

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A

MONDAY, 02 SEPTEMBER 2024 AT 10:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

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

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

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

2 DECLARATIONS OF INTERESTS

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

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

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

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

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

3 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

5 - 22

4 **MINUTES**

To note the public part of the Minutes of the meeting held on 8 July 2024 at 1000 hours and to confirm and sign the Minutes as a whole.

To note the public part of the Minutes of the meeting held on 22 July 2024 at 1000 hours and to confirm and sign the Minutes as a whole.

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5 **LICENSING ACT 2003 PREMISES LICENCE – GRANT KLASSIC EVENT, UNIT 2, A4 – A10, WESTERN INDUSTRIAL COMPLEX, WESTERN ROAD, SOHO, BIRMINGHAM, B18 7QD**

Report of the Director of Regulation and Enforcement.
N.B Application scheduled to be heard at 10:00am.

6 **OTHER URGENT BUSINESS**

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

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:-

Exempt Paragraph 3

PRIVATE AGENDA

1 **MINUTES**

To note the private part of the Minutes of the meeting held on 8 July 2024 at 1000 hours and to confirm and sign the Minutes as a whole.

To note the private part of the Minutes of the meeting held on 22 July 2024 at 1000 hours and to confirm and sign the Minutes as a whole.

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 Chair are matters of urgency.

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A, MONDAY 8 JULY, 2024

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD ON MONDAY, 8 JULY, 2024 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Sam Forsyth in the Chair;

Councillors Ziaul Islam and Penny Wagg.

ALSO PRESENT

David Kennedy – Licensing Section
Joanne Swampillai – Legal Services
Katy Poole - Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

1/080723

NOTICE OF RECORDING/WEBCAST

The Chairman advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2/080723

DECLARATION OF INTERESTS

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

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

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

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APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/080723 Apologies were submitted on behalf of Councillor Maureen Cornish and Councillor Penny Wagg was the nominated substitute Member.

MINUTES

4/080723 The Minutes of the meeting held on 17 June 2024 at 1000 hours were circulated and confirmed and signed by the Chair.

LICENSING ACT 2003 PREMISES LICENCE – SUMMARY REVIEW – THE LADBROOKE HOTEL, 28 – 35 BORDESLEY STREET, BIRMINGHAM, B5 5BL

5/080723 The following report of the Director of Regulation and Enforcement was submitted:-

(See document no. 1)

On behalf of the Applicant

PC Alfred Ratcliffe – WMP (West Midlands Police)

Mark Swallow - WMP

On Behalf of the Premises Licence Holder

Dr Malik – PLH (Premises Licence Holder), Metro Bailiffs Limited

Zeeshan Mian – Employee and Head of Finance

* * *

The Chairman introduced the Members and officers present and the Chair asked if there were any preliminary points for the Sub-Committee to consider.

PC Alfred Ratcliffe requested that the hearing be held in private due to the on-going criminal investigation and in order not to prejudice that investigation.

The Chair asked the PLH for comment on the proposal made by WMP for the hearing to be held in private.

Dr Malik began to address the Committee on the agreed position between the PLH and WMP, the Chair requested that Dr Malik address the preliminary matter raised by WMP and his submissions would be held at a later stage.

Dr Malik had no objection to the meeting being held in private.

The Chair announced that the meeting would be held in private in order not to prejudice any criminal investigation.

The Chair outlined the procedure to be followed at the hearing and invited the Licensing Officer to present the report. David Kennedy, Licensing Section, outlined the report.

EXCLUSION OF THE PUBLIC

6/080724 **RESOLVED:-**

That in view of the information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime, the public be now excluded from the meeting: -

Exempt Paragraph 7

The Members, Committee Lawyer and Committee Manager conducted the deliberations in a separate private session and, following the announcement of a short decision, a full written decision was sent to all parties as follows;

7/080723 **RESOLVED:-**

That, having reviewed the premises licence held under the Licensing Act 2003 by Metro Bailiffs Limited in respect of The Ladbrooke Hotel, 28-35 Bordesley Street, Birmingham B5 5BL, following an application for an expedited review made on behalf of the Chief Officer of West Midlands Police, this Sub-Committee hereby determines that:

1. the Licence be revoked, and
2. Surjit Singh be removed as the designated premises supervisor, and
3. the interim steps imposed at the Sub-Committee meeting of 13th June 2024 shall remain in place until the determination of any Appeal

The licence holder company was represented at the meeting by its director and by another person who said that he worked for the licence holder.

