00	02:00	Please give further details here (please read guidance note 3)		
Wed	10:00	02:00			
Thur	10:00	03:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri	10:00	03:00			
Sat	10:00	03:00	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	10:00	02:00	On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour. New Year's Eve - licensable activities will be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. To extend the provision of licensable activities on 12 occasions per year until 05:30, notice of which will be given to the Police and Licensing Authority 21 days before each event with the premises closing 30 minutes thereafter. On Bank Holiday Sundays including (Easter) licensable activities will be extended by 1 hour.		

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon	23:00	02:00				
Tue	23:00	02:00				
			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)			
Wed	23:00	02:00				
Thur	23:00	03:00				
			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)			
Fri	23:00	03:00				
Sat	23:00	03:00				
			On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.			
Sun	23:00	02:00				
			New Year's Eve - licensable activities will be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.			
			To extend the provision of licensable activities on 12 occasions per year until 05:30, notice of which will be given to the Police and Licensing Authority 21 days before each event with the premises closing 30 minutes thereafter.			
			On Bank Holiday Sundays including (Easter) licensable activities will be extended by 1 hour.			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10:00	01:30			
Tue	10:00	01:30			
Wed	10:00	01:30			
Thur	10:00	02:30	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour. New Year's Eve - licensable activities will be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. To extend the provision of licensable activities on 12 occasions per year until 05:30, notice of which will be given to the Police and Licensing Authority 21 days before each event with the premises closing 30 minutes thereafter. On Bank Holiday Sundays including (Easter) licensable activities will be extended by 1 hour.		
Fri	10:00	02:30			
Sat	10:00	02:30			
Sun	10:00	01:30			

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

Name	Benjamin Newby
Date of Birth	
Address	

Postcode	_____
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).</p> <p>N/A</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	02:00	
Tue	10:00	02:00	
Wed	10:00	02:00	
Thur	10:00	03:00	
Fri	10:00	03:00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour. New Year's Eve - licensable activities will be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. To extend the opening hours on 12 occasions per year until 05:30, notice
Sat	10:00	03:00	
Sun	10:00	02:00	

			<p>of which will be given to the Police and Licensing Authority 21 days before each event with the premises closing 30 minutes thereafter.</p> <p>On Bank Holiday Sundays including (Easter) opening hours will be extended by 1 hour.</p>
--	--	--	--

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

Please see conditions below for each licensing objective.

1. The premises licence holder will not market the premises under the previous Rainbow Venues name. The previous management/operators will have no control, input or management in the premises when they re-open.
2. A minimum of 2 personal licence holders will be on the premises when they operate or such number as is agreed from time to time with West midlands Police.
3. The premises licence holder shall liaise with the safety advisory group if needed for any specific event at the premises. The SAG will have power over any event. Any conditions agreed at the SAG meeting shall become licensing conditions for that event. They must be kept in writing on the premises during the event and made available for inspection by all statutory bodies. The DPS and/or a senior manager and any promoter will be in attendance at all SAG meetings. A SAG meeting is only envisaged if an exceptional event is planned where the Authorities deem it necessary but not envisaged for live music or standard club nights.

b) The prevention of crime and disorder

4. The premises licence holder shall ensure a full calendar month of events is supplied in writing to the West Midlands Police Licensing Department a month in advance or such other period may be agreed with West Midlands Police. If the premises use any new promoter for any event then for the first event the DPS for the premises will arrange to meet the Police Licensing Department at least 28 days or lesser period before the first event, with risk assessments for the event. The premises will not hold any new events without the agreement of the Police Licensing Department. West Midlands Police will retain a power of veto over any event. Recommendations made to the DPS that satisfy the four licensing objectives will become conditions for the event on the premises licence for that event.
5. When worked in conjunction with another premises, licensed or unlicensed, the premises must provide a minimum of 28 days (or lesser period of notice if deemed appropriate by West Midlands Police). The event must be subject of the SAG process. Conditions arising from the SAG process are to be conditions for that event.
6. The premises licence holder shall ensure that a CCTV system is installed at the premises to the satisfaction agreed with West Midlands Police Licensing Department. CCTV is to be operational whilst the premises are open and be recording continually. The recordings are to be kept for a minimum of 31 days. The CCTV images are to be made available to any responsible authority immediately on request. The CCTV system will cover entrance and queuing areas to the premises. A number of staff will be designated to monitor the CCTV screens.
7. The premises licence holder will supply a risk assessment for all events held at the premises, including standard in house events, to include all security provision 28 days notice (or lesser period if agreed with

West Midlands Police Licensing Department will be given) Risk assessments will include search policies and a security deployment plan to reflect the risk of the event. Dispersal policies will also be contained.

8. The premises licence holder shall ensure that there are continuous discussions between West Midlands Police, the appointed security/stewarding company and the event organisers will take place prior to and during the period that any event is taking place to ensure that all means possible are employed to prevent crime and disorder. Operational plans will be drawn up between the event organisers and West Midlands Police Force taking into account the experience of previous events in the premises/location.

9. The premises licence holder will ensure that individuals who are drunk, disorderly or both will not be permitted to access the premises. They will not be permitted access to the premises/removed from the premises. A removal policy will be agreed with West Midlands Police.

10. The premises licence holder is to maintain a door staff register. This will contain name, address, SIA badge numbers and identification documents for all door staff working at the premises on an event by event basis and will be retained for a period of 3 months.

11. The premises licence holder will ensure that door supervisors stationed outside the front of the premises will wear high visibility jackets/coats/tabards and will have their SIA badge held in a clear arm sleeve. Door supervisors inside the premises will wear high visibility waist coats/tabards with their SIA badge held in a clear arm sleeve.

12. The premises licence holder will maintain an incident book and record all incidents that occur inside and immediately outside the premises. The incident book will be made available for inspection immediately at any time when requested by any regulatory body.

13. A training record log of all members of staff will be maintained and capable of being produced immediately to any regulatory body. The training record will deal, amongst other things, with training in relation to drunkenness, dispersal policy, drugs policy, underage sales and promotion of the licensing objectives.

14. The premises licence holder shall ensure that the premises will operate a drugs policy and lost and found property policy. Copies of both are to be supplied to the West Midlands Police Licensing Department.

