

Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B

TUESDAY, 18 OCTOBER 2016 AT 10:00 HOURS
IN COMMITTEE ROOM 1, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

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 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3 MINUTES

3 - 4

To note the public section of the Minutes of the meeting held on 20 September 2016.

4 LICENSING ACT 2003 PREMISES LICENCE – GRANT MCDONALD’S, SCHOOL ROAD, YARDLEY WOOD, BIRMINGHAM, B14 4BJ

5 - 34

Report of the Acting Director of Regulation and Enforcement.
N.B. Application scheduled to be heard at 10:00am on Tuesday 18 October 2016.

5 LICENSING ACT 2003 PREMISES LICENCE – GRANT ARTHOUSE, 54 BISSELL STREET, BIRMINGHAM, B5 7HP

35 - 98

Report of the Acting Director of Regulation and Enforcement.
N.B. Application scheduled to be heard at 11:30am on Tuesday 18 October 2016.

6 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.

7 **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:-

Minutes - Exempt Paragraphs 3 and 4

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 B -
20 SEPTEMBER 2016**

**MINUTES OF A MEETING OF
LICENSING SUB-COMMITTEE B HELD
ON TUESDAY 20 SEPTEMBER 2016
AT 1000 HOURS IN COMMITTEE ROOM 1,
COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Lynda Clinton in the Chair;

Councillors Nawaz Ali and Gareth Moore.

ALSO PRESENT:

Chris Arundel – Licensing Section

Joanne Swampillai – Legal Services

Sarah Stride – Committee Services.

NOTICE OF RECORDING

01/200916 The Chairman advised the meeting 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

02/200916 No apologies were submitted.

OTHER URGENT BUSINESS

03/200916 No items of other urgent business were submitted.

EXCLUSION OF THE PUBLIC

04/200916 **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:-

(Paragraph 1)

Report to:	Licensing Sub Committee B
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Tuesday 18th October 2016
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	McDonald's, School Road, Yardley Wood, Birmingham, B14 4BJ
Ward affected:	Billesley
Contact Officer:	David Kennedy, Principal Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider the relevant representations that have been made in respect of an application for a premises licence to permit the provision of late night refreshment, both indoors and outdoors, to operate from 11:00pm until 11:30pm (Monday to Sunday).

Premises to remain open to the public from 05:00am until 11:30pm (Monday to Sunday).

Following discussions with Planning the applicant has modified their application and the premises is to remain open to the public from 06:00am until 11:30pm (Monday to Sunday), which is in line with their current planning consent.

2. Recommendation:

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

3. Brief Summary of Report:

An application for a premises licence was received on 26th August 2016 in respect of McDonald's, School Road, Yardley Wood, Birmingham, B14 4BJ.

Representations have been received from other persons.

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:

Robert Holdcroft Limited applied on 26th August 2016 for the grant of a Premises Licence for McDonald's, School Road, Yardley Wood, Birmingham, B14 4BJ.

Representations have been received from other persons, see Appendices 1 & 2.

The application is attached at Appendix 3.

The applicant's agreement with Planning to reduce their opening hours, in line with their current planning permission, is attached at Appendix 4.

Site Location Plans at Appendix 5.

When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-

- a. The prevention of crime and disorder;
- b. Public safety;
- c. The prevention of public nuisance; and
- d. The protection of children from harm.

6. List of background documents:

Copy of the representations as detailed in Appendices 1 & 2
Application Form, Appendix 3
Agreement with Planning to reduce the opening hours, Appendix 4
Site Location Plans, Appendix 5

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.

Appendix 1

BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED 05 SEP 2016 ENTERED BY
Planning Department
Re: McDonalds Restaurant

Crest View
Warstock
Birmingham B14

5th Sept 2016

School Rd Yardley Wood B14 4BJ

To the licensing Team, I live
Wood Birmingham B14 4BJ.

to McDonalds Fast food Restaurant School Rd Yardley

It has been bought to my attention by a notice stuck on a rubbish bin (see enclosed picture) in the carpark of McDonalds Restaurant that they are seeking planning permission to extend their opening hours to 11.30pm which I do believe they are operating already I also believe that this was a temporary arrangement given to them last year, never the less they are operating these hours now!

Crest View my home is to McDonalds there are 8 other family homes in Crest View, I think the way of informing people simply by sticking a letter to a rubbish bin is a very poor standard of communication and letters should be sent to all the local residents! Even so the problems that we have from McDonald's really only effect our family house, I live here with my wife and we are both senior citizens. We have lived here for over thirty years long before McDonald's arrived, we also have raised our family here, we are both now retired. One of the problems, and we have many with McDonalds, is the fact we go to bed at about 10 pm we are often woken at night by cars flashing their headlights/sounding their horns and gatherings on the carpark well into the night and early hours of the morning although this does not happen every night it does happen, and then at 6am in the morning we are often woken again by the sounds of cars and some are sounding their horns for attention at the drive in part of McDonalds, there are other problems too with noisy deliveries three times a week, but that's in the morning, we often have food stuff thrown over the fence and with all the other leftovers often encourages rats, we do have the rat catcher in every so often. It's also no surprise to see people/taxi drivers urinating on the car park and in front of my house, the car park is open without security for 24hrs seven days a week, all sorts of stuff goes on there which I don't really want to talk about. Most people park in the road to eat their fast food and often leave their left overs there too.

I am asking you please do not allow McDonalds to open any later than they do now, we think 6am is too early and certainly 11.30pm far too late when there are people living just a few yards from McDonalds we have simply had more than enough problems as it is....this area used to be so quiet in days gone by!

Thank you,



LICENSING ACT 2003

NOTICE OF APPLICATION FOR A PREMISES LICENCE

NOTICE IS GIVEN THAT Robert Holdcroft Limited t/a McDonald's has applied to Birmingham City Council on 26th August 2016 for the grant of a premises licence to use the premises at School Road, Yardley Wood, Birmingham, B14 4BJ, for provision of late night refreshment for the sale of hot food and drink from 23:00 until 23:30 on Mondays to Sundays.

Any person who wishes to make a representation in relation to this application must give notice in writing of his/her representation by 23rd September 2016 stating the grounds for making said representation to the:

**Birmingham City Council, Licensing Team, Units 1-3 Ashted Lock,
Dartmouth Middleway, Birmingham B7 4AZ**

A record of the application can be inspected at the above address during office hours.

Representations must be received by the Licensing Authority by the date given above. The Licensing Authority will have regard to any representation in considering the application that complies with the requirements of the Licensing Act 2003, the Regulations made thereunder and relates to at least one of the licensing objectives, being the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

It is an offence, under section 158 of the Licensing Act 2003, to knowingly or recklessly make a false statement in or in connection with an application for a premises licence and the maximum fine on being convicted of such an offence is £5,000.

Dated: 25th August 2016

Shoosmiths LLP

, Crest View
Warstock,
Birmingham
B14

Monday 20th September 2016

Application reference: 26th August 2016

Dear Sir,

Re: Changes to the trading hours at McDonalds from 1100 – 2330 hours daily.

1. Access to our property
 - a. Access up and down our road is already compromised due to persistent parking on the road by employees and customers of McDonalds.
 - b. We have had to go into McDonalds and ask owners to move their vehicles so that we can use the road to get to and from our property.
2. Noise
 - a. The microphone system used to take the drive-through orders can be heard from our property and that of our neighbours.
 - b. Further noise pollution from car and motorbike engines ticking over and being revved up.
 - c. The sound of extremely raised voices whilst occupying the car park.
 - d. Radios excessively loud whilst occupants consume their meals; these noises already disturb us throughout the working day – particularly early morning and late evenings.
3. Light pollution
 - a. Further light invasion into our bedrooms due to the car park requiring illumination for a greater number of hours each day.
4. Litter
 - a. The staff at McDonalds do a sterling job trying to keep on top of the litter, however we have a continual problem with litter and unfinished meals being left in the road.
 - b. Birds, foxes, cats and rats often dine out on the rubbish left by the customers. Extended opening hours could well exasperate these issues.

We wish these views to be considered regarding this planning application.

Yours faithfully

Appendix 3

The Licensing Act 2003 (Forms and Notices) (Amendment) Regulations 2012 - Schedule 1, Regulation 3

Insert name and address
of relevant licensing
authority and its
reference number
(optional)

Birmingham City Council
P.O. Box 17013
Birmingham
B6 9ES

LIC2
REGULATION & ENFORCEMENT
LICENSING SECTION
DATE RECEIVED

REF NO

37 4801 £315

INITIALS

TD

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.

XWe Robert Holdcroft 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 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 McDonald's Restaurants School Road Yardley Wood	
Post town Birmingham	Post code B14 4BJ
Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 65,500.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals*
- b) a person other than an individual*
 - i as a limited company
 - ii as a partnership
 - iii as an unincorporated association or
 - iv other (for example a statutory corporation)
- c) a recognised club
- d) a charity
- e) the proprietor of an educational establishment

- ☐ please complete section (A)
- ☒ / please complete section (B)
- ☐ please complete section (B)
- ☐ please complete section (B)
- ☐ please complete section (B)
- ☐ please complete section (B)
- ☐ please complete section (B)
- ☐ 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			Post code	
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			Post code	
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 Robert Holdcroft Limited
Address Bromwich Lane Stourbridge West Midlands DY9 0Qz
Registered number (where applicable) 02969279
Description of applicant (for example, partnership, company, unincorporated association etc.) 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			
2	4	0	9	2	0	1	6

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

DD		MM		YYYY			

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

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

The premises will operate as a restaurant selling food and non-alcoholic drinks for consumption on and off the premises.

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)

Please tick any that apply

Provision of regulated entertainment

- 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)

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

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)			<u>Will the performance of a play take place indoors or outdoors or both - please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<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)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			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 (please read guidance note 5)
Fri			
Sat			
Sun			

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 type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Fri					
Sat					
Sun					
			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)		

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both - please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			<u>Please give further details here</u> (please read guidance note 3)			
Tue						
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)			
Thur						
Fri			<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 5)			
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both - please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			<u>Please give further details here</u> (please read guidance note 3)			
Tue						
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)			
Thur						
Fri			<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 5)			
Sat						
Sun						

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 type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

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 type="checkbox"/>
Mon					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			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					

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 type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon	23:00	23:30	Please give further details here (please read guidance note 3) The premises will operate as a restaurant selling food and non-alcoholic drinks for consumption on and off the premises.	
Tue	23:00	23:30		
Wed	23:00	23:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur	23:00	23:30		
Fri	23:00	23:30	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)	
Sat	23:00	23:30		
Sun	23:00	23:30		

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 type="checkbox"/>
Day	Start	Finish		
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 4)	
Tue				
Wed				
Thur			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)	
Fri				
Sat				
Sun				

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

Name	
Address	
Post code	
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 8).
The premises will operate as an outlet of food and non-alcoholic drink and does not provide any adult entertainment or service that gives rise to a concern in respect of children.

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	05:00	23:30	
Tue	05:00	23:30	
Wed	05:00	23:30	
Thur	05:00	23:30	
Fri	05:00	23:30	Non standard timings. Where you intend the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat	05:00	23:30	
Sun	05:00	23:30	

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 attached Operating Schedule.

b) The prevention of crime and disorder

Please see attached Operating Schedule.