The Sub-Committee's reasons for imposing the revocation and the other sanctions were due to overwhelming concerns regarding the risks of further serious crime. West Midlands Police had brought an expedited review of the licence before the Sub-Committee on 13th June 2024 following a violent incident,

the details of which were in the Superintendent's certificate and application (in the Committee Report).

At the previous meeting, the Sub-Committee had determined that the cause of the serious crime originated from a style of management which had been incapable of upholding the licensing objectives. The style of management had been the responsibility of the company, as premises licence holder for the premises.

During the instant meeting, the Sub-Committee heard that an agreed position had been reached between the licence holder company and the Police, such that the licence could remain in force provided some additional conditions were adopted.

However, the Sub-Committee was not persuaded that this would be sufficient for the premises to be able to uphold the licensing objectives, particularly in relation to the prevention of crime and disorder, given the recent serious crime incident.

The meeting was conducted in private session after the Sub-Committee considered an application made by West Midlands Police under regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005. The Police explained that the matter was a live police enquiry regarding a serious crime incident. A Police investigation was ongoing regarding the incident. The Police asked for the proceedings to be conducted in private; those from the premises supported this application. The Sub-Committee therefore conducted the meeting in private session.

Members heard the submissions of West Midlands Police, namely that the certificate related to an allegation of serious crime which had originated at the premises, as detailed in the Report. The background to the incident had been that an event had been planned at The Ladbrooke Hotel, and a risk assessment completed for the event, but the Police had required some aspects to be rectified before the event went ahead. However, on the night, the event had gone ahead without those issues being rectified.

There had then been a serious crime incident during the event, in which a firearm and a knife had found their way into the premises. Staff at the premises on the night had failed to report the matter, and moreover did not acknowledge that an incident had even occurred.

Following the interim steps hearing of 13th June 2024, in which the licence was suspended and the designated premises supervisor removed, the Police had found that there was initially no contact with anyone from the licence holder company. Later the Police met the director, who was apologetic and stated that staff at the premises had downplayed the incident to him.

The Police recommendation to the Sub-Committee was that the designated premises supervisor should be replaced, and a suite of new conditions should be adopted. The Police view was that, other than revocation, the agreed conditions were "the only solution" in terms of the way forward. The Sub-Committee noted that these were the recommended options. The Police were confident that the

adoption of the conditions would be sufficient to ensure that there was no risk of further serious crime, and that the licensing objectives could be promoted. They asked that the Sub-Committee lift the interim steps imposed on the last occasion, and replace them with the new conditions. They confirmed that Licensing Enforcement of Birmingham City Council had approved of this course.

The Police read out the proposed conditions to the Sub-Committee. The Members were not satisfied that the proposed conditions were suitable, given the seriousness of the recent incident. The Chairman asked whether the first condition, regarding the previous management team, was enforceable; the Police considered that it was, as the main problem had been the previous designated premises supervisor, and a different member of staff had control of event bookings. The Sub-Committee remained unsure if the condition was appropriate and suggested that it ought to be amended to ensure that nobody involved in the previous management team should continue to be part of it. The Police agreed with this.

Similarly, a condition relating to third party risk assessments appeared to the Sub-Committee to be rather vague. The Chairman asked what was meant by a “qualified person” in terms of carrying out such assessments. The Police replied that it meant “a person suitable to undertake risk assessments”. Given the recent serious crime incident, the Members were not altogether sure that this style of wording was sufficient to give them confidence.

The Police assured the Sub-Committee that, provided the previous management were no longer involved, the agreed conditions were the correct way forward. There would be a new designated premises supervisor and a new management team. The licence holder company would remain the same, and would be sent a copy of the risk assessments.

On the matter of the company director, the Police noted that there had not been much involvement in the premises by him. He lived in London and visited approximately once a week. He relied on the management team to keep him informed. Regarding the clientele of The Ladbrooke Hotel, the Police confirmed that it was currently government-funded accommodation for the vulnerable, such as “asylum seekers with children”, but added that this could change in the future. The Sub-Committee noted this.

One of the Members asked whether the Police believed that the licence holder company could meet the conditions; the Police answer was that with a fresh management team, and “taking the conditions as written”, they did believe that it could. The Sub-Committee felt that the issue was whether the new management team would, in fact, “take the conditions as written” and trade in a responsible manner which would ensure there would be no further trouble.

The Sub-Committee then heard from the two persons representing the premises. They explained that they themselves had proposed much of the suite of new conditions; thereafter, they had gladly accepted the further conditions suggested by the Police. They had notified the name of the new proposed designated premises supervisor, and this person would also have an event management

team, in order that that part of the operation would be completely separate from the hotel.