15. The venue is to ensure that the entrance area together with the queuing area is sufficiently lit.

16. The premises licence holder will operate agreed queuing/entry and dispersal policies which will be agreed with West Midlands Police.

c) Public safety

17. The premises licence holder shall ensure that the maximum number of persons on the premises at any one time shall not exceed the number agreed with West Midlands Fire Service and West Midlands Police and fixed at any individual SAG meeting for any event requiring a SAG meeting.

18. The premises licence holder will undertake a fire risk assessment which will be shared with the fire department and West Midlands Police.

d) The prevention of public nuisance

19. The premises licence holder will ensure that external windows and doors (other than for access/egress) shall be closed whenever licensed public entertainment is provided at the premises.

20. The premises licence holder will comply with any reasonable requirements as to noise made during the event by the appropriate responsible authority and shall ensure the conduct of patrons leaving the premises will be supervised and monitored to minimise potential nuisance. An agreed dispersal policy will be agreed with West Midlands Police and the Environmental Health Department will be operated at the premises.

21. The premises licence holder shall not permit noise emanating from the licensed premises to unreasonably disturb persons in the neighbourhood and ensure that the noise levels from licensed public entertainments shall not exceed levels set at neighbouring occupied residential properties. The level of amplified sound shall be controlled by a sound limiting device set as agreed with responsible authorities.

22. The premises licence holder shall ensure noise propagation tests will be undertaken, during which the sound systems will be configured and operated in a similar manner as intended for the relevant event. The sound sources used for the test shall be similar in character to the music likely to be produced during the relevant event. Appropriate control limits at each sound mixer position and adjustments to sound amplification equipment will be agreed as a result of the testing to the satisfaction of the appropriate responsible authority.

23. Before the sound application system is used in the mezzanine area, a noise limiting device of a type approved by the Environmental Protection unit of Birmingham City Council shall be fitted to the amplification system and set at a pre-set volume level agreed with the Environmental Protection unit. The installation of this noise limiting device shall be notified to Environmental Protection unit at least 14 days before its initial operation and shall fulfil the following criteria:

- a) The device shall be fitted in an approved position by a competent person and once fitted shall not be moved from the approved position unless prior approval is given.
- b) The device shall either be capable of cutting off the mains power to the amplification system if the volume exceeds the pre-set level determined by the Environmental Protection unit and shall not restore power to the sound system until the limiting device has been reset by the licensee or nominated person; or, be capable of maintaining the volume of a music at the pre-set level.
- c) The amplification system shall only be operated through the sockets/powerpoints linked to and controlled by the noise limiting device.
- d) The noise limiting device shall be maintained in full working order and at the approved pre-set volumes whilst the amplification system is operational.
- e) Any damage or malfunction to the noise limiting device shall be reported to the Environmental Protection unit as soon as is possible and within 24 working hours of the damage occurring or malfunction being noted.
- f) The noise limiting device system shall be linked to those doors and windows specified by the Environmental Protection unit via contact switches which are capable of causing it to cut the mains power to the sound system should the doors or windows be open.

e) The protection of children from harm

24. The premises licence holder shall adopt the Challenge 21 scheme and appropriate signage will be placed at the entrance to the premises and adjacent to any bar server. The premises will operate a policy whereby any person attempting to buy alcohol or any person attempting to gain entry for premises who appears to be under 21 will be asked for photographic ID to prove their age. The ID that will be accepted is a passport, driving licence with a photograph or an accredited proof of age card bearing the PASS mark hologram.

25. The premises licence holder will ensure that if the premises wish to conduct an underage event, then the premises must supply 28 days notice, together with a risk assessment. West Midlands Police have a power of veto over any such event.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- ☐

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☐

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

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

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none">• [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
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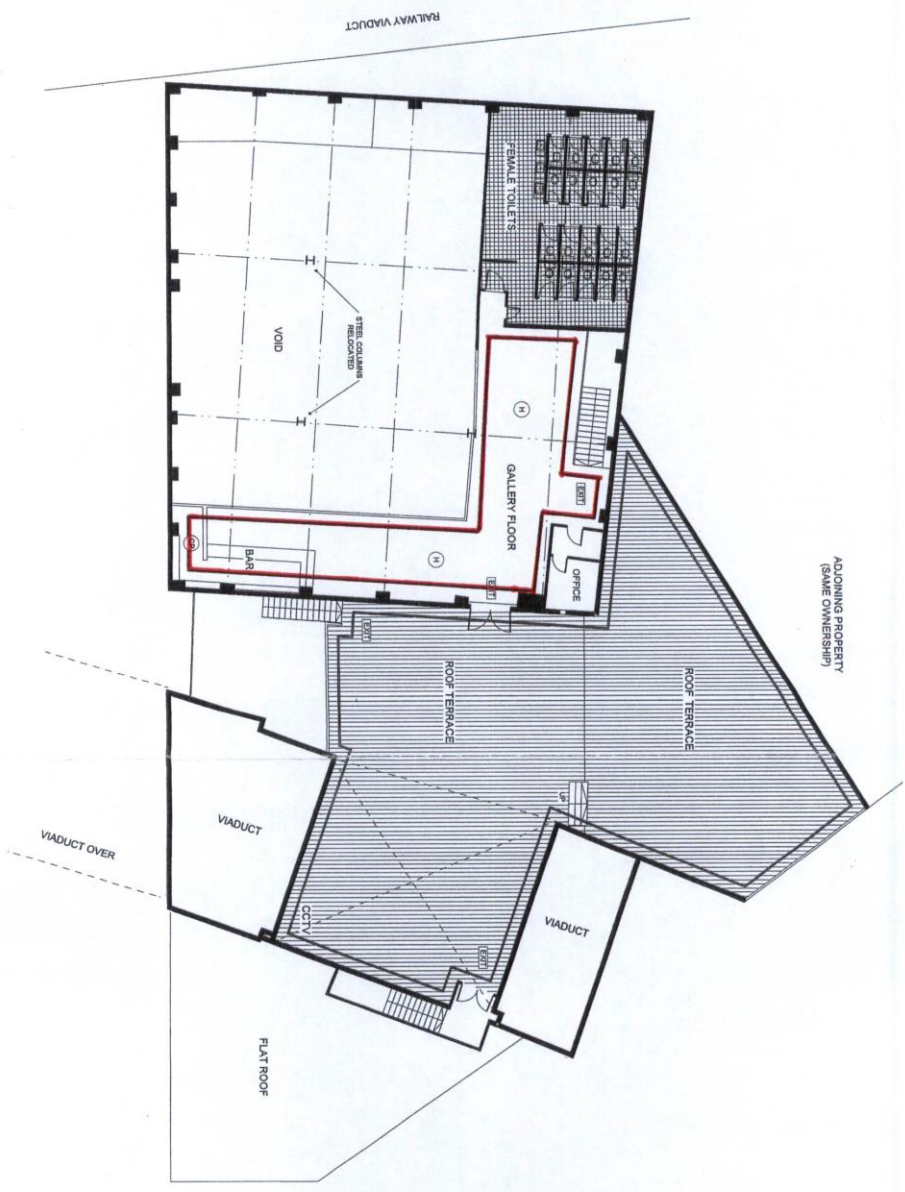
	cease to be entitled to live and work in the UK (please read guidance note 15) <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licesable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	22 March 2018
Capacity	Woods Whur 2014 Limited - Solicitors for the Applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Paddy Whur Woods Whur 2014 Limited Devonshire House 38 York Place			
Post town	Leeds	Postcode	LS1 2ED
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Author	02/03/18	Name of Client/Author
Checker		
Drawn		
Fendley Studio 11 The Quadrant 11 The Quadrant AL1 3BT 01773 645200 www.fendleystudio.com		
The M&M Group Project The Warehouse Lane North Victoria Unit 10 11 The Quadrant AL1 3BT 01773 645200 www.fendleystudio.com		
Project Title Fire Risk Assessment		
Scale		
Drawn		
11/03/2018 11:52:00	1:1	1:1
17/03	1:1	1:1