Operating Schedule

General

This restaurant understands that in extending our opening hours we have a duty to the local community and that we continue to protect our staff and customers from danger and harm. We believe that the systems we have in place are robust, thorough and will, as far as reasonably practicable, secure the promotion of the four licensing objectives. It should be noted that no McDonald's restaurant within the United Kingdom serves alcohol and further none of our drinks or food are served to customers in glass receptacles.

We are eager to work in partnership with all responsible authorities to ensure the promotion of the four licensing objectives. We also seek to work with the local communities, whom we serve, in achieving a successful cohesion between our business operations and our neighbours.

Prevention of Crime and Disorder

This restaurant is keen to work in partnership with the local police service to prevent crime and disorder.

CCTV

McDonald's operates a robust CCTV Policy to ensure compliance with Data Protection Legislation and to assist the Police with the prevention and detection of crime. At all stores where CCTV is in operation appropriate signage reflecting this information is displayed.

McDonald's operate digital motion activated CCTV systems where images are retained on a hard drive system. All CCTV equipment is of a standard suitable to record images of a proper quality, it meets the industry standard and has LGC Forensics or Kalagate Certification. As part of the digital system an alarm will sound if the equipment is faulty or not recording, thereby alerting management for the need to intervene. The CCTV system is regularly serviced by qualified maintenance technicians.

Access to the CCTV system will be provided to Police Officers at their request.

Staffsafe

A Staffsafe™ system with both audio and visual monitoring capability will be installed in the restaurant, this system, can be activated by either fixed or mobile panic buttons. Once activated the system links the restaurant to an external monitoring centre capable of intervening to resolve crime and disorder issues and/or provide the appropriate advice or instruction to support and protect the restaurant's staff and customers.

At this restaurant all shift managers have safety and security training; including Maybo SIA accredited Conflict Management Training.

Public Safety

This restaurant is keen to work in partnership with the local Fire Service and Environmental Health Officer to ensure public safety.

This restaurant has safety systems in place to protect the safety of customers and staff at all times (such as Staffsafe). We work with the local Environmental Health Office and local Fire Service to ensure we are complying, as far as reasonably practicable, with relevant Health and Safety and Fire Safety Legislation. This restaurant is also subject to inspections from our own safety and security teams to ensure our systems are being maintained.

All of our restaurant staff receive comprehensive safety training to ensure that safe working methods are adopted and all staff are trained on the restaurant's evacuation procedure in the event of a fire or other dangerous occurrence.

This store operates a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol into the in-store area.

Public Nuisance

Litter

McDonald's were the first company in our sector to introduce litter patrols in the early 1980's. McDonald's is committed to carry out litter patrols collecting both McDonald's packaging and any other litter that has been carelessly discarded. We are happy to act on recommendations from the Environmental Health Officer should they feel that we should extend our patrol to a nearby area, as far as this is reasonably practicable.

All of McDonald's packaging displays the "Bin It" symbol to encourage our customers to deal with their waste responsibly. Further details regarding McDonald's commitment to reducing waste and litter nuisance can be found at the "Our World" section of the McDonald's website:
<http://www.mcdonalds.co.uk/ourworld/environment/policy.shtml>

Noise

Where it is practical to do so we are content to put measures in place to limit noise. All McDonald's restaurant doors are self-closing and we try to encourage our customers to be considerate to our neighbours and to limit noise both when ordering their food and on leaving the local area.

The Protection of Children from Harm

McDonald's do not anticipate that unaccompanied children will use the restaurant in the extended hour's period covered by this licensing application. We do however take their safety extremely seriously and will continue to employ the same practices to ensure that they are protected from harm at all times when visiting the restaurant.

c) Public safety

Please see attached Operating Schedule.

d) The prevention of public nuisance

Please see attached Operating Schedule.

e) The protection of children from harm

Please see attached Operating Schedule.

Checklist:

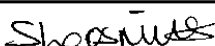
Please tick to indicate agreement

- 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. ☐

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

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.**

Signature	
Date	25th August 2016
Capacity	Solicitor / Authorised Agent 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) Shoosmiths LLP The Lakes			
Post town Northampton		Post code NN4 7SH	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Appendix 4

From: John Richardson
Sent: 05 September 2016 14:46
To: Licensing
Subject: FW: Licence Application - Macdonald's, School Road B14 4BJ
Importance: High

Dear Licensing Service

In light of the comments below regarding a revision of the operating times to 06:00 to 23:30 hours daily. The revised start time would bring the opening times in line with those approved by Condition 9 of 2014/05606/PA. Providing the later start is retained the LPA would have no issues with this application for a closing time of 23:30 hours.

Regards

John Richardson

John Richardson MRTPI | Senior Development Planning Officer | Planning and Regeneration (South) | Economy Directorate

Visit 1 Lancaster Circus | Queensway | Birmingham | B4 7DJ

Post PO Box 28 | Birmingham | B1 1TU

planningportal.gov.uk | Check if you need planning permission | make planning applications online
birmingham.gov.uk/planningonline | Comment on planning applications | search for planning applications and appeals | submit a pre application enquiry | policy information | Regeneration in Birmingham
birminghambeheard.org.uk | Please participate in Be Heard | All current local consultations at the click of a button | Have Your Say!

 Please consider the environment before printing this email



From: Rayner, Elaine [mailto:elaine.rayner@birmingham.gov.uk]
Sent: Monday, September 05, 2016 2:29 PM
To: John Richardson
Subject: RE: Licence Application - Macdonald's, School Road B14 4BJ
Importance: High

John

Many thanks for your e-mail, the contents of which are noted.

I have discussed the opening times stated on the application form with the Licensing Team and they have asked me to e-mail them confirming the amendment of the same to state 06:00 instead of 05:00 as previously suggested. This change does not affect the Notices displayed at the premises or the Notice advertised in the local press and they have confirmed this within our discussion.

Many thanks for your assistance in respect of this matter.

If you have any queries or require anything further, please do not hesitate to contact me.

Elaine

Elaine Rayner
Licensing Team Leader

SHOOSMITHS LLP

al

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www.shoosmiths.co.uk

From: John Richardson
Sent: 05 September 2016 10:16
To: Rayner, Elaine
Cc: Licensing
Subject: Licence Application - Macdonald's, School Road B14 4BJ

Our Ref 2016/003125/ENQ

Dear Elaine

Thank you for your enquiry regarding your Licence Application for an extension of hours for light night operation from 23:00 to 23:30 7 days a week on behalf of McDonald's Restaurants Ltd, School Road, Yardley Wood, Birmingham .

As the Local Planning Authority we would note that this application seeks to extend the late night opening hours in line with a Planning Approval 2014/05606/PA granted on 30th September 2014 and would therefore be acceptable. However, I would point out that your application states (in section L) that the proposed hours of operation would be from 05:00 to 23:30 hours 7 days a week. I therefore draw your attention to Condition 9 of the attached condition notice (for 2014/05606/PA a variation of the original approval 2002/00001/PA) which restricts trading hours to 06:00 to 23:30 7 days a week. Can you please clarify whether this is a clerical error.

Should your client commence trading at 05:00 (I note from the McDonald's website that the current opening is at 06:00) then this would place them in breach of their Planning Permission and leave them open to Enforcement action. Looking at the planning history for the site there have been two applications for early morning opening at 05:00 in 2008 (Mon to Sat) and in 2012 (7 days) both of these applications were refused on the grounds that the proposed development would adversely affect the amenities of occupiers of dwellings/premises in the vicinity by reason of noise and general disturbance. Given the close proximity of residential development to the site I consider it unlikely that any further planning application to extend the opening hours from 06:00 to 23:30 would be successful.

I look forward to your reply

Regards

John

Please note that any view expressed in this email constitutes an informal officer opinion only and is given without prejudice to the determination of any future planning application or to the views of the Planning Committee. You should also be aware that under the Freedom of Information Act 2000, information you provide may be made available for public inspection.

2

DECISION DOCUMENT

APPLICATION NUMBER: 2014/05606/PA**TOWN AND COUNTRY PLANNING ACT 1990****APPLICANT**McDonald's Restaurants Ltd
c/o Agent**AGENT (if used)**Savills (UK) Limited
Belvedere
12 Booth Street
Manchester
M2 4AW

BIRMINGHAM CITY COUNCIL GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS FOR THE FOLLOWING DEVELOPMENT IN ACCORDANCE WITH THE PLANS AND APPLICATION AS NUMBERED ABOVE:

Variation of condition number C8 attached to approval 2002/00001/PA to allow for extended trading hours from 0600 - 2330 hours daily.

at

McDonald's Restaurant, School Road, Yardley Wood, Birmingham, B14 4BJ

Conditions that affect this development or use

- 1 Requires parking and vehicular circulation areas to be suitably paved.
Parking and vehicular circulation areas shall be paved with a suitable material and drained, such areas to be provided and maintained for the lifetime of the development.
Reason: In order to safeguard the visual amenity of the area in accordance with paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.
- 2 Requires details of entry and exit signs to be maintained.
The entry only and exit only signs at the points indicated in the application are to be provided and maintained in the approved.
Reason: In order to prevent interference with the free flow of traffic in the adjoining highway in accordance with Paragraphs 6.39 of the Birmingham UDP 2005 and the National Planning Policy Framework.
- 3 Requires the details of any trees to be removed.
Details of the location, size and species of any tree and shrubs that are to be removed are to be submitted to and approved in writing by the Local Planning Authority.
Reason: In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.
- 4 Restricts the use of the car park to car parking only.
The areas allocated for car parking and vehicle circulation shall only be used for those purposes.
Reason: In order to prevent interference with the free flow of traffic in the adjoining highways in accordance with Paragraphs 3.8, 3.10 and 6.39 of the Birmingham UDP 2005 and the National Planning Policy Framework.
- 5 Restricts the entry and exit points for use for those purposes only.
The entrance and exit points shall only be used for the purpose indicated.
Reason: In order to prevent interference with the free flow of traffic in the adjoining highways in accordance with Paragraphs 6.39 of the Birmingham UDP 2005 and the National Planning Policy Framework.

- 6 Requires the agreed mobility access to be maintained
Adequate facilities are to be maintained to ensure inclusive access for people with mobility and sensory disabilities in accordance with details on the approved plans.
Reason: In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.10 and 3.16 of the Birmingham UDP 2005, Places for All SPD, Access for People with Disabilities SPD and the National Planning Policy Framework.
-
- 7 Facilities for cyclists to be maintained.
Adequate facilities for cyclists using the application site are to be maintained in accordance with the details indicated on the approved plans.
Reason: In order to secure the satisfactory provision of facilities for cyclists using the premises/site, in accordance with the standards adopted by the Local Planning Authority.
-
- 8 Limits delivery time of goods to or from the site
No deliveries shall be taken at or dispatched from the site outside the hours of 09:00 and 17:00 daily.
Reason: In order to define the permission and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.
-
- 9 Limits the hours of use
The premises shall only be open for customers between the hours of 06:00 and 23:30 daily.
Reason: In order to define the permission and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.
-
- 10 Requires details of any plant and machinery to be submitted.
No plant or machinery shall be installed at the said premises without the prior written consent of the Local Planning Authority.
Reason: In order to safeguard the amenities of occupiers of dwellings in the vicinity in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.