The previous management staff had been dismissed, and would no longer play any part in the operation. There would be an entirely new team, including the new designated premises supervisor, who would also be the event manager. She had previous experience as an event manager.

They disagreed that the clientele of the premises was asylum seekers, describing the persons as “people in need of housing”. Hosting these people, particularly students, had started during the Covid-19 times, and thereafter had continued.

Regarding the director’s plans, he had been coming to the premises on a weekly basis, but now planned to stay for two nights per week. The intention was to be more vigilant, and to employ more staff. The premises had not had any problems before the recent incident, and those at the premises were confident about the abilities of the new management team.

The new designated premises supervisor would attend at the premises every day. There would also be SIA-badged security personnel. The reception desk would be open 24 hours a day. The premises would use modern methods of management, such as remote access of CCTV. The Sub Committee noted that one of the reasons given for the management failings by the licence holder’s representative at the initial interim steps meeting was that they were due to the “inexperience of hotel management”; the proposal to appoint an inexperienced designated premises supervisor did not therefore inspire confidence.

The Police then summarised their views. The hotel had a 24-hour premises licence and was currently being used as government-funded accommodation, but could revert to a normal hotel-style operation in future. The previous management style had completely failed, and a more hands-on approach was needed. The Police found the proposed designated premises supervisor satisfactory as she had been “recently trained and was untainted by malpractice elsewhere”.

Those from the premises then made closing submissions. They acknowledged that there had been a serious crime incident, but asked the Sub-Committee to note that it had been the only instance of trouble in twelve years. The proposed designated premises supervisor was a new person, but she had been found to be suitable by the Police, and she would ensure that any risks to the licensing objectives, including the risk of further serious crime, were addressed.

They asked the Members to consider the impact of the lost revenue of the past few weeks, which had been created by the suspension of the licence imposed on 13th June 2024. They assured the Members that they would be happy to implement all of the agreed conditions.

In deliberating, the Sub-Committee determined that there had been an allegation of serious crime, which was being investigated by Police. It was abundantly clear that on the night in question the operation had not been properly managed. A suite of new conditions had been agreed between the parties. The Police had

confirmed that they found the new conditions and new management team to be satisfactory.

Ordinarily, the Sub-Committee would take the advice of the Police on any matter relating to the crime prevention objective. However, in this instance, the severity of the serious crime incident created grave concerns in the minds of the Members. They were appalled that a firearm and a knife had found their way into a hotel. This was not at all the standard expected of premises licence holders in Birmingham.

The Sub-Committee also noted the role played by staff members, including managers, on the night in question, and also in the aftermath. The premises had not reported the incident, and had at first refused to acknowledge that any incident had taken place. Thereafter, following the interim steps meeting of 13th June 2024, the director had initially not made contact with the Police. None of this inspired confidence.

The serious crime incident had been a catastrophic failure. It was only within the past week that the director had engaged with the Police; the Sub-Committee looked askance at this. The explanation given, namely that the staff at the premises had downplayed the incident to the director, did not inspire any confidence whatsoever. It was the director's responsibility to ensure that he had suitable staff who kept him informed of all issues. The company had held the licence for twelve years, but it was apparent that the director had not been readily available when a serious incident happened.

The Sub-Committee was happy that people came from elsewhere to establish businesses in Birmingham, but given the circumstances of what had happened, the Members wanted to see a robust and responsible style of management. It had been said that the director would increase his two days at the premises to three days, but the Members were unsure what difference this would make.

It had also been said that the new designated premises supervisor would be at the premises every day, but the Sub-Committee noted that she was inexperienced. Moreover, all of the management level staff had been dismissed; this suggested that a period of instability might follow. The use of remote access to the CCTV for a premises which had a history of safe trading was one thing, but the Ladbroke Hotel had had a recent serious crime incident, and it was noted that staff on duty on the night had initially failed to acknowledge that anything had happened. All of these matters were a risk to the upholding of the licensing objectives.

When describing the clientele, the Police had mentioned children; this was a particular worry to the Members, who were mindful of the mention of a firearm and a knife in the Police documents in the Committee Report. The Members were not persuaded that the licensing objectives could be upheld with such a new team in place.