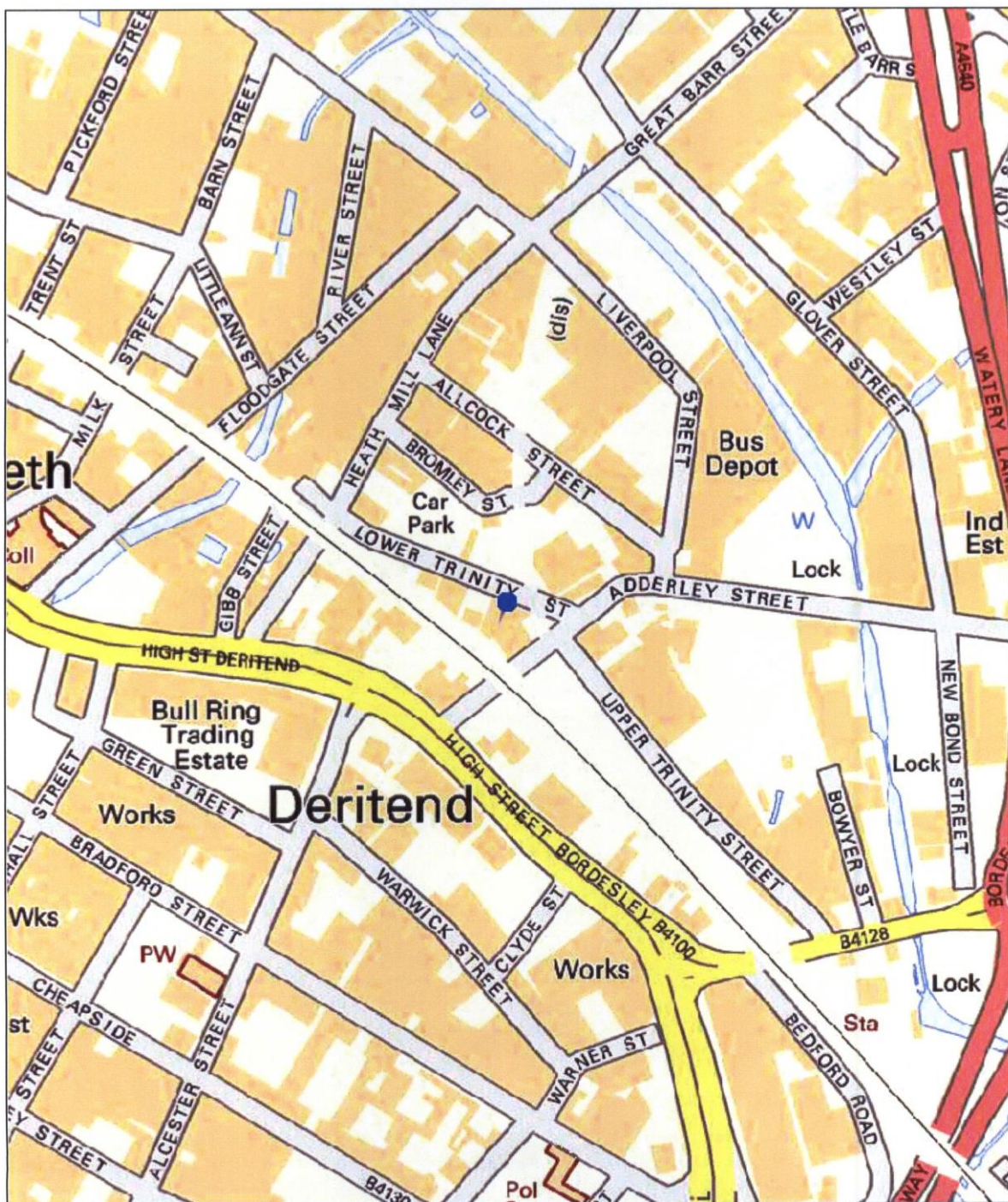


LEGEND

AREA FOR THE SALE AND
CONSERVATION OF A CONCH,
RESULTED OF A CONCH,
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RESULTED OF A CONCH

(P)	FIRE PANEL
(C)	CALL POINT
(S)	SMOKE DETECTOR
(H)	HEAT DETECTOR

THE LOCATION AND TYPE OF ANY FIRE SAFETY
EQUIPMENT IS INDICATED BY THE SYMBOLS
SHOWN ABOVE. THE LOCATION AND TYPE OF
EQUIPMENT IS INDICATED BY THE SYMBOLS
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EQUIPMENT IS INDICATED BY THE SYMBOLS
SHOWN ABOVE.