Date: Tuesday 30th September 2014

Waheed Nazir, Director of Planning and Regeneration

P.O. BOX 28, Birmingham B1 1TU

**Please note
This is not a building regulation approval**

INFORMATIVE NOTE

Water supplies for fire fighting should be in accordance with the "National Guidance Document on the Provision for Fire Fighting" published by Local Government Association and WaterUK

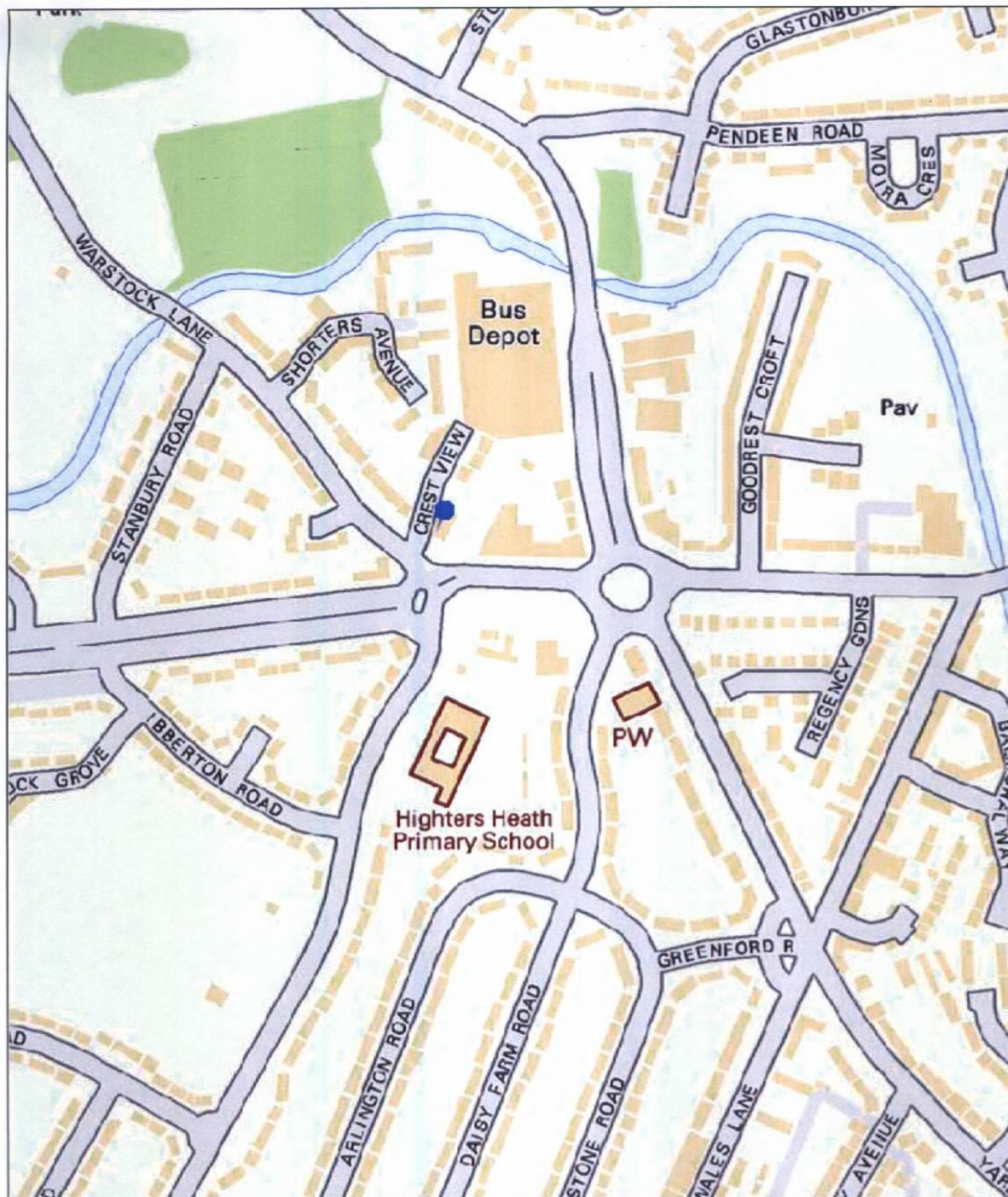
Please ensure that you visit the following link before commencing any development:
<http://www.water.org.uk/home/policy/publications/archive/industry-guidance/national-guidance-document/national-guidance-document-on-water-for-ffg-final.pdf>

Page 2 of 3

For further information please contact the West Midlands Fire Service Water Office at
water.officer@wmfs.net

In reaching this decision Birmingham City Council have made the decision in a positive way to foster the delivery of sustainable development, working proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. The decision has been taken having regard to the impact of the development, and in particular to the policies and proposals in the adopted Development Plan, and to all relevant material considerations, including the National Planning Policy Framework, the City Council's draft Birmingham Development Plan and Supplementary Planning Documents/Guidance. The City Council have worked in a seamless and timely manner to undertake the necessary liaison and negotiation with the applicant, third parties and statutory consultees (at the application and pre-application stages) to look for solutions which seek only high quality sustainable development.

APPROVED



Map Created By:

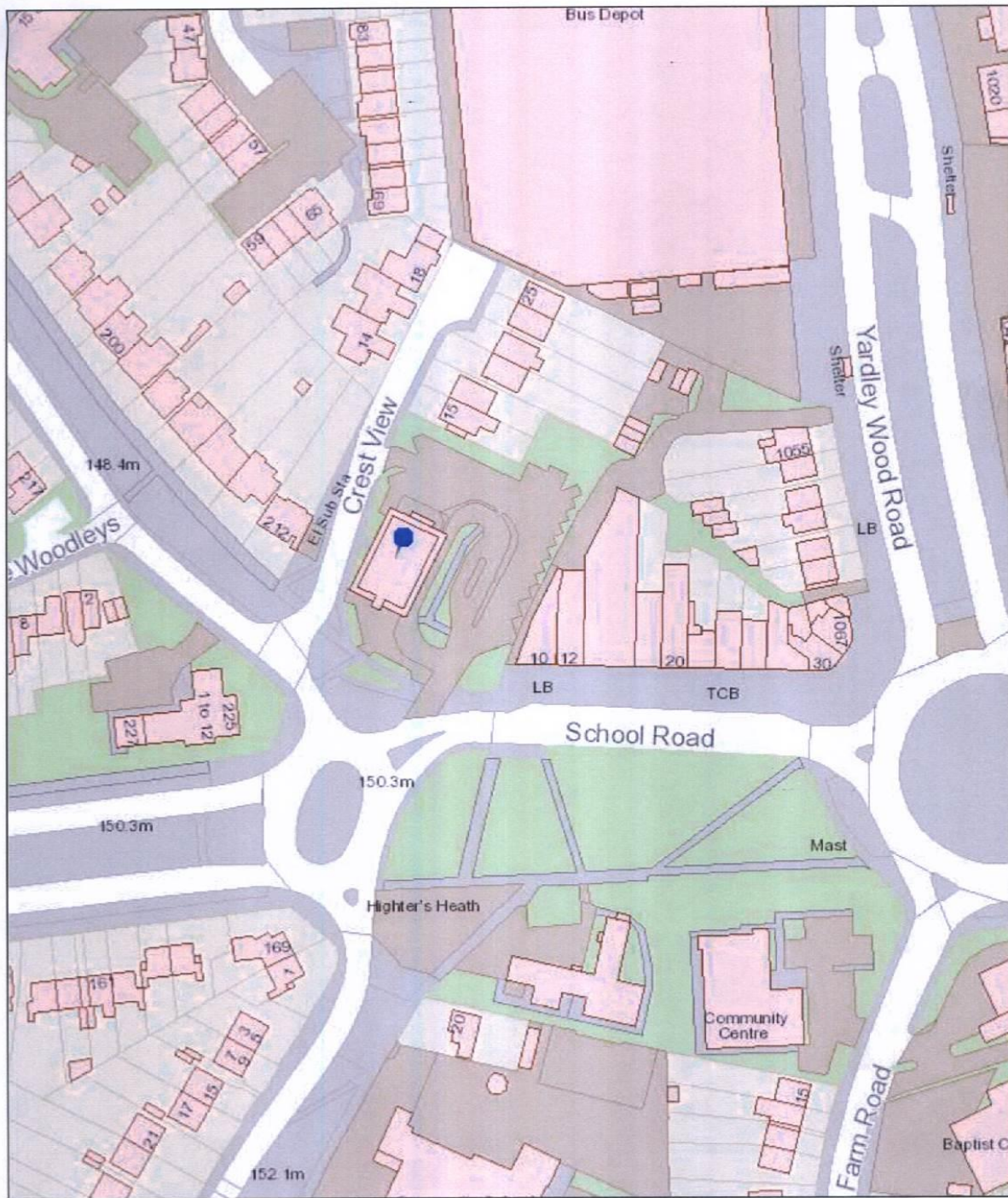
Date of Map Creation: 08/09/2016

Notes



Scale:
1:4,000

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Map Created By:

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Notes



Scale:
1:1,250

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BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Tuesday 18th October 2016
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Arthouse, 54 Bissell Street, Birmingham, B5 7HP
Ward affected:	Nechells
Contact Officer:	David Kennedy, Principal Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

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 on the premises) to operate from 09:00am until 06:00am (Monday to Sunday).

To permit the provision of Regulated Entertainment consisting of plays, films, live music, recorded music, performances of dance, and anything of a similar description, to operate indoors only, 09:00am until 06:00am (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 09:00am until 06:30am (Monday to Sunday).

2. Recommendation:

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

3. Brief Summary of Report:

An application for a Premises Licence was received on 31st August 2016 in respect of the Arthouse, 54 Bissell Street, Birmingham, B5 7HP.

Representations have been received from West Midlands Police, as a responsible authority, and from other persons.

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.

<p>5. Relevant background/chronology of key events:</p> <p>Blq Venues Limited applied on 31st August 2016 for the grant of a Premises Licence for the Arthouse, 54 Bissell Street, Birmingham, B5 7HP.</p> <p>A representation has been received from West Midlands Police, as a responsible authority. See Appendix 1.</p> <p>Representations have been received from other persons, including a petition which is attached at Appendix 6. See Appendices 2 – 6.</p> <p>The application is attached at Appendix 7.</p> <p>Conditions have been agreed with Environmental Health and the applicant, which are attached at Appendix 8.</p> <p>Conditions have been agreed with Birmingham City Council Licensing Enforcement and the applicant, which are attached at Appendix 9.</p> <p>Site Location Plans at Appendix 10.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ul style="list-style-type: none"> a. The prevention of crime and disorder; b. Public safety; c. The prevention of public nuisance; and d. The protection of children from harm.
<p>6. List of background documents:</p> <p>Copy of the representations as detailed in Appendices 1 – 6</p> <p>Application Form, Appendix 7</p> <p>Conditions agreed with Environmental Health, Appendix 8</p> <p>Conditions agreed with Birmingham City Council Licensing Enforcement, Appendix 9</p> <p>Site Location Plans, Appendix 10</p>
<p>7. Options available</p> <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

ENTERED R

From: Ben Reader
Sent: 28 September 2016 15:11
To: Licensing; David Kennedy
Cc: Adam Mroczkowski
Subject: ArtHouse Application

Licensing,

I refer to the application by Bloq Venues Limited for Arthouse, 54 Bissell Street, Birmingham, B5 7HP

West Midlands Police object to this licence application.