Regarding the arrangements for a fresh management team and a new designated premises supervisor, the Sub-Committee was not convinced that the approach taken covered all the risks. Whilst it was perhaps true that the new

person was not “tainted by malpractice elsewhere”, this was because she was inexperienced; given the recent serious crime incident, this did not inspire confidence. The Sub-Committee accepted that she had undergone the required training, but had doubts over whether a person without experience was the correct choice, given the premises’ recent history.

The Sub-Committee wanted reassurance that staff could operate safely and that the conditions were robust – but the new management arrangements were worrying, and the conditions were rather woolly. The Members had doubts that some of them would be enforceable. All in all, the Members were unconvinced that the new management arrangements were sufficient, given the recent serious crime incident; the same applied to the proposed conditions.

The comments made during the meeting by those from the premises did not demonstrate sufficient understanding of the seriousness of the matter. The Sub-Committee was particularly worried that initially the director had not engaged with the Police, despite the premises having had a violent incident.

Whilst the Sub-Committee would usually take the advice of the Police on any matter relating to serious crime, in this instance the proposal did not take proper account of the recent serious crime incident, and the risks to the upholding of the licensing objectives. This was of particular concern as children had been mentioned as staying at the hotel.

The Sub-Committee determined that it had no confidence in the operation, and noted that a criminal investigation was ongoing. The Members resolved that revocation of the licence and removal of the designated premises supervisor was the proper course, as it was both necessary and reasonable to impose these sanctions to address the immediate problems with the premises, namely the potential for further serious crime, and in order to ensure that the licensing objectives were no longer at risk.

The Members had significant concerns regarding the management style and the approach taken by the licence holder in the aftermath of the incident; this had only changed within the last week. The Police also noted that the proposed designated premises supervisor had not yet been approved by the licensing authority.

The Sub-Committee considered that adopting the proposed conditions would offer little to address the real issue, which was the management failings which had led to an allegation of serious crime; these failings were too significant a risk to the upholding of the licensing objectives. The Members were not in any way persuaded that the risks could be addressed satisfactorily by the use of conditions. The incident had shown a complete breakdown in management control, and a complete disregard for the licensing objectives.

It was therefore for these reasons that the Sub-Committee resolved to revoke the licence. Members determined that the removal of the designated premises supervisor was a very important safety feature, given that it was this individual who was responsible for the day to day running of the premises. All in all, the Sub-Committee considered that in an allegation of serious crime, public safety

was paramount, and determined that it was both necessary and reasonable to revoke the licence and remove the designated premises supervisor to address the potential for further serious crime. The interim steps would remain in place pending any Appeal, to ensure the upholding of the licensing objectives.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the latest version of the Guidance issued under section 182 of the Licensing Act 2003 by the Secretary of State, the application and certificate issued by West Midlands Police under Section 53A of the Licensing Act 2003, the written representations, and the submissions made at the hearing by West Midlands Police, and by the licence holder company via the two persons representing it.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of Appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision. The determination of the Sub-Committee, save for maintaining the interim steps decision of the 13th June 2024, does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the appeal is determined.

The meeting ended at 1222 hours.

Chair.....

BIRMINGHAM CITY COUNCIL

<p>LICENSING SUB-COMMITTEE A, MONDAY 22 JULY, 2024</p>

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD ON MONDAY 22 JULY, 2024 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Sam Forsyth in the Chair;

Councillors Ziaul Islam and Maureen Cornish.

ALSO PRESENT

Bhapinder Nandhra – Licensing Section
Joanne Swampillai – Legal Services
Katy Poole - Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

1/220723

NOTICE OF RECORDING/WEBCAST

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2/220723

DECLARATION OF INTERESTS

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APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/220723 No apologies were submitted.

MINUTES

4/220723 That the Minutes of the meeting held on 13 June 2024 and 24 June 2024 at 1000 hours were circulated and confirmed and signed by the Chair.

The public section of the Minutes of the meeting held on 1 July 2024 were noted and the Minutes as a whole were confirmed and signed by the Chair.

LICENSING ACT 2003 PREMISES LICENCE – GRANT – DM CORNER LIMITED T/A DYLAN'S, UNIT B, GALBRAITH HOUSE, 141 GREAT CHARLES STREET, BIRMINGHAM, B3 3LG.

5/220723 The following report of the Director of Regulation and Enforcement was submitted:-

(See document no. 1)

On behalf of the Applicant

Rob Edge – Agent

Those Making Representations

No one attended on behalf of those making representations.

* * *

The Chairman introduced the Members and officers present and the Chair asked if there were any preliminary points for the Sub-Committee to consider.