Map Created By:

Date of Map Creation: 04/04/2018

Notes



Scale:
1:4,000

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Date of Map Creation: 04/04/2018

2

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BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Monday 14th May 2018
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Domus, 28-30 Bristol Street, Birmingham, B5 7AA
Ward affected:	Bordesley & Highgate
Contact Officer:	David Kennedy, Principal Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider a relevant representation that has been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption both on and off the premises) to operate from 10:00am until 05:30am (Monday to Sunday).

The provision of Regulated Entertainment consisting of plays, films, indoor sporting events, boxing or wrestling entertainments, live music, recorded music, performances of dance, and anything of a similar description, to operate indoors only from 10:00am until 05:30am (Monday to Sunday).

To permit the provision of Late Night Refreshment to operate from 11:00pm until 05:00am (Monday to Sunday).

Premises to remain open to the public from 10:00am until 06:00am (Monday to Sunday).

2. Recommendation:

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

3. Brief Summary of Report:

An application for a Premises Licence was received on 22nd March 2018, in respect of Domus, 28-30 Bristol Street, Birmingham, B5 7AA.

A representation has been received from West Midlands Police, as a responsible authority.

4. Compliance Issues:
4.1 Consistency with relevant Council Policies, Plans or Strategies:
<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>
5. Relevant background/chronology of key events:
<p>Petros Liatis applied on 22nd March 2018 for the grant of a Premises Licence for Domus, 28-30 Bristol Street, Birmingham, B5 7AA.</p> <p>A representation has been received from West Midlands Police, as a responsible authority, see Appendix 1.</p> <p>The application is attached at Appendix 2.</p> <p>Conditions have been agreed with Environmental Health and the applicant, which are attached at Appendix 3</p> <p>Site Location Plans at Appendix 4.</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.
6. List of background documents:
<p>Copy of the representation as detailed in Appendix 1</p> <p>Application Form, Appendix 2</p> <p>Conditions agreed with Environmental Health, Appendix 3</p> <p>Site Location Plans, Appendix 3</p>
7. Options available
<p>To Grant the licence in accordance with the application.</p> <p>To Reject the application.</p> <p>To Grant the licence subject to conditions modified to such an extent as considered appropriate.</p> <p>Exclude from the licence any of the licensable activities to which the application relates.</p> <p>Refuse to specify a person in the licence as the premises supervisor.</p>

Appendix 1

From: Abdool Rohomon -
Sent: 10 April 2018 16:06
To: Licensing
Cc:
Subject: Premise Licence application - Domus

Dear Licensing,

West Midlands Police have received the application submitted on behalf of Petros Liatis for a premises called Domus, 28/30 Bristol Street. This application has been submitted following the decision by Birmingham city licensing committee to revoke the previous premise licence which was called Prisma.

This application seeks to mirror the previous premise licence all be it with a new owner and security company.

West Midlands Police object to this application on the grounds of the prevention of crime and disorder objective and public safety objective within the act. The application seeks to replicate what they had before, in a meeting with the applicant he stated that he saw this as a business opportunity and had promoters that had been operating in the premises before waiting to put nights back in for the venue. This was a massive concern to West Midlands Police as it showed the clear intentions with this application to carry on where the premises had left off before.

The applicant has made it clear that he is new into the Night time club management and that his previous experience is in the catering side of the trade. These premises have had a troubled past and have been reviewed on more than one occasion and so it can said that they are a difficult business to manage and promote safely, the applicants lack of experience in this field will not assist this situation.

It is acknowledged that a new DPS and security company are sought, however this offers little confidence as the DPS and security company can easily leave the premises, which is a situation experienced recently in other premises that have experienced the same issues.

As stated these premises has recently had its premise licence revoked following a serious incident where a firearm was shown inside the premises following serious disorder. That was not the first serious incident at these premises, before the last incident there was serious criminality taking place at the premises, this was in 2015. For West Midlands Police it is clear that this is a problematic premises irrelevant of whom the licence holder is. With it not being within the main stream night time economy area, it does not benefit from any passing trade and as such has to rely solely on promoted nights and events. This means that to make the premises viable they would have to have a variety of events on and so the risk escalates considerably.

The conditions proposed in the application offer no more than what would be expected from running a licensed premises, and in the opinion of West Midlands Police cannot address the issues with this premise. West Midlands Police have been very open with the applicant, solicitor and DPs and stated throughout that it would be unlikely that West Midlands Police would support an application that sought to replicate the previous licence and we advocated that a substantial change of the premise was needed.

West Midlands Police do not feel this is a fresh application, the reason for saying this is the fact that the proposed DPS, security company and additional conditions were all part of the package proposed by the previous licence holder, in an attempt to save their premise licence. This package was put to West Midlands Police just before the premise licence holder decided not to pursue any argument before the licensing subcommittee during the full review.

On these grounds West Midlands Police object to this application and seek a hearing

Kind regards

Abs Rohomon

**PC 4075 Rohomon
BW Licensing
Police headquarters
Lloyd House
Colmore Circus
Birmingham
B4 6NQ**

Internal : :

External : '

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Appendix 2

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We **PETROS LIATIS**

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description		BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED 2 2 MAR 2018 REF NO INITIALS Postcode BS 7AA	
Domus 28 – 30 Bristol Street			
Post town	Birmingham	Postcode	BS 7AA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	