Our objection is based upon the public nuisance and crime and disorder licensing objectives.

This premises is linked to Arabian Nites which has been the cause of considerable anti-social behaviour which has directly impacted upon local residents.

In its current state, the location is not suitable for a late night premises, which would further compound the current ASB issues caused by customers in that location. This includes, but is not limited to anti social driving of vehicles in the street, customers causing noise and damage when leaving, disorders and littering.

Further evidence will be produced in due course.

Thank you

Ben

Police Constable 2413 Ben Reader
Licensing Department
Birmingham West & Central Local Policing Unit
Birmingham Central Station,
Steelhouse Lane,
Birmingham,
B4 6NW

Preventing crime, protecting the public and helping those in need

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ENTERED 80

From:
Sent: 27 September 2016 11:11
To: Licensing
Subject: FW: 54 Bissell Street adjacent to Arabian Nites Shisha
Attachments: 54 Bissell Steet drinks Licence.pdf

From:
Sent: 26 September 2016 12:46
To: 'chris.neville'
Cc:
Subject: 54 Bissell Street adjacent to Arabian Nites Shisha

Dear Mr Neville

Drinks Licence for the Shisha Bissell Street.

Please be aware number 54 Bissell Street is applying for a drinks licence number 54 can only be described as the Arabian Nites Shisha as this Shisha as bought extreme litter high speed driving noise to local residence and drug taking at a level hither to unknown the street is littered with needles empty nitrous containers. Parked cars using Arabian Nites are blocking Bissell Street and parking on yellow lines preventing access and loading of local businesses in normal working hours. Last week I recorded on camera 10 addicts lining up for a heroin injection in the car park which is the approved car park for Arabian Nites Shisha. The drug taking in the street and extreme litter as only started since the opening of Arabian Nites. This application for Alcohol will exacerbate an already disastrous condition.

Video of drug taking available and photographs of the extreme litter from the attendees of Arabian Nites Shisha available.

It is quite clear the current occupants of Number 54 Bissell Street are not capable of managing a safe operation and will add to the situation caused by Arabian Nites.

It is a disgrace that this application is the best kept secret to my knowledge nobody in the street has been informed of the application via the formal system. Questions need to be asked what is going on within the BCC this is a notorious problematic site with dozens of complaints from residence and local businesses and no communication on this major change this site is creating a great deal of work for the Police and it needs sorting out by a multifunctional BCC approach..

Regards

54 Bissell Street
Birmingham
B5

From:
Sent: 28 September 2016 17:54
To: Licensing
Cc: Chris Neville
Subject: Re: Licensing Act 2003 (Grant) RE: Arthouse, 54 Bissell Street, Birmingham, B5 7HP

Further to your reply the night club Arabian Nites attracts a large number of drug addicts it is reported a shooting took place at site the hospital who saw to the mater claimed it went unreported. Driver from the club spend time driving at high speed is 100 mile an hour in Bissell street. The area as deteriorated significantly since the club opened you must use my evidence on the licensing of this club. Last Thursday a car from Bissell knock me over driving Dangerously all this shambolic activity as arisen due to licensing of shambolic activity in Bissell Street if you need to pass the complainants information please do so but ensure your duty care to the general public is not compromised. It is clear the BCC controls are not in pace with current conditions.
Copy sent to the BBC along with supporting evidence of the on going crime, litter, parking, and drug taking.



Public Register: Licence Report

Table of Contents

1. Licence
2. Current Designated Premises Supervisor
3. Premises Details
 - 3.1 Licensable Activities
 - 3.2 Activity Times
 - 3.3 Operating Hours
4. Conditions
 - 4.1 Mandatory Conditions
 - 4.2 Operating Conditions
 - 4.3 Committee Conditions
5. Events

1. Licence

Summary of the licence application.

Application Reference	98453
Licence Holder Name	Blog Venues Limited
Registered Company Number	10329518
Licence Number	
Time Limited Start Date	N/A
Time Limited End Date	N/A
Issue Number	
Issue Date	
Grant Date	
Granted By	
Status	New
Representation Start Date	31/08/2016
Representation End Date	28/09/2016

2. Current Designated Premises Supervisor

<http://publicregister.birmingham.gov.uk/Gen/viewReport.aspx?ReportType=Premises...> 24/09/2016

A DPS is required wherever there is a licenced activity for the sale of alcohol for consumption on or off the premises.

Status	Assigned
Name	Ms Jamie-Lee Price
Licence Number	
Issuing Authority	
Start Date	

3. Premises Details

Details of the premises, the licensable activities and hours of operation.

Premises Name	Arthouse
Premises Type	Multi Purpose Venue
Premises Address	54 Bissell Street, Birmingham, B5 7HP
Ward Name	NECHELLS

3.1 Licensable Activities

A list of activities applied for or for which this premises is licensed.

Code	Description
A	Plays
B	Films
E	Live music
F	Recorded music
G	Performances of dance
H	Anything of similar description to that falling within (live music), (recorded music) or (performances of dance)
L	Late night refreshment
M1	Sale of alcohol by retail (on the premises)

3.2 Activity Times

The times of day during which the activities listed in 3.1 are permitted/applied for. Where the start time is later than the end time, the period of activity spans mid-night. Where the start time is equal to the end time, the period licensed is 24 hours.

Days	Start Time	End Time	Licensed Activity Codes
Monday - Sunday	09:00	06:00	A, B, E, F, G, H, M1
	23:00	05:00	L

<http://publicregister.birmingham.gov.uk/Gen/viewReport.aspx?ReportType=Premises...> 24/09/2016

3.3 Operating Hours

The hours of operation of the premises during the day. Where the start time is later than the end time, the period of operation spans mid-night. Where the start time is equal to the end time, the period of allowed operation is 24 hours.

Days	Start Time	End Time
Monday - Sunday	09:00	06:30

4. Conditions

4.1 Mandatory Conditions

Mandatory conditions attached to the licence.

Objective	Condition
N/A	No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
N/A	Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
N/A	The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises— (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to— (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable

<http://publicregister.birmingham.gov.uk/Gen/viewReport.aspx?ReportType=Premises...> 24/09/2016

	manner; (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
N/A	The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
N/A	The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either (a) a holographic mark, or (b) an ultraviolet feature.
N/A	The responsible person must ensure that (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures (i) beer or cider: ½ pint; (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and (iii) still wine in a glass: 125 ml; (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
N/A	(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. (2) In this condition:- (a) "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where- (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to

	prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
N/A	The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendation made: (a) By the British Board of Film Classification (BBFC), where the film has been classified by that Board, or (b) By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20(3)(b) (s74(3)(b) for clubs) of the Licensing Act 2003 applies to the film.
N/A	Each individual assigned to carrying out a security activity must be licensed by the Security Industry Agency.

4.2 Operating Conditions

Operating conditions attached to the licence and classified by objective:

General

General conditions consistent with the operating schedule.

Crime

Conditions consistent with, and to promote the prevention of crime and disorder.

Safety

Conditions consistent with, and to promote public safety.

Nuisance

Conditions consistent with, and to promote the prevention of public nuisance.

Child

Conditions consistent with, and to promote the protection of children from harm.

Objective	Condition
GENERAL	The Premises Licence Holder shall ensure that the Designated Premises Supervisor or another qualified person will train any staff at the premises on; "All of the licensing objectives contained in the Licensing Act 2003; "Responsible retailing of alcohol, and the law regarding sales of alcohol; "The protection of children from harm and this must include how to competently check customers' identification where necessary; "Permitted hours during which licensable activities can take place and on compliance with the conditions attached to the premises licence. The training provided to staff will be recorded and each member

<http://publicregister.birmingham.gov.uk/Gen/viewReport.aspx?ReportType=Premises...> 24/09/2016

	of staff will sign and date their training records to confirm they have received and understood the training provided. Refresher training will be completed and documented every 6 months. The staff training records will be kept at the premises and made available to any Responsible Authority upon request.
CRIME	The premises shall have a standard operating time of 04:00am. If the premises wish to operate until 06:00am, notification must be given to West Midlands Police Licensing Team West and Central Police Station 14 days prior to the event.
CRIME	The premises shall have a CCTV system installed to the satisfaction of West Midlands Police Licensing Team at Birmingham West and Central Police Station. All recordings from the CCTV shall be retained for a minimum of 31 days and access to the footage shall be given to any of the responsible authorities upon request.
CRIME	All events to be held at the premises are to be risk assessed. The requirement for SIA registered door supervisors to form part of the risk assessment.
CRIME	The premises licence holder will have in place a written drugs policy, search policy, incident handling policy, dispersal policy, drink & drunkenness policy and noise policy prior to any licensable activity taking place at the premises. All staff members will be trained on each policy. The training provided to staff will be recorded and each member of staff will sign and date their training records to confirm they have received and understood the training provided. Refresher training will be completed and documented every 6 months. The staff training records will be kept at the premises and made available to any Responsible Authority upon request.
CHILD	The Premises shall adopt a Challenge 25 Scheme and signage shall be displayed on site advising customers of the scheme. All staff shall be trained on the Challenge 25 scheme. The training provided to staff will be recorded and each member of staff will sign and date their training records to confirm they have received and understood the training provided. Refresher training will be completed and documented every 6 months. The staff training records will be kept at the premises and made available to any Responsible Authority upon request.

4.3 Committee Conditions

No Information available

5. Events

Other significant events recorded for this licence.

Date	Event Name
------	------------

<http://publicregister.birmingham.gov.uk/Gen/viewReport.aspx?ReportType=Premises...> 24/09/2016

Appendix 3

From

Sent: Wednesday, September 28, 2016 2:40 PM

To: Chris Neville

Subject:

Chris

re drinks license for 54 bissell st

further to my telephone call

i do not think this street is suitable for another licensed bar with late night /. early morning license
since arabian nites opened the increase in litter ie bottles nitrous containers fast food waste has been very
noticable also i have had people urinating and 1 one occasion last weekend excrement in my doorway
not pleasant as you can imagine

this is still mainly a street for industrial units not for nightclubs

there isnt enough parking as it is and another bar would only enhance the problem

bissell st

Appendix 4

From:

Sent: Tuesday, September 27, 2016 4:20 PM

To: Chris Neville

Subject: Arabian Nites Bissell Street

Good afternoon Mr Neville.

I am writing to you concerning an application for drinks licence at Arabian Nites, 54 Bissell Street, Highgate, Birmingham B5.

To say that since Arabian Nites opened it's doors things have been pleasant would be an understatement. and I think in all honesty a drinks licence would only make things considerably worse.

We run a business Arabian Nites and have to contend with parked cars on our forecourt and across our loading bay entrance as well as on the double yellow lines, making deliveries and collections not only difficult but some times dangerous. The road as a whole is constantly blocked all day.

Every morning before start of business we have to sweep up the broken glass, nitrous containers and any other unsavoury items people tend to discard because they think that our forecourt is a rubbish container.

I feel so sorry for the residents in the area that have to put up with this day in day out until the early hours of the morning. At least I can go home.

So in all honesty Birmingham City Council thinks, a drinks licence will make things easier. REALLY.