The Chair outlined the procedure to be followed at the hearing and invited the Licensing Officer to present the report. Bhapinder Nandhra, Licensing Section, outlined the report.

The Chair then invited the applicant to make their submission, Rob Edge on behalf of the applicant made the following points: -

- a) That when making the application they had taken into consideration the Statement of Licensing Policy, the Home Office Section 182 Guidance, Licensing Act 2003, the objectives and the representations received.
- b) That none of the responsible authorities had made any objections and they were considered the experts in advising the Committee on licensing applications.
- c) The applicant had liaised with West Midlands Police and agreed a set of additional conditions.
- d) They had attempted to mediate with two of the objectors and as a result the applicant had reduced the hours to 2300.
- e) That the agreed conditions between the applicant and West Midlands Police were aimed at the street drinkers (no single can sales and no alcohol to be sold above 6.5% ABV).
- f) The premises had been empty for some time and the applicant had invested a large amount into refurbishment of the premises.
- g) It would add a high quality convenience store to the High Street.

The Chair then invited Rob Edge on behalf of the applicant to make a closing submission, he made the following closing statements: -

- That they had worked with West Midlands Police to agree conditions and reduce the operating hours.
- The operating schedule was robust.
- No responsible authorities had raised any concerns with the application.
- They had worked with the residents in order to meet them half way and work in harmony.
- The applicant had made a large investment into improving the premises and there would also be new jobs for local people.

The Members, Committee Lawyer and Committee Manager conducted the deliberations in a separate private session and, following the announcement of a short decision, a full written decision was sent to all parties as follows;

6/220723

RESOLVED:-

That the application by DM Corner Ltd, for a premises licence in respect of DM Corner Limited t/a Dylans, Unit B, Galbraith House, 141 Great Charles Street, Birmingham B3 3LG, be granted as follows:

- The hours for licensable activities shall cease at 23.00 hours Monday to Sunday
- The premises is to remain open to the public from 06.00 hours until 23.00 hours Monday to Sunday

All those conditions agreed between the applicant company and West Midlands Police in advance of the meeting shall also be adopted, namely:

1. The premises will not sell any beers, lagers and ciders of 6.5% ABV or above except for craft beers
2. No alcohol will be sold or allowed to leave the shop in open containers
3. The Licence Holder shall ensure that CCTV images will be held for a minimum of 31 days and these images will be made available upon request to any responsible authority
4. If for any reason the CCTV hard drive needs to be replaced the previous/old hard drive will be kept on site for a minimum of 28 days and made immediately available to any of the responsible authorities on request. The CCTV will be checked to ensure that it is working each week. This information will be stored for 12 weeks and made available to any of the responsible authorities on request
5. The premises licence holder or their nominated person will check the premises CCTV daily, prior to carrying out licensable activity, to ensure it is working and recording. This check will be documented, signed and dated by the person checking. The check documentation will be made immediately available to any of the responsible authorities on request
6. Single plastic cups will not be sold to accompany the sale of any alcoholic product
7. No single cans/bottles of beers or ciders will be sold from the premises except for craft beers
8. Details of every delivery of alcohol is to be recorded including the identity of who it was delivered to and the identity of the deliverer. This data is to be made available to any of the responsible authorities within twenty-four hours of it being requested
9. The premises licence holder is to have a documented policy in relation to how age restricted products are sold online or ordered, and the checks that are to be made. This policy is to be made available to any of the responsible authorities on request
10. Deliveries are only to be made to residential or commercial addresses. No deliveries will be made to open spaces
11. Delivery drivers will wait for their order inside the premises and not sit outside in/on their vehicles
12. Delivery drivers will not keep their engines running while outside the premises
13. Delivery drivers will not play music audible from outside their vehicle while outside the premises
14. Premises refusals register to include any refusals arising from deliveries

The following three conditions, which were offered by the applicant company and amended by the Sub-Committee, are also adopted:

15. The applicant shall contact the companies for delivery drivers to emphasise the importance of adhering to traffic laws and the potential dangers of mounting pavements

16. The applicant shall provide written guidelines and periodic reminders to reinforce these practices with any drivers used

17. Staff at the shop will give reminders to all drivers where necessary about the importance of adhering to traffic laws and the potential dangers of mounting pavements

Those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will also form part of the licence issued.

The applicant company was represented at the meeting by its licensing consultant. At the start of the meeting, the Sub-Committee heard from the Senior Licensing Officer that when the application had been submitted, it had initially sought to permit the sale of alcohol for consumption off the premises to operate until 02.00 hours Monday to Sunday.