Part 2 – Applicant details

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

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

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

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

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
1	1	0	4	2	0	1	8

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

DD		MM		YYYY			
1	1	1	1	1	1	1	1

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

The premises have been licensed for a number of years and were refurbished about six years ago and the fire precautions brought up to date and noise issues addressed and agreed with Paul Samms of Environmental Health. The premises are fully soundproofed and operate on two floors with the main entrance from Bristol Street. There is a bar and toilets on each floor which can accommodate individual functions or events or can operate as one with maximum numbers on the ground floor of 270 persons and the first floor 330. There is no kitchen but food can be brought in as and when required. There is a first class CCTV system with 32 cameras and a monitor in the basement and the outside area on Bristol Street is fully covered. The turnstile at the entrance to the premises and the raised dancefloor on the ground floor have both been removed and the plan accurately represents what is to be found there.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	10:00	05:30			
Tue	10:00	05:30			
Wed	10:00	05:30			
Thur	10:00	05:30	State any seasonal variations for performing plays (please read guidance note 5)		
Fri	10:00	05:30			
Sat	10:00	05:30	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	10:00	05:30			
			On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	10:00	05:30			
Tue	10:00	05:30			
Wed	10:00	05:30			
Thur	10:00	05:30	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Fri	10:00	05:30			
Sat	10:00	05:30	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	10:00	05:30			
			On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	05:30	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue	10:00	05:30	
Wed	10:00	05:30	
Thur	10:00	05:30	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6) On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.
Fri	10:00	05:30	
Sat	10:00	05:30	
Sun	10:00	05:30	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	05:30	<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	10:00	05:30			
Wed	10:00	05:30	<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur	10:00	05:30			
Fri	10:00	05:30			
Sat	10:00	05:30	<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6) On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		
Sun	10:00	05:30			

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	10:00	05:30			
Tue	10:00	05:30	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Wed	10:00	05:30			
Thur	10:00	05:30	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		
Fri	10:00	05:30			
Sat	10:00	05:30			
Sun	10:00	05:30			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	10:00	05:30			
Tue	10:00	05:30	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed	10:00	05:30			
Thur	10:00	05:30	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		
Fri	10:00	05:30			
Sat	10:00	05:30			
Sun	10:00	05:30			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	10:00	05:30			
Tue	10:00	05:30			
Wed	10:00	05:30	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	10:00	05:30			
Fri	10:00	05:30			
Sat	10:00	05:30	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6) On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		
Sun	10:00	05:30			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	10:00	05:30		Outdoors	<input type="checkbox"/>
Tue	10:00	05:30		Both	<input type="checkbox"/>
Wed	10:00	05:30	Please give further details here (please read guidance note 4)		
Thur	10:00	05:30			
Fri	10:00	05:30			
Sat	10:00	05:30	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Sun	10:00	05:30			
			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6) On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	23:00	05:00			
Tue	23:00	05:00			
Wed	23:00	05:00			
Thur	23:00	05:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Fri	23:00	05:00			
Sat	23:00	05:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6) On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		
Sun	23:00	05:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	05:30			
Tue	10:00	05:30			
Wed	10:00	05:30			
Thur	10:00	05:30	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		
Fri	10:00	05:30			
Sat	10:00	05:30			
Sun	10:00	05:30			

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

Name Paul David BURROWS	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

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

Can hold events of an adult nature once a month not exceeding 11 times a year.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p> <p>On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.</p>
Mon	10:00	06:00	
Tue	10:00	06:00	
Wed	10:00	06:00	
Thur	10:00	06:00	
Fri	10:00	06:00	
Sat	10:00	06:00	
Sun	10:00	06:00	

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

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

The Licence Holder shall ensure there will be no encouragement of excessive drinking or irresponsible sale of cheap promotional drinks.

The number of Personal Licence holders on the premises when operational shall be at least one or such other number as is agreed from time to time with West Midlands Police. The Licence Holder shall ensure that if any adult entertainment is introduced to the premises, then it will only be done after giving at least 14 days' notice to the Police Authority.

b) The prevention of crime and disorder

The Licence Holder shall ensure that a fixed camera will be placed on the outside of the premises at the entrance with the ability to monitor any queue and the Door staff to augment the fixed camera and monitor any queue and such cameras shall be properly maintained.

The Licence Holder will make adequate provisions for monitoring and controlling the number of persons entering the licensed premises and any temporary structures within it. The Licence Holder will make all necessary arrangements by way of fencing, gate systems, security and other provisions to prevent unauthorised access to the licensed premises.

The Licence Holder shall ensure that continuous discussions between West Midlands Police Force, the appointed security/stewarding company and the event organisers will take place prior to and during the period that the Event is taking place to ensure that all means possible are employed to prevent crime and disorder. Operational plans will be drawn up between the Event organisers and the West Midlands Police Force taking into account the experience of previous events in this location.

The Licence Holder will ensure that individuals who are drunk, disorderly or both will not be permitted access to the premises.

Digital CCTV and appropriate recording equipment is to be installed operated and maintained throughout the premises internally and externally providing full coverage. Such CCTV footage will be stored for a minimum of 28 days and the management will give full and immediate cooperation and technical assistance to the police in the event that CCTV footage is requested for the prevention and detection of suspected or alleged crime. For the avoidance of doubt such footage as West Midlands Police require will be made available by a trained operator at the time of the request. CCTV cameras and monitors are to be installed and in positions agreed with West Midlands Police.

The Licence Holder shall ensure that all SIA badges will be displayed in arm bands worn by the door supervisors and shall be valid and up to date. All door supervisors who are working at the premises or have worked at the premises within the last three months shall have a profile of themselves kept in a secure location within the premises. This profile will be proof of address (utility bill, bank statement, phone bill, etc) which is dated within the last six months and proof of identify (passport, driving licence or copy of SIA badge). If proof of ID is photo driving licence there is no requirement for proof of address. The Licence Holder shall ensure that all door supervisors will sign on duty as they start work and off duty when they are leaving. Fluorescent jackets or tabards shall be worn by all door supervisors.

The premises is to maintain door staff profiles for all door staff working at the premises, and for any door staff that have worked on the premises in the last three months. The door staff profile will consist of identification for the member of staff

- A copy of his/her SIA badge,
- Passport or driving Licence.

If the proof of identification is anything other than the photo driving Licence, then the member of staff will need proof of address, which must be a copy of a utility bill and be dated within the last six months.

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

arm sleeve.

A C.C.T.V. system has been installed at the premises to the specification agreed with the Licensing Department at Lloyd House. C.C.T.V. is to be operational whilst the premises are open and be recording continually. If a hard drive system is used the recordings are to be kept for minimum of 31 days.

CCTV images to be made available to any responsible authority immediately on request. Entrance and queuing area to be covered by CCTV.