Thank you for taking the time to read this and hopefully take every thing into consideration before any licences are granted.

Yours Sincerely.

Appendix 5

From:
Sent: Wednesday, September 28, 2016 6:29 PM
To: Chris Neville
Subject: Fwd: Alcohol application 54 Bissell Street

Begin forwarded message:

From:
Subject: Alcohol application 54 Bissell Street
Date: 26 September 2016 at 15:10:54 BST
To: chris.neville

Dear Mr Neville

I am writing to object to the proposed licence application for 54 Bissell Street. I am a resident of Bissell Street and live at number

Since Arabian Nights have opened the rubbish and noise on the street has become out of control. There are empty Nitro canisters and empty bottles strewn across the street., The cars racing down the street and the complete blockage of the street outside their premises are making it a hindrance to all the residents in the street. I am objecting to the licence with the view that the noise and disturbance will increase for all the residents

Please contact me if you need any information

Regards

Residents Petition re Licence application. 54 Bissell st Highgate. Application number 98453
Licence number PERS/NW/772/201 Ms Jamie-Lee Price Licence holder. Bloq Venues Ltd
Registered company 10329518 Start date 31/8/2016 End date 28/9/2016

Complaint regarding proposed Licensing of a new venue called the ARTHOUSE a multi purpose venue planning to open and serve alcohol Monday to Sunday from 9pm until 6am.

We currently have a large amount of Anti Social Behaviour from the current Venue called Arabian Nites at 54 Bissell Street and are trying to get it stopped.

Arrears effected include

Lawford Grove, Spooner Croft, Gooch Street, Bissell Street, Barford Street, Vaughton st.

Late night venues and residential areas do not mix, the area cannot cope with a venue not selling alcohol, so what will it be like with another one that is selling alcohol into the early hours, no doubt there will be a knock on effect with parking and litter, because the footfall will increase. With this venue increase customers attending the Shisha Lounge Arabian Nites causes resident fear within the local community we are already fearful in our homes and concerned the crimes are effecting us already, please help.

Problems we currently have include

Neighbours cars have been hit on many occasions
We are extremely Fearful of Crimes and are being verbally abused by their clientele
Drug taking and drinking Alcohol in the Grove and Croft
Criminal Damage has been done to wheelie bins etc
Aggressive Confrontations from youths in the cars
Drug taking in their parked vehicles, council bins knocked out of there concrete
Noise and verbal abuse and we have been **threatened**
Couples making out on our door steps, literally.
Parking on grass land, pavements
Spraying graffiti, littering with fast food and bottles
Verbal abuse and swearing
Urinating up, our fences, gates, and sometimes our cars
Litter and drug use items being left in grove
Noise and shouting, car horns sounding until 4am
Public transport, ambulances Fire trucks And buses have trouble getting through
Constant car doors slamming, playing loud music, engines revving

We are **fearful** of further crimes and feel prisoners in our homes. We have gathered video evidence and get verbally abused by the staff from Arabian Nites, calling us nosey, racists etc., we can not let them expand without any consultation or respect for the residents who have lived here for up 50 years, we have many elderly and young family's who suffer and the constant **noise, shouting and screaming, abuse and anti social behaviour of fighting, urinating**, drinking keeps us in fear and this is not a way to live, I believe under the human rights act we have a right to live peacefully and safe in our homes. Due to noise we can not even open our windows at night.

Regards the resident of Highgate. 25/9/2016

25/9/16

NAME

ADDRESS

Lawford Grove
Lawford Grove
Lawford Grove
Lawford Grove
Lawford Grove

LAWFORD GROVE

Lawford Grove

Lawford Grove

Lawford Grove

Lawford Grove

Spoozer Craft

Lawford Grove

Lawford Grove

Spoozer Craft

Spoozer Craft

Lawford GROVE

SPOOZER CRAFT

SPOOZER CRAFT

Lawford Grove

LAWFORD GROVE

Lawford Grove

Lawford Grove

LAWFORD GROVE

LAWFORD GROVE

LAW GROVE

Lawford Grove

Lawford Grove

PETITION - OBJECTION TO LICENCE APP/ARTHOUSE
LICENCE NO 98453 54 BISSELL ST HIGHWATE
PER/NW/772/201 MS TAMIE LEE - PRICE
HOLDOR BLOCK VENUES LTD
PLEASE SIGN ABOVE IF YOU OBJECT
25/9/16

WE THE UNDER SIGNED Strongly
OBJECT TO ANOTHER CLUB opened by
THE SATURN CENTRE OPENING

ADDRESS

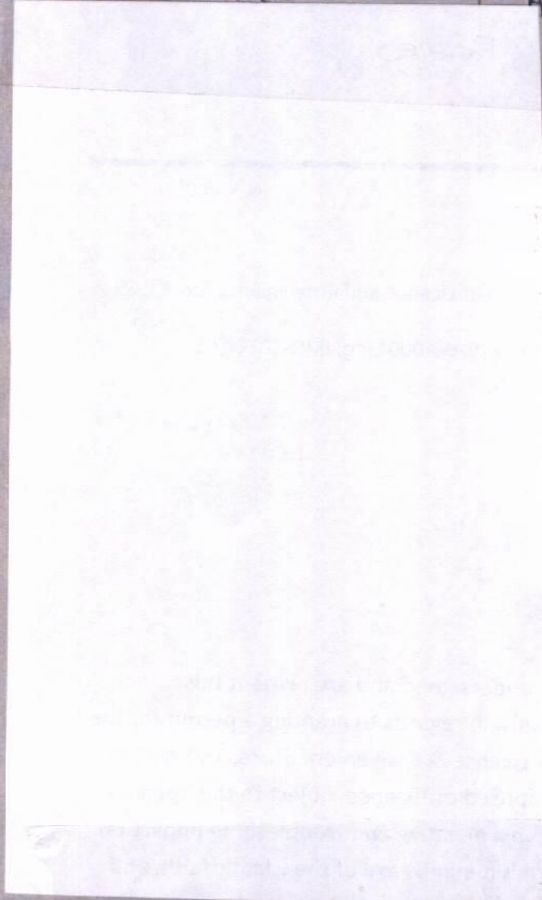
Goodch Street
Goodch Street
Goodch Street
GOODCH STREET
Goodch St
GOODCH ST

~~11~~ PETITION + OBJECTION TO ARTHOUSE.
LICENCE APPLICATION NO 98453 54 BISSELL ST
PERS/NW/772/201 MS TAMIE-LEE-PRICE
HOLDER BLOQ VENUES LTD.
PLEASE SIGN ABOVE TO OBJECT
25/9/16

21/9/16

NAME

ADDRESS



SPOONER CROFT
SPOONER CROFT
SPOONER CROFT
SPOONER CROFT
CROFT STREET
CROFT STREET
CROFT STREET
SPOONER CROFT
SPOONER CROFT
LAWFORD GROVE
SPOONER CROFT
LAWFORD ROAD
SPOONER CROFT

GROUCH ST / SPOONER CROFT

PETITION - OBJECTION TO LICENCE APPLICATION ARTHOUSE
LICENCE NO 98453 54 BISSELL ST HIGHTON
PER/NW/772/201 MS JAMIE LEE PRICE
HOLDER 8609 VENUES LTD
PLEASE SIGN ABOVE TO OBJECT
25/9/16

	Birmingham Application for a premises licence Licensing Act 2003	For help contact licensingonline@birmingham.gov.uk Telephone: 0121 303 9896

* required information

Section 1 of 19

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

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

☐ Applying as an individual

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

Applicant Business

* Is the applicant's business registered in the UK with Companies House? ☒ Yes ☐ No

* Registration number

* Business name

* VAT number

* Legal status

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

* Applicant's position in the business

Home country The country where the applicant's headquarters are.

Registered Address Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

☒ An agent that is a business or organisation, including a sole trader A sole trader is a business owned by one person without any special legal structure.

☐ A private individual acting as an agent

Agent Business

* Is your business registered in the UK with Companies House? ☒ Yes ☐ No

* Registration number

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

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

* Legal status

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 19

PREMISES DETAILS

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

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 19**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Bloq Venues Limited

Details

Registered number (where applicable)

10329518

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

[Add another applicant](#)

Section 5 of 19

OPERATING SCHEDULE

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

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

Provide a general description of the premises

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.

Multi-purpose events space situated in a renovated warehouse unit. The Premises operates as multi-functional centre for performance, exhibitions, concerts and creative events encompassing live music, theatre, dance, film screenings, installation and international street art.

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

Continued from previous page...

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

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

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

Start

End

Start

End

Will the performance of a play take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

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

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

Continued from previous page...

State any seasonal variations for performing plays

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

--

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

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

--

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 09:00

End 06:00

Start

End

SUNDAY

Start 09:00

End 06:00

Start

End

Will the exhibition of films take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

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

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

State any seasonal variations for the exhibition of film

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

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

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

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 19

PROVISION OF LIVE MUSIC

Continued from previous page...

Will you be providing live music?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

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

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

Amplified and unamplified music: indie, jazz, electronic, experimental, classical, jazz, etc.

State any seasonal variations for the performance of live music

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

Continued from previous page...

--

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

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

--

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start 09:00

End 06:00

Start

End

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

TUESDAY

Start 09:00

End 06:00

Start

End

WEDNESDAY

Start 09:00

End 06:00

Start

End

THURSDAY

Start 09:00

End 06:00

Start

End

FRIDAY

Start 09:00

End 06:00

Start

End

SATURDAY

Start 09:00

End 06:00

Start

End

Continued from previous page...

SUNDAY

Start 09:00

End 06:00

Start

End

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

☒ Indoors

☐ Outdoors

☐ Both

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

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

State any seasonal variations for playing recorded music

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

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

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

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start 09:00

End 06:00

Start

End

TUESDAY

Start 09:00

End 06:00

Start

End

Give timings in 24 hour clock.

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

Continued from previous page...

WEDNESDAY

Start 09:00

End 06:00

Start

End

THURSDAY

Start 09:00

End 06:00

Start

End

FRIDAY

Start 09:00

End 06:00

Start

End

SATURDAY

Start 09:00

End 06:00

Start

End

SUNDAY

Start 09:00

End 06:00

Start

End

Will the performance of dance take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

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

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

State any seasonal variations for the performance of dance

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

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

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

Continued from previous page...

Section 13 of 19

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

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

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

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

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

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End

FRIDAY

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SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Give a description of the type of entertainment that will be provided

Will this entertainment take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

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

Continued from previous page...

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

--

State any seasonal variations for entertainment

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

--

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

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

--

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start 23:00

End 05:00

Start

End

SATURDAY

Start 23:00

End 05:00

Start

End

SUNDAY

Start 23:00

End 05:00

Start

End

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

☒ Indoors

☐ Outdoors

☐ Both

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

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

State any seasonal variations

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

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

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

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Continued from previous page...

Standard Days And Timings

MONDAY

Start 09:00

End 06:00

Start

End

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

TUESDAY

Start 09:00

End 06:00

Start

End

WEDNESDAY

Start 09:00

End 06:00

Start

End

THURSDAY

Start 09:00

End 06:00

Start

End

FRIDAY

Start 09:00

End 06:00

Start

End

SATURDAY

Start 09:00

End 06:00

Start

End

SUNDAY

Start 09:00

End 06:00

Start

End

Will the sale of alcohol be for consumption:

- ☒ On the premises ☐ Off the premises ☐ Both

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

State any seasonal variations

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

Continued from previous page...