However, after discussions with the Police and other persons, the applicant had agreed to amend the scope of the application, with licensable activities to cease at 23.00 hours Monday to Sunday, and the premises to remain open to the public from 06.00 hours until 23.00 hours. The Sub-Committee noted this.

Representations had been received from two other persons; these were in the Committee Report at the first two appendices. However, the Licensing department had since received notification that the person at Appendix 2 wished to withdraw their representation. The Sub-Committee therefore noted that the only remaining objection was that at Appendix 1.

The licensing consultant confirmed that in making the application on behalf of the company he had taken into consideration the City Council's Statement of Licensing Policy, the Guidance issued by the Home Office under section 182 of the Act, the licensing objectives and the objections received from the other persons.

He added that he had mediated between the company and West Midlands Police over additional conditions to be added to the operating schedule. The conditions which had been agreed with the Police included an agreement not to sell alcohol products which were above 6.5% alcohol by volume (apart from craft beers). Furthermore, no sales of single cans or bottles would be permitted, in order that the premises did not start to attract street drinkers.

He observed that after holding discussions with the two persons who had made written representations, the applicant company had reduced the requested operating hours such that the end time would be 23.00 hours. He stated that the application had been drafted with a very robust operating schedule; it was noteworthy that no responsible authority had objected. He reminded the Sub-Committee that the responsible authorities were the experts in advising on the promotion of the licensing objectives; the Sub-Committee accepted this.

He remarked that the site had been “an empty retail premises on the High Street” before the company taken over the building; now the company was putting a large investment into the refurbishment, with the aim of creating a benefit for the area – a high quality convenience store selling food items, and alcoholic and soft drinks.

The Sub-Committee was aware that, under paragraph 9.43 – 9.44 of the Guidance issued under s182 of the Act, there was a presumption to grant such applications unless there was good evidence of a risk to the promotion of the licensing objectives. The Sub-Committee therefore looked carefully at whether there was evidence that the proposed operation would in fact have an adverse effect on the licensing objectives.

When deliberating, the Sub-Committee noted that the operating schedule had been drafted with consideration of the licensing objectives, and had been approved by the Police, who were the experts in the prevention of crime and disorder. Moreover, the hours of operation had been reduced. This was reassuring. One of the two persons who had originally made an objection had withdrawn it before the meeting.

The Sub-Committee carefully considered the remaining written representation, which was in the Committee Report at Appendix 1, but the Members found that it was rather speculative, and had not fully taken into account the proposed reduced hours and new conditions. The shortened hours requested, namely until 23.00 hours, were reasonable for the area and took into consideration the residential properties in the vicinity. The Members were satisfied that the potential for the creation of public nuisance issues described by the objector had been sufficiently addressed by the carefully-drafted application.

Whilst the objector had mentioned fears about noise and disturbance, the Sub-Committee considered that the person could feel confident that any worries had been properly addressed by the robust operating schedule, which was focused on the promotion of the licensing objectives, and also by the responsible style of trading proposed. It was noted by the Members that Environmental Health had not seen any likelihood of a risk to the prevention of public nuisance objective; indeed, none of the responsible authorities had made representations.

The Members were aware that relevant caselaw, namely *R (on the application of Daniel Thwaites plc) v Wirral Borough Magistrates’ Court [2008] EWHC 838 (Admin)*, emphasised the principles laid down by the Licensing Act 2003 and its accompanying Guidance – namely that there should be light touch bureaucracy applied to applications for licences, and that restrictions should only be attached to premises licences where they were necessary to promote the licensing objectives. The Sub-Committee did not see that any extra measures were required, as all potential risks to the upholding of the licensing objectives had been addressed via the shortened hours and the conditions which had been agreed between the company and the Police, before the meeting.

The Sub-Committee was also impressed that the company had worked with the residents, in the form of mediation via the licensing consultant, to ensure that the premises could work in harmony with those living nearby. The Members

considered that the conditions had been drafted to give local residents peace of mind – especially those relating to not selling single cans/bottles, and not selling any item above 6.5% alcohol by volume apart from craft beers.

The Sub-Committee noted that there had been a large investment into the premises, and a creation of new jobs at the shop. This was very encouraging in terms of the benefit to the area and people living nearby.

All in all, the Members felt that much of the comment in the remaining written representation was speculative in content, and the Sub-Committee was aware that if the authority gave weight to speculative opinions, it would fail to follow the Guidance issued under section 182 of the Act, and its own Statement of Licensing Policy. After careful consideration, the Sub-Committee determined that the application could safely be granted with the reduced hours and the agreed conditions.