The premises must supply a full month's list of events in writing to Licensing Department at Lloyd House a month in advance save where there is last minute booking and with consent of West Midlands Police the time limit may be relaxed.

If the premises use any new promoter for any event, then for the first event the Designated Premises Supervisor for the premises will arrange to meet West Midlands Police Licensing Department at least 28 days before the first event, with risk assessments for the event. The premises will not hold any new events without the agreement of West Midlands Police Licensing Department. Recommendations made to the Designated Premises Supervisor that satisfy the four licensing objectives will become conditions for that event on the premises licence.

Premises to supply a risk assessment for all events held at premises. 28 days' notice is required save where there is last minute booking and with consent of West Midlands Police the time limit may be relaxed. Included in risk assessment is a search policy which will reflect the event risk and Security deployment plan.

If the premises wish to operate past 0400hrs, the premises must inform the Licensing Department at Lloyd House, in writing, a minimum of 28 days in advance. West Midlands Police have a power of veto, if it's believed that any of the four Licensing Objectives may be breached.

No persons under the age of 18 years of age shall be permitted in any circumstances into the premises while they are being used for Licensable activities save with the agreement of West Midlands Police.

All training records for all staff, in regard to drunkenness, and for the protection from harm for children to be maintained and to be available upon request from any regulatory body.

Venue to ensure the entrance area together with queuing area is sufficiently lit.

FURTHER PROPOSED CONDITIONS FOLLOWING THE INCIDENT ON 28 JANUARY 2018.

All persons entering the premises shall be individually and comprehensively searched in accordance with the search policy in force. The door staff will also subject everyone to a hand held wand or metal detecting hand mitts.

Incident Handling - There will be bound books held at the central security office on the premises, under the responsibility of designated Security Manager for the purposes of recording incidents that take place on the premises. All incidents involving violence, drugs, disorder, weapons, illness requiring medical attention and ejections shall be recorded as soon as practicable in the Incident Book. Any incident book must be made available for inspection to an officer of a responsible authority upon request.

All members of staff and employees shall be fully trained in child sexual exploitation and customer vulnerability and this will be regularly refreshed and records kept.

Only alcohol provided by Premises Licence Holder shall be sold or supplied to customers at the premises.

The number of door staff on the premises on any one occasion shall be indicated on the event risk assessment.

Any incident of crime or disorder shall be reported forthwith to West Midlands Police Licensing Department at Lloyds House and if by telephone it shall be followed up by a

confirmatory email and a weekly Monday morning report shall be submitted to West Midlands Police Licensing Department whether there has been an incident to report or not.

At all times there shall be kept at the premises policies relating to different aspects of the operation dealing with search policies, public safety and other relevant matters which are in three bound volumes prepared by Mr Carl Moore of CNA Risk Management Limited.

c) Public safety

First aid training will be given to employees prior to the premises reopening to the public. Health and Safety risk assessment carried out regularly. Electrics, gas fire and relevant equipment, checked and maintained in working order and tested annually. Fire risk assessment carried out weekly.

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

A professionally prepared fire risk assessment will be produced which will propose maximum numbers which will thereafter be agreed with West Midlands Fire Service and West Midlands Police and become the maximum number for the premises and such capacity will not be exceeded.

A health and safety risk assessment is to be carried out immediately and thereafter annually.

d) The prevention of public nuisance

The Licence Holder shall ensure the conduct of patrons leaving premises will be supervised and monitored to minimise potential nuisance. Similarly, conduct of the general public in the vicinity will be monitored and the Police advised of inappropriate behaviour/unlawful activity.

The Licence Holder will comply with any reasonable requirements as to noise made during the event by the appropriate Responsible Authority.

The Licence Holder shall not permit noise emanating from the licensed premises to unreasonably disturb persons in the neighbourhood and in any case, will ensure that the noise levels from the event during the times authorised by this licence shall not exceed levels set at neighbouring occupied residential properties that will be agreed with Responsible Authorities.

The Licence holder shall ensure that whenever regulated entertainment takes place within the licensed premises, such entertainment will not be such as to be a statutory nuisance in the nearest noise sensitive or residential premises.

Noise propagation tests will be undertaken, during which the sound systems will be configured and operated in a similar manner as intended for the relevant Event. The sound sources used for the test shall be similar in character to the music likely to be produced during the relevant Event. Appropriate control limits at each sound mixer position and adjustments to sound amplification equipment will be agreed as a result of the testing to the satisfaction of the appropriate Responsible Authority.

e) The protection of children from harm

The premises shall adopt the Challenge 25 Scheme and appropriate signage will be placed at the entrance to the premises and adjacent to any bar service. The premises will operate a policy whereby any person attempting to buy alcohol or any person attempting to gain entry to the premises who appears to be under 25 will be asked for photographic ID to prove their age. The only ID that will be accepted is a passport, driving licence with a photograph or an accredited proof of age card bearing the PASS mark hologram.

The licence holder shall ensure that ongoing staff training highlights the importance of making sure that people under the age of 18 years are not able to obtain access to alcohol and all staff will be trained in prevention of child exploitation and all training shall be refreshed at least every six months.

Checklist:**Please tick to indicate agreement**

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none">• [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)
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Signature	
Date	22 MARCH 2018
Capacity	APPLICANT'S SOLICITORS

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

MR ANDREW POTTS
WRIGHT HASSALL LLP
OLYMPUS AVENUE

Post town	LEAMINGTON SPA	Postcode	CV34 6BF
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

- 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.
- 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:
 - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.



Appendix 3

From: Suzanne Oatley behalf of Andrew Potts
<Andrew.Potts>
Sent: 27 April 2018 15:16
To: Amanda Clover
Cc: Licensing
Subject: RE: Domus, 28 - 30 Bristol Street, Birmingham - Premises Licence Application

Dear Amanda

I refer to our telephone conversation yesterday and can confirm that I now have instructions from the Applicant to agree all the conditions that you have enumerated replacing the ones in the portion of the operating schedule that deals with "Prevention of Public Nuisance" on page 13 of that document. You will see I have sent a copy of this email to Licensing.