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

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

--

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 19

ADULT ENTERTAINMENT

Continued from previous page...

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

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

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

Continued from previous page...

--

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

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

--

Section 18 of 19

LICENSING OBJECTIVES

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

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

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

The Premises shall have a standard operating time of 4am. If the Premises wish to operate until 6am, notification must be given to West Midlands Police Licensing Team at Birmingham West and Central Police Station 14 days prior to the event.

b) The prevention of crime and disorder

The Premises shall have a CCTV installed to satisfaction of West Midlands Police Licensing Team at Birmingham West and Central Police Station. All recordings from the CCTV shall be retained for a 31 days and access to the footage shall be given to any Responsible Authority upon request.

The premises licence holder will have in place a written drugs policy, search policy, incident handling policy, dispersal policy, drinks & drunkenness policy and noise policy prior to any licensable activities taking place at the premises.

The premises licence holder shall employ a number of suitable competent/qualified staff that is appropriate to the activity being undertaken.

All events to be held at the premises are to be risk assessed. The requirement for SIA registered door supervisors to form part of the risk assessment.

c) Public safety

A fire risk assessment will be conducted and implemented in the premises.

d) The prevention of public nuisance

The premises licence holder will monitor noise within the premises to ensure that licensable activities do not give rise to public nuisance.

Continued from previous page...	
The main entrance to the premises shall be from the car park entrance, which will be accessible to taxi's, thereby promoting the prevention of public nuisance objective.	
e) The protection of children from harm	
The Premises shall operate a Challenge 25 Policy and signage shall be displayed at the Premises advising that the scheme is in place.	
Section 19 of 19	
PAYMENT DETAILS	
This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm	
Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*
*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee	
Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00
There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.	
Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.	
If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time	
Capacity 5000-9999	£1,000.00
Capacity 10000-14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00
* Fee amount (£)	<div style="border: 1px solid black; width: 100px; text-align: center;">315.00</div>
DECLARATION	
* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.	
<input checked="" type="checkbox"/> Ticking this box indicates you have read and understood the above declaration	
This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"	

Continued from previous page...

* Full name

* Capacity

* Date / /
dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...

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

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

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed ☐

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 Next >

Appendix 8

From: Heath Thomas
Sent: 26 September 2016 15:54
To: Paul R. Samms
Cc: Licensing
Subject: FW: Premises Licence Application - Arthouse Bissell Street
Attachments: ArthouseConditionsModified.doc

Dear Paul,

I confirm that these conditions are agreed.

Kind regards

Heath

Heath Thomas


Partner
Licensing & Regulatory
For and on behalf of Harrison Clark Rickerbys Limited



With you every step of the way

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Offices at: Birmingham | Cheltenham | Hereford | Thames Valley | Worcester | Wye Valley | London (By appointment)

From: Paul R. Samms
Sent: 23 September 2016 16:21
To: Heath Thomas
Subject: Premises Licence Application - Arthouse Bissell Street

Hi Heath,

Please find conditions for your attention.

I confirm I will not make a representation if you agree to them.

If you could try and respond by midday Monday I would be most appreciative.

Regards,

Paul Samms
Environmental Protection Officer

Environmental Protection Unit
Environmental Health

1. The Premises Licence Holder Hotel 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 public nuisance to local residents.
2. Customers who require a taxi from the site shall be advised by staff to use taxi companies specified by the Premises Licence Holder.
3. Notices shall be displayed within the licensed premises for customers to view giving details of taxi companies to use.
4. The Premises Licence Holder shall ensure notices shall be displayed near the entrance and exits of the Hotel at a weekend advising customers who wish to use the outside areas that they should do so with respect for the nearby residents and keep noise levels to a minimum.
5. The Premises Licence Holder shall be responsible for ensuring that patrons wishing to utilise the outside areas do so quietly and that noise from patrons moving to and from the external areas is kept to a minimum.
6. The Premises Licence Holder shall be responsible for ensuring that the external areas do not create a public nuisance to neighbours at the premises and if necessary will direct all customers leaving the venue for the night a North Easterly direction down Bissell Street. If necessary The Premises Licence Holder will increase the number of stewards/doorman to control customers.
7. The Premises Licence Holder shall be responsible for ensuring that the external areas do not create a public nuisance to neighbours at the premises and if necessary will:
 - a) restrict the number of people utilising the outside areas at any one time.
 - b) direct people away from neighbouring residential premises.
 - c) increase the number of stewards/doorman to control customers.
8. All external doors and windows within the licensed area to be closed during regulated entertainment except for access and egress
9. If Environmental Health deem it necessary 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 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.

Appendix 9

From: Heath Thomas
Sent: 16 September 2016 14:01
To: Sarah Hemsall
Cc: Licensing
Subject: (Paul) Re: Arthouse

Dear Sarah

I confirm that these conditions are agreed.

Regards

Heath

Sent from my Samsung Galaxy smartphone.

Heath Thomas

Partner
Licensing & Regulatory
For and on behalf of Harrison Clark Rickerbys Limited



With you every step of the way

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Offices at: Birmingham | Cheltenham | Hereford | Thames Valley | Worcester | Wye Valley | London (By appointment)

----- Original message -----

From: Sarah Hemsall
Date: 15/09/2016 16:51 (GMT+00:00)
To:
Subject: Arthouse

Dear Mr Thomas

Premises Licence Application – Arthouse, 54 Bissell Street, Birmingham B5 7HP

I am in receipt of the application form submitted in respect of the above premises.

You will appreciate it is important that any conditions attached to a premises licence are clear, precise and enforceable in order to effectively promote the four licensing objectives.

In considering the application submitted and the measures outlined in the operating schedule the Licensing Enforcement Team has applied the tests of necessity and reasonableness in order to promote the four licensing objectives. The Licensing Enforcement Team will require the applicant to accept the following as conditions which will be applied to the licence:

General

The Premises Licence Holder shall ensure that the Designated Premises Supervisor or another qualified person will train any staff at the premises on;

- All of the licensing objectives contained in the Licensing Act 2003;
- Responsible retailing of alcohol, and the law regarding sales of alcohol;
- The protection of children from harm and this must include how to competently check customers' identification where necessary;
- Permitted hours during which licensable activities can take place and on compliance with the conditions attached to the premises licence.

The training provided to staff will be recorded and each member of staff will sign and date their training records to confirm they have received and understood the training provided. Refresher training will be completed and documented every 6 months.

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

Prevention of Crime & Disorder

The premises licence holder will have in place a written drugs policy, search policy, incident handling policy, dispersal policy, drink & drunkenness policy and noise policy prior to any licensable activity taking place at the premises.

All staff members will be trained on each policy. The training provided to staff will be recorded and each member of staff will sign and date their training records to confirm they have received and understood the training provided. Refresher training will be completed and documented every 6 months.

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

Protection of Children from Harm

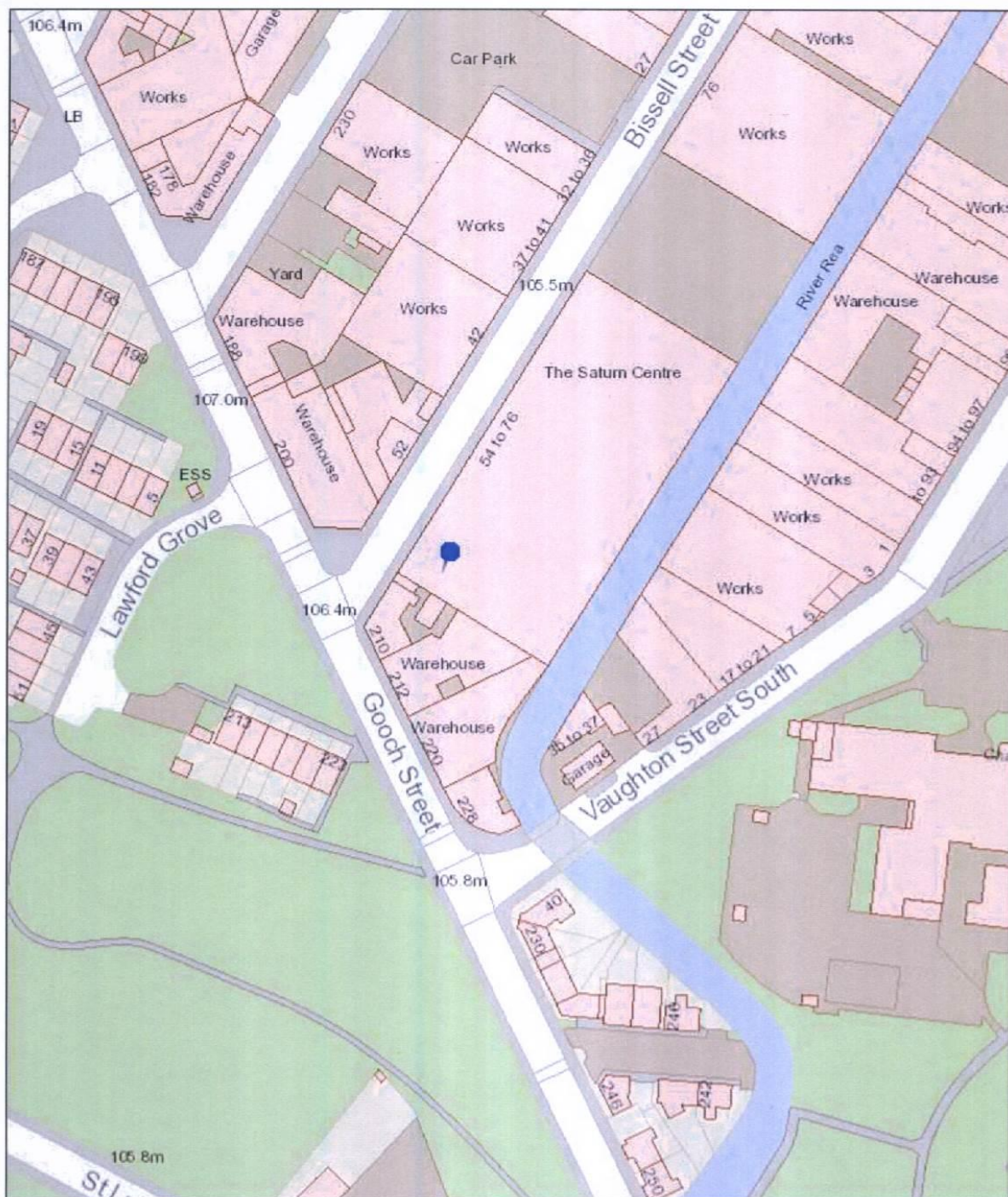
The Premises shall adopt a Challenge 25 Scheme and signage shall be displayed on site advising customers of the scheme. All staff shall be trained on the Challenge 25 scheme. The training provided to staff will be recorded and each member of staff will sign and date their training records to confirm they have received and understood the training provided. Refresher training will be completed and documented every 6 months.

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

As you will see the conditions generally relate to measures already offered in the application but they have been worded in a manner which makes them more meaningful and enforceable.