Members considered that by granting the application with the reduced hours and agreed conditions, the four licensing objectives in the Act would be properly promoted. The Sub-Committee was satisfied that trading would be safe, and noted that all areas of concern had been satisfactorily addressed via discussions between the applicant company and the Police. The application was therefore granted with the amended hours and agreed conditions.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under section 182 of the Licensing Act 2003 by the Secretary of State, the application for a premises licence, the written representations received, and the submissions made at the hearing by the licensing consultant for the applicant company.

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

**GAMBLING ACT 2005 – LICENSED PREMISES GAMING MACHINE PERMIT –
THE LONDON AND NORTH WESTERN, NEW STREET STATION,
BIRMINGHAM, B2 4QE.**

This was a non-invite application.

7/220723 The following report of the Director of Regulation and Enforcement was submitted:-

(See document 'Gaming Machine Permit app 5 machines – The London and North Western')

The Licensing Officer presented the report. There were no questions from Members.

The Members, Committee Lawyer and Committee Manager conducted the deliberations in a separate private session and, following the announcement of a short decision, a full written decision was sent to all parties as follows;

8/220723 **RESOLVED:-**

That the application by JD Wetherspoon Plc submitted, for the variation of a Licensed Premises Gaming Machine Permit in respect of The London and North Western, New Street Station, Birmingham B2 4QE, be granted.

Those matters detailed in the operating schedule and the relevant mandatory conditions under the Gambling Act 2005 will form part of the licence issued.

The premises already had the benefit of a current Gaming Machine Permit issued under the Gambling Act 2005, which permitted a total of four Category C machines. Licensing Enforcement had visited the premises in April 2024 and had confirmed that they had no objection to the application.

The Sub-Committee considered the likely impact of the application, and concluded that by granting this application, the three objectives contained in the Act will be properly promoted. The documents in the Report reassured the Sub-Committee that the applicant was an experienced national operator which was mindful of its responsibilities.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Principles under the Gambling Act 2005, the various Guidance issued to Local Authorities by the Gambling Commission, the application for the variation of a Licensed Premises Gaming Machine Permit, and the written representations received.

EXCLUSION OF THE PUBLIC

82280724 **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:
-

Exempt Paragraph 3

Chair.....

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	Licensing Sub Committee A
Report of:	Director of Regulation & Enforcement
Date of Meeting:	Monday 2nd September 2024
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Klassic Event, Unit 2, A4 – A10, Western Industrial Complex, Western Road, Soho, Birmingham, B18 7QD
Ward affected:	Soho and Jewellery Quarter
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

To consider the representations that have been made in respect of an application for a Premises Licence which initially sought to permit the Sale of Alcohol (for consumption on the premises) to operate from 1:00pm until 12:00midnight (Monday to Thursday) and 1:00pm until 5:00am (Friday to Sunday).

The provision of Regulated Entertainment consisting of live music and recorded music, to operate indoors only, from 11:00pm until 12:00midnight (Monday to Thursday) and 11:00pm until 5:00am (Friday to Sunday).

The provision of Late Night Refreshment to operate, indoors only, from 11:00pm until 12:00midnight (Monday to Thursday) and 11:00pm until 5:00am (Friday to Sunday).

After discussions with West Midlands Police, the applicant has agreed to amend the scope of the application, with all licensable activities to cease at 12:00midnight (Sunday to Thursday) and 1:30am (Friday and Saturday). Their agreement is attached to this report at Appendix 4.

Premises to remain open to the public from 1:00pm until 12:00midnight (Sunday to Thursday) and 1:00pm until 1:30am (Friday to Sunday).

2. Recommendation:

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

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

3. Brief Summary of Report:

An application for a Premises Licence was received on 10th July 2024 in respect of Klassic Event, Unit 2, A4 – A10, Western Industrial Complex, Western Road, Soho, Birmingham, B18 7QD.

Representations have been received from other persons.