Regards

Andrew Potts
Consultant
Licensing Department

From: Amanda Clover
Sent: 24 April 2018 15:46
To: Andrew Potts
Subject: FW: Domus, 28 - 30 Bristol Street, Birmingham - Premises Licence Application

Good afternoon Andrew,

Apologies for chasing you on this but I wondered if you have had a chance to look at the information detailed below.

If all seems acceptable I can get back to our licensing section with agreed conditions.

Regards
Amanda Clover

Amanda Clover, MIOA
Environmental Protection Officer

Environmental Health | Regulation & Enforcement Division

locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors

 Please consider the environment before printing this email

From: Amanda Clover
Sent: Friday, April 20, 2018 2:38 PM
To: 'andrew.potts'
Subject: Domus, 28 - 30 Bristol Street, Birmingham - Premises Licence Application

Afternoon Andrew,

Thank you for getting back to me so very promptly.

I am hoping you can confirm that your client would not object to the following licence conditions being attached to their premises licence (for the premises / licence application detailed above).

I await your response / update so that I can inform our licensing section in due course.

NUISANCE The Licence Holder shall ensure the conduct of patrons leaving premises will be supervised and monitored to minimise potential nuisance. Similarly, conduct of the general public in the vicinity will be monitored and the Police advised of inappropriate behaviour/unlawful activity.

NUISANCE The Premises Licence Holder will comply with any reasonable requirements as to noise made during the event by the appropriate Responsible Authority.

NUISANCE The Licensee shall ensure that a written agreement is made with reputable taxi companies to ensure that when taxi's pick up and drop off customers from the licensed premises noise from these vehicles does not cause a nuisance to local residents.

NUISANCE Customers who require a taxi from the site shall be advised by staff to use taxi companies specified by the licensee.

NUISANCE Notices shall be displayed within the licensed premises for customers to view giving details of taxi companies to use.

NUISANCE Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect local residents and to leave the premises quietly.

NUISANCE The Designated Premises Supervisor shall ensure door supervisors shall supervise and if necessary take appropriate action to control the behaviour of those patrons who wish to smoke outside the premises on Bristol Street ensuring patrons do not cause a noise nuisance to residents and if necessary restrict the number of people smoking outside the premises at any one time.

NUISANCE All external doors to remain closed during regulated entertainment except for access, egress and emergency

NUISANCE The Designated Premises Supervisor shall submit a management plan detailing how external doors shall be kept closed during regulated entertainment. The scheme shall be agreed in writing by the Environmental Protection Unit and implemented prior to regulated entertainment taking place.

NUISANCE The Designated Premises Supervisor shall ensure that no patrons are allowed to access the external areas at the side or back of the premises at any time, except during an emergency. If staff wish to eject patrons, they are to be ejected through the front door.

NUISANCE The Designated Premises Supervisor shall ensure management conduct documented audibility checks at the nearest noise sensitive premises when regulated entertainment is provided to ensure that this does not constitute a noise nuisance.

NUISANCE The Licensee shall ensure that a scheme of noise insulation is submitted to and agreed in writing by the Environmental Protection Unit. The scheme shall be implemented before regulated entertainment takes place and shall include: a. Plans to have all glazed areas on external walls bricked up and sealed. b. The acoustic specification of vents on the side and rear facades of the premises. c. The proposed roof structure.

A Noise Limiting Device (NLD) of a type approved by the Environmental Protection Unit of Birmingham City Council shall be fitted to the amplification system and set at a pre-set volume level agreed with the Environmental Protection Section, to ensure the volume of music is pre-set so as not to cause a noise nuisance to the occupiers of nearby buildings. The installation of the NLD shall be notified to the Environmental Protection Section at least 14 days before its' initial operation and shall fulfil the following criteria: a. The device shall be fitted in an approved position by a competent person and once fitted shall not be moved from the approved position unless prior approval is given b. The device shall be capable of cutting off the mains power to the amplification system if the volume exceeds the pre-set level determined by the

Environmental Protection Unit or shall be capable of maintaining the volume of the music at the pre-set level determined by the Environmental Protection Unit and shall not restore power to the sound system until the NLD is reset by the licensee or their nominated person. c. The amplification system shall only be operated through the sockets/power points linked to and controlled by the NLD at all times. d. The NLD shall be maintained in full working order and at the approved pre-set volume during regulated entertainment. e. Any damage or malfunction to the NLD shall be reported to the Environmental Protection Unit as soon as possible and within 24 working hours of the damage occurring or malfunction being noted. The NLD shall not be used in this damaged or malfunctioning state until approval has been given by the Environmental Protection Unit.

Many thanks for your assistance in this matter.