Subject to the applicant confirming in writing they agree to accept the attached conditions there will be no need for the Licensing Enforcement Team to make a representation regarding the application submitted.

I look forward to hearing from you.



Birmingham City Council Map Created By:

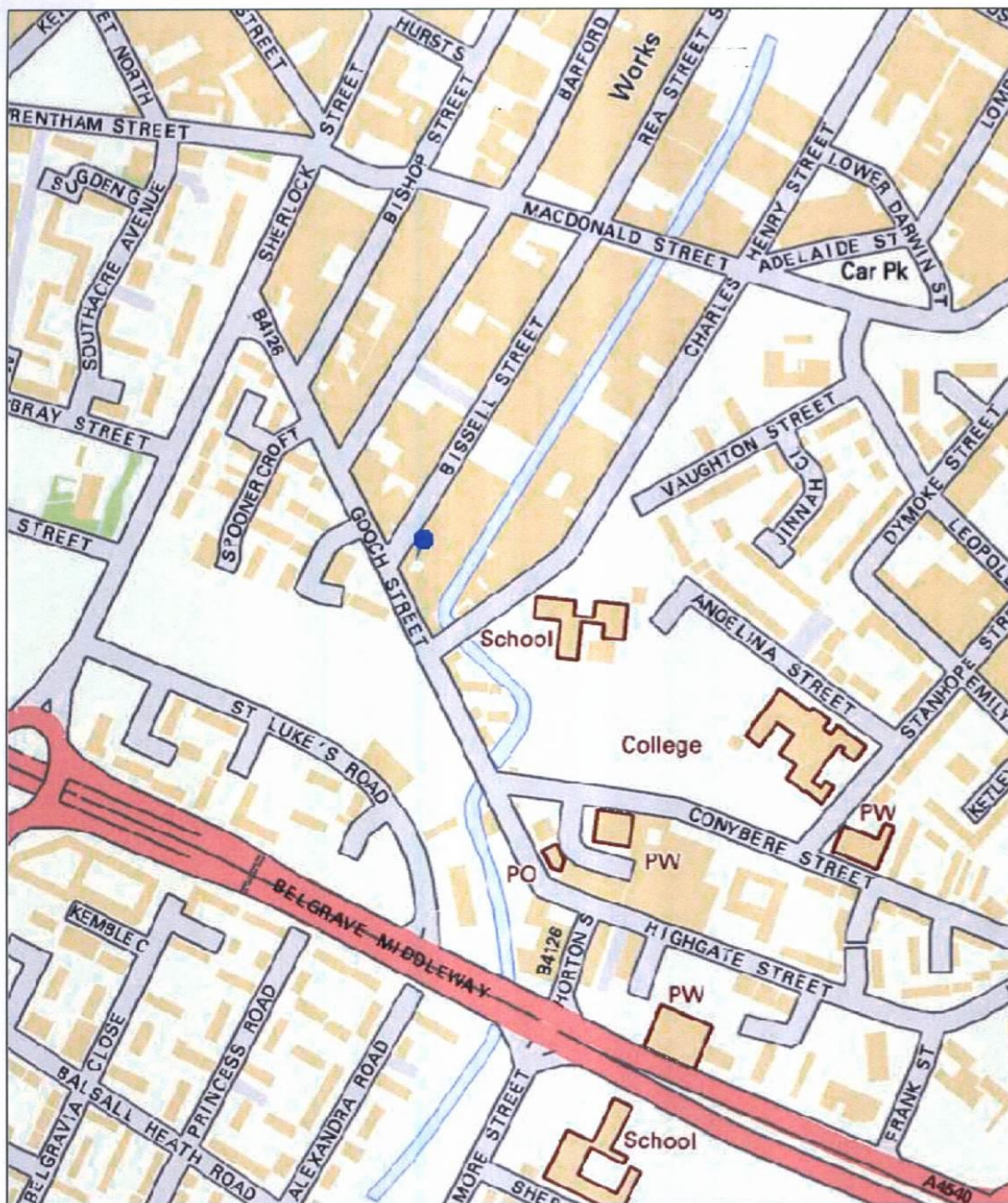
Date of Map Creation: 03/10/2016

Notes



Scale:
1:1,250

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Birmingham City Council Map Created By:

Date of Map Creation: 03/10/2016

Notes



Scale:
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Witness Statement

(CJ Act 1967, S.9 MC Act 1980, ss. 5A (3a) and 5B. MC Rules 1981, R.70)

Statement of: Carl Moore.

Age: **Over 18**

Occupation: Director of CNA Risk Management Ltd

This statement (consisting of 2 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated: **11th October 2016**

Signature: _____

1. I am a former police officer, having retired from West Midlands Police in 2006 after 30 years service. I started my police career in 1976 as a uniformed Constable in the Handsworth area of Birmingham, before moving on to CID in 1979. I was seconded to the Serious and then the Midland Regional Crime & Drugs Squad where I later specialised in drugs and intelligence gathering operations. I left the Midland Regional Crime Squad in 1997 and returned to West Midlands Police where I was stationed at Steelhouse Lane Police Station CID. Following an injury in 1999 I became the Licensing Officer for the Chinese Quarter in Birmingham. I held this position for four years.
2. Upon leaving the police in 2006, I set up C.N.A. Risk Management Ltd, a licensing consultancy company providing advice and assistance to operators of licensed premises including: advising on and submitting licensing applications; producing operational management protocols and risk assessments; security advice; mystery shoppers and drugs testing.
3. From my experience gained during my time as a police officer responsible for licensing issues, I am aware of how important partnerships between the operators and authorities are. For this reason, a significant amount of my time is spent acting as a liaison between my clients and the responsible authorities. I have attended a number of Licensing hearings as an expert witness in the four licensing objectives.
4. C.N.A. Risk Management Ltd is currently retained by a number of clients on a full time basis to look after their premises situated throughout the midlands. I also provide a licensing consultancy services to many other operators as and when they require assistance. All of my clients are from the late night leisure market including nightclubs, lap dancing venues, restaurants and bars.

Signature: _____

Signature witnessed by: _____

5. C.N.A. Risk Management were instructed by Solicitor Heath Thomas of Harrison Clark Rickerbys Solicitors to visit the premises known as The Arthouse, a multi-purpose venue in Bissell Street, Highgate, Birmingham. I was to look at the operational side of the venue and to see what issue if any the venue would pose. My company have also been instructed to put in place management protocols and procedures to ensure that the premises meet the licensing objectives, in particular, the prevention of crime and disorder and promotion of public safety.
6. In conducting my investigation into possible issues at The Arthouse I have found that in Bissell street on a Friday & Saturday there are what we call 'Boy Racers' driving slowly past the front of Arabian Nites, a venue which is located in the same building, occasionally sounding their horns. This is capable of being a nuisance which may amount to Anti-Social Behaviour.
7. I have been liaising with West Midlands Police, Environmental Health and the Highways Department with a proposal to eradicate ASB in Bissell Street, by setting up a temporary road closure each weekend from 9pm through to 4am.
8. In my professional opinion, if protocols and procedures are put in place to ensure the premises meet the licensing objectives then the premises can promote the licensing objectives under the licensing act 2003 and will not give rise to/impact upon existing levels of crime and disorder and public nuisance in Bissell Street.

Signature: 

..... Signature witnessed by

Witness Statement

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3)(A) and 5B, MC Rules 1981, r.70)

First Statement of/

Age of under 18 over 18 (if over 18 insert "over 18") Occupation --

This statement (consisting of 5 Pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated 12th October 2016

I, _____ of _____
WILL SAY AS FOLLOWS: -

1. I am a resident of Highgate, living at _____ I live there together with my partner,
2. I make this witness statement in connection with an application for the grant of a new licence for premises known as Arthouse, 54 Bissell Street, Birmingham, B5 7HP.
3. During the consultation period for the above application, a local resident, who is known as an individual who complains about everything and anything came to my home (came to the door with a petition, and she was being quite persuasive to my partner, _____ to sign the petition. _____ was not asked to read any letter that accompanied the petition, she was simply asked to sign it. In an effort simply to get rid of _____ I signed the petition. _____ then left, going to other neighbouring premises.

1

Signature ..

Signature Witnessed By _____

Continuation of Statement of

4. I have since become aware of the letter that accompanies the petition attached and marked 'DM1', and having been a resident here for over five years, I am able to comment on the issues raised.
5. I live approximately 50 metres from the Shisha Bar known as Arabian Nites. Save for "special" times of the year for example Eid, which can be a bit noisy, I have never experienced any problems with the operation of Arabian Nites.
6. _____ does not even live near Arabian Nites, and she would not be affected by its operation at any time.
7. I park my car near my home and near the premises, and I am able to say that I have experienced no problems with my car. Neither have my neighbours, and it is simply incorrect to say that we have been hit on many occasions. If these problems really exist in the way that _____ suggests, then I would have an expectation that the police would be here each night. They haven't, and there is not the problem that _____ suggests.
8. I have seen _____ come out with her iPad filming the premises and its clientele. I have also seen her on other occasions going to the park when we had problems with bikers when she has gone straight into the group shouting and swearing at them. I think she just allows small things to bother her, and then she gets involved herself.
9. I have not experienced any anti-social behaviour from Arabian Nites. The operator is genuinely concerned about the way in which they operate and has engaged with neighbours. Whilst the parking is sometimes a bit of a bother, I can say that no

2

Signature _____

Signature Witnessed By _____

Continuation of Statement of

neighbours' cars have been hit. I have experienced on one occasion nails in one of my tyres, but that was before Arabian Nites came to the area, and it was possibly due to kids. I cannot say that Arabian Nites has given rise to any problems associated with cars.

10. Living so close, I can also confirm that I have never experienced verbal abuse from the customers of Arabian Nites. My daughter works at the _____ and I used to put my head out and look out for her at the end of the evening which would be around closing time for Arabian Nites, and again I can say that I have never experienced any problems at that time.

11. I have never been inside Arabian Nites, and I can only comment upon any issues that exist around the premises rather than inside.

12. With regards to allegations of drug taking in the Grove and the Croft, again this is nothing to do with Arabian Nites. There is a large problem locally which is quite separate to Arabian Nites, and the two are separate issues. To suggest that customers are linked to drug taking locally is simply untrue. Highgate has its own pre-existing problems.

13. Very occasionally, I have heard shouting in the street, again this is not connected to Arabian Nites, there has been the very odd occasion when somebody might have been refused entry and they may have made a little noise then.

3

Signature _____

Signature Witnessed By _____

Continuation of Statement of

14. In terms of criminal ^{damage} ~~terms~~, we have not experienced criminal damage to wheely bins, I have three wheely bins and I have experienced no problems whatsoever and live at one of the closest properties to the building.
15. I am also able to confirm that there is no confrontation from youths in cars, and I have never experienced customers making out on my doorstep.
16. There are gangs of kids running around the community, but this is nothing to do with the existence of a Shisha Restaurant.
17. I think that _____ is focusing all of the community problems on the Shisha Bar and licensed premises. I believe that the people who go to the premises are nice people, and I can say from my own personal experience that they have never caused me any public nuisance.
18. I am aware of the new application for a premises licence for Arthouse. On the basis of my experience with Arabian Nights, I have no concerns regarding Arthouse, and I am satisfied that it will not cause me or my neighbour's problems associated with crime disorder and public nuisance.

4

Signature _____

Signature Witnessed By _____

Continuation of Statement of

Statement of

Age of under 18 over 18 (if over 18 insert "over 18") Occupation --

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

This is the exhibit sheet ('DM1') of _____ Witness Statement dated .

Dated the _____ Day of _____ 2016

Signature _____

5

Signature ..

Signature Witnessed By _____

Representation 2

Residents Petition re Licence application, 54 Bissell st Highgate. Application number 98459
Licence number PERS/NW/772/201 Ms Jamie-Lea Price Licence holder. Blog Venues Ltd
Registered company 10329518 Start date 31/8/2016 End date 28/9/2016

Complaint regarding proposed Licensing of a new venue called the ARTHOUSE a multi purpose venue planning to open and serve alcohol Monday to Sunday from 9pm until 6am.

We currently have a large amount of Anti Social Behaviour from the current Venue called Arabian Nites at 54 Bissell Street and are trying to get it stopped.

Areas affected include

Lawford Grove, Spooner Croft, Gooch Street, Bissell Street, Barford Street, Vaughton St.

Late night venues and residential areas do not mix, the area cannot cope with a venue not selling alcohol, so what will it be like with another one that is selling alcohol into the early hours, no doubt there will be a knock on effect with parking and litter, because the footfall will increase. With this venue increase customers attending the Shisha lounge Arabian Nites causes resident fear within the local community we are already fearful in our homes and concerned the crimes are affecting us already, please help.

Problems we currently have include

Neighbours cars have been hit on many occasions

We are extremely fearful of crimes and are being verbally abused by their clientele

Drug taking and drinking Alcohol in the Grove and Croft

Criminal Damage has been done to wheelie bins etc

Aggressive Confrontations from youths in the cars

Drug taking in their parked vehicles, council bins knocked out of their concrete

Noise and verbal abuse and we have been threatened

Couples making out on our door steps, literally.

Parking on grass land, pavements

Spraying graffiti, littering with fast food and bottles

Verbal abuse and swearing

Urinating up, our fences, gates, and sometimes our cars

Litter and drug use items being left in grove

Noise and shouting, car horns sounding until 4am

Public transport, ambulances fire trucks And buses have trouble getting through

Constant car doors slamming, playing loud music, engines revving

We are fearful of further crimes and feel prisoners in our homes. We have gathered video evidence and get verbally abused by the staff from Arabian Nites, calling us nosey, racists etc. We can not let them expand without any consultation or respect for the residents who have lived here for up 50 years, we have many elderly and young family's who suffer and the constant noise, shouting and screaming, abuse and anti social behaviour of fighting, urinating, drinking keeps us in fear and this is not a way to live, I believe under the human rights act we have a right to live peacefully and safe in our homes. Due to noise we can not even open our windows at night.

Regards the resident of Highgate. 25/9/2016

Witness Statement

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3)(A) and 5B, MC Rules 1981, r.70)

First Statement of

Age of under 18 over 18 (if over 18 insert "over 18") Occupation - .

This statement (consisting of 7 Pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated 12th October 2016

I, _____ of

WILL SAY AS FOLLOWS: -

1. I have lived within Highgate for 22 years.
2. I am currently the chair of the Highgate Housing Liaison Board where I have held a position for a approximately 18 years. That role requires me to liaise with residents and the local authority.
3. I am also Vice Chair of the Highgate Community Forum, and I have held that position for approximately 12 months.
4. I make this Witness Statement in connection with an application for the grant of a premises licence for premises to be known as Arthouse, 54 Bissell Street, Birmingham, B5 7HP.

1

Signature :

Signature Witnessed By

Continuation of Statement of

5. I am aware that a petition has been lodged against the grant of the above premises licence. That petition does not reflect the views of all local residents, and in my opinion, it is very much an orchestrated campaign by one resident only, namely
6. Rather than concentrating on the application for a new premises licence, that petition dwells on existing licensed premises known as Arabian Nites.
7. I have no personal or business connections with Arabian Nites.
8. I heard of complaints from a local resident, and made it my business to go down to Arabian Nites and take a look for myself to see whether or not these concerns were genuine.
9. I visited Arabian Nites and its locality on 11 occasions with the purpose of seeing for myself whether there are issues surrounding the operation of licensed premises. From those visits, the only issues I have found are ones involving vehicles, and drivers making a noise with their large exhausts and music coming from the cars. There has been no nuisance directly associated with or coming from the Arabian Nites premises.
10. I have also been a customer of Arabian Nites, and I am aware that it has a policy that customers will be searched and have to produce identification. Those that are not permitted entry may congregate on the opposite corner of the road opposite Arabian Nights. I have seen for myself this happening, and I have also witnessed security personnel from Arabian Nites go over and move those individuals away.

2

Signature _____

Signature Witnessed By _____

Continuation of Statement of

11. In terms of the comments contained in the petition, I am aware that there is a letter that accompanies this marked "EH1". The following comments I make are in relation to that letter, which is attached to the petition.

12. I disagree that we have a large amount of anti-social behaviour from Arabian Nites. This has simply not been evidenced on any of my 11 visits.

13. As a local resident, we have always had problems of crime within the Highgate area. Highgate has big issues with drug taking and that is why we now meet as a forum to discuss these issues. Arabian Nites is not the cause of the drug issues, and it is wrong to say that residents live in fear of crime because of Arabian Nites. There is only one complainant regarding these premises, and that is

14. There is a suggestion in the petition that neighbours cars have been hit on many occasions. Car crime has always existed in Highgate. Arabian Nites has no responsibility for this, and neither has it added to car crime in the locality.

15. I have never witnessed residents being verbally abused by clientele of Arabian Nites. In fact, no local residents frequent Arabian Nites, and it is only [redacted] that has been there and I aware that she has verbally abused staff and customers so much so that a report was made to West Midlands Police. On all of the occasions I have been to the premises or in the vicinity of the premises, I have never experienced verbal abuse.

3

Signature _____

Signature Witnessed By _____

Continuation of Statement of

16. There is a suggestion that the premises is associated with drug taking and drinking of alcohol. These premises do not sell alcohol, and neither do they permit drug taking. However, drug taking and drinking of alcohol is all over Highgate, and it is not a problem that is either caused by or associated with licensed premises which in my opinion serves only to control the drinking of alcohol.

17. There is also a suggestion that there has been criminal damage to wheely bins. I am not aware of this.

18. I have not witnessed any aggressive confrontations from youths in their cars.


19. also alleges that there is drug taking in parked vehicles. I have not witnessed any of this. When I have been to the premises and in its vicinity, there is no one in any of the cars parked by the premises.

20. I disagree with the suggestion that any residents have been threatened as a consequence of Arabian Nites. I have never been threatened or felt threatened in any way in connection with licensed premises and in particular the Arabian Nites.

21. The letter suggests that couples are making out on the doorsteps of residents, and again, I have never seen anything like that.

22. Parking on grassland and pavements is a common problem within Highgate. This problem particularly exists on Fridays, when the mosque is particularly busy. As a resident of Highgate, we have simply become used to it.

4

Signature 

Signature Witnessed By  

Continuation of Statement of

23. As regards graffiti, I am aware of graffiti in Northwood Grove, but this is not a problem associated with licensed premises and neither is Arabian Nites the source of any graffiti in the area.

24. Regarding the allegation of litter and fast food and bottles, this is not a fast food premises, and I am aware that Arabian Nites does not permit bottles to be taken out of their premises. The allegation is simply unfounded.

25. I have not experienced nor am I aware of a persistent problem of people urinating or fouling in or around residents' premises and cars.

26. The suggestion that litter and drug use items are left in the Grove because of licensed premises is again unfounded. Aluminium canisters can be found anywhere in Highgate, it is not a problem that has come here because of Arabian Nites, it has always existed in the community.

27. As to noise and shouting, car horns sounding at 4am, I have been present at Arabian Nites when it has been closing. I have witnessed people saying goodnight to one another and the occasional car horn but I disagree that this would cause a nuisance to residents.

28. There have been occasions of cars sounding and revving their engines, but I am aware that Arabian Nites proposes to operate a road closure on Fridays and Saturdays each week, and I am confident that this will resolve any concerns relating to noise from vehicles in the vicinity.

5

Signature _____

Signature Witnessed By _____

Continuation of Statement of

29. I do feel that _____ grossly exaggerates the claims against licensed premises, and I feel that this is no more than a orchestrated campaign by one individual against licensed premises within the community.

30. I support the application for grant of a new premises licence for Arthouse. I see no evidence that it will give rise to Crime and Disorder or Public Nuisance.

6

Signature (

Signature Witnessed By

Continuation of Statement of

Statement of

Age of under 18 over 18 (if over 18 insert "over 18") Occupation -

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

This is the exhibit sheet ('EH1') of Witness Statement dated

Signature _____

Signature Witnessed By _____

E41

Residents Petition re licence application, 54 Bissell st Highgate, Application number 98453
Licence number PER5/NW/772/201 Ms Jaimie-Lea Price Licence holder, Bloc Venues Ltd
Registered company 10329518 Start date 31/8/2016 End date 28/9/2016

Complaint regarding proposed licensing of a new venue called the ARTHOUSE a multi
purpose venue planning to open and serve alcohol Monday to Sunday from 5pm until 6am.

We currently have a large amount of Anti Social Behaviour from the current Venue called
Arabian Nites at 54 Bissell Street and are trying to get it stopped.

Arrears effected include

Lawford Grove, Spooner Croft, Gooch Street, Bissell Street, Bairford Street, Vaughan st.

Late night venues and residential areas do not mix, the area cannot cope with a venue not
selling alcohol, so what will it be like with another one that is selling alcohol into the early
hours, no doubt there will be a knock on effect with parking and litter, because the footfall
will increase. With this venue increase customers attending the Silsha Lounge Arabian Nites
causes resident fear within the local community we are already fearful in our homes and
concerned the crimes are affecting us already, please help.

Problems we currently have include

Neighbours cars have been hit on many occasions

We are extremely fearful of crimes and are being verbally abused by their clientele

Drug taking and drinking Alcohol in the Grove and Croft

Criminal Damage has been done to wheels, bins etc

Aggressive Confrontations from youths in the cars

Drug taking in their parked vehicles, council bins knocked out of there concrete

Noise and verbal abuse and we have been threatened

Couples making out on our door steps, literally.

Parking on grass land, pavements

Spraying graffiti, littering with fast food and bottles

Verbal abuse and swearing

Urinating up, our fences, gates, and sometimes our cars

Litter and drug use items being left in grove

Noise and shouting, car horns sounding until dawn

Public transport, ambulances Fire trucks And buses have trouble getting through

Constant car doors slamming, playing loud music, engines revving

We are fearful of further crimes and feel prisoners in our homes. We have gathered video
evidence and get verbally abused by the staff from Arabian Nites, calling us nousey, racists
etc. We can not let them expand without any consultation or respect for the residents who
have lived here for up to 50 years, we have many elderly and young families who suffer and
the constant noise, shouting and screaming, abuse and anti social behaviour of fighting,
urinating, drinking keeps us in fear and this is not a way to live, I believe under the human
rights act we have a right to live peacefully and safe in our homes. Due to noise we can not
even open our windows at night.

Regards the resident of Highgate. 25/9/2016