Regards
Amanda

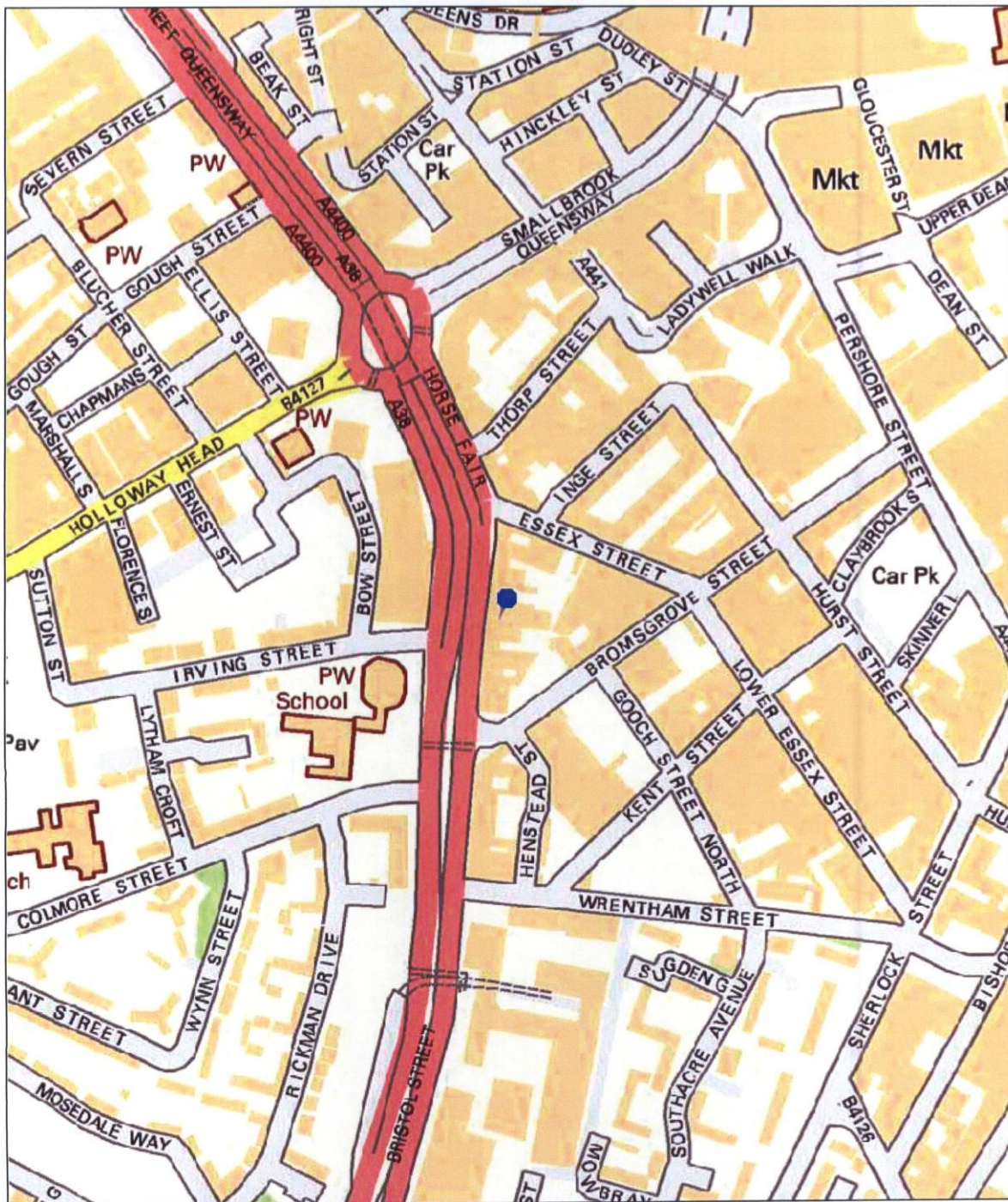
Amanda Clover, MIOA
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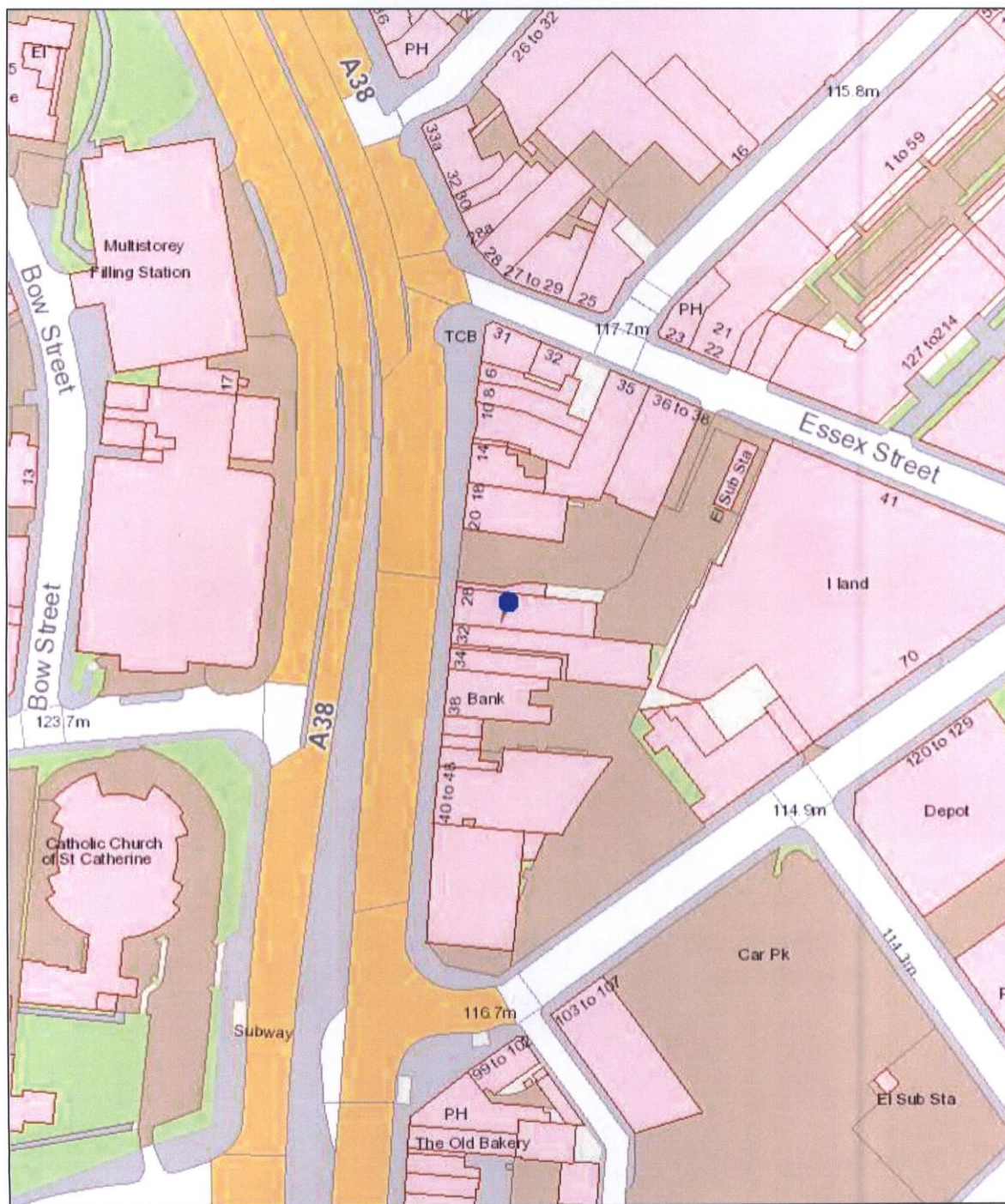


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