4. Compliance Issues:
4.1 Consistency with relevant Council Policies, Plans or Strategies:
<p>The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.</p>
5. Relevant background/chronology of key events:
<p>Apphia Tella applied on 10th July 2024 for the grant of a Premises Licence for Klassic Event, Unit 2, A4 – A10, Western Industrial Complex, Western Road, Soho, Birmingham, B18 7QD.</p> <p>Representations have been received from other persons, which are attached at Appendices 1 and 2.</p> <p>The application is attached at Appendix 3.</p> <p>Conditions, including amendments to the scope of the application, which have been agreed with West Midlands Police and the applicant, which are attached at Appendix 4.</p> <p>Site Location Plans at Appendix 5.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ol style="list-style-type: none"> The prevention of crime and disorder; Public safety; The prevention of public nuisance; and The protection of children from harm.
6. List of background documents:
<p>Copies of the representations as detailed in Appendices 1 and 2.</p> <p>Application Form, Appendix 3.</p> <p>Conditions agreed with West Midlands Police, Appendix 4.</p> <p>Site Location Plans, Appendix 5.</p>
7. Options available
<p>To Grant the licence in accordance with the application.</p> <p>To Reject the application.</p> <p>To Grant the licence subject to conditions modified to such an extent as considered appropriate.</p> <p>Exclude from the licence any of the licensable activities to which the application relates.</p> <p>Refuse to specify a person in the licence as the premises supervisor.</p>

From: Councillor Chaman Lal

Sent: Tuesday, July 30, 2024 1:51 PM

To: Licensing; BW NPU Winson Green

Cc: Councillor Sybil Spence;

Subject: Objection to the premises alcohol License Application Number 184675 Klassic Event - Unit 2
Western Industrial Complex, Western Road ,Winson Green B18 7QD

Dear Licensing and Winson Green NPU

I am writing in support of my constituents and on the behalf of all the residents of the Brookfield Estate objecting to the License Application 184675 on the grounds of the prevention of crime and disorder as in the past we had a very serious gun violence incidence related to a licensed premises on this location . I share the residents' fears and concerns that if this application is approved the premises would attract gangs and drugs related crime to this area.

I request the Licensing Sub-Committee to reject this application.

Councillor Chaman Lal

Deputy Lord Mayor of Birmingham

Soho & Jewellery Quarter Ward Councillor

From:

Sent: Saturday, July 20, 2024 11:22 AM

To: Councillor Sybil Spence; Councillor Chaman Lal; Licensing

Subject: Objection to premises alcohol license application #184675 Klassic Event

Good morning,

I am emailing you today to object to the premises alcohol license application #184675. I have lived on Brookfield Terrace for nearly 10 years and have two very young children. I am objecting to the licensing application on the following grounds:

The prevention of crime and disorder -

My concern will be the increase of disorderly individuals in a predominantly quiet residential area. We have regular incidents of drug dealing, unsafe driving, car stripping and fly tipping in the area along Brookfield road, Crabtree and western Road. I am extremely worried that the presence of a late night venue would exacerbate this sort of activity and bring more of it closer to us. We have resident car parks immediately at the front of our terraces which sadly have been used for the sort of activity mentioned above. I would be extremely distressed to see an increase in this so close to my home and family.

Public Safety -

Revellers and attendees would also be at risk when leaving the venue as the western/crabtree/western road are notorious for dangerous drivers. There is no safe crossing area for pedestrians (I myself have on a number of times felt unsafe crossing the road with the children to get to local playgrounds and to make use of the canal). I also believe having an alcohol-serving venue open to late hours would see an increase in antisocial behaviour in the area. Both my husband and I are musicians and regularly have work where we return home at late hours. I would be concerned for our safety.

The prevention of public nuisance -

As I have previously mentioned, the area (particularly by the canal) is prone to littering and flytipping. My concern is that the venue would also impact the condition of these green spaces and we may also see an increase in antisocial individuals in these areas.

I moved out of the jewellery quarter and City Centre to my home in Brookfield terrace because for my own mental health and wellbeing I seemed a quieter living environment - having suffered with anxiety and depression previously. My living circumstances have always had a direct impact on my mental health - I feel extremely distressed at the prospect that the peace of our home life could be impacted with a new events venue. I recall the space hosting a music event in the past couple of years and found the noise pollution so invasive (even with doors and windows of our property closed) that I actually left my home to stay with

friends. This is NOT possible for me now as I have two very young children and I do not feel this is something I should have to do.

Whilst the car parks immediately outside our terraces belong to the residents of the terrace, they are open to the public and we see various people using the spaces. I would be concerned that this would increase if there were more people looking to attend the events space and seeking convenient parking. With two very young children it is so important for me to be able to park in the car park to keep them safe and use our intended space and I believe this could be impacted.

The protection of children from harm -

As I have previously mentioned, I have two very young children (2 and 5 months). Particularly in the summer we need to be able to ventilate our homes and keep them cool. We would struggle to keep the children asleep at night with the noise coming from the venue. There are also many other children who live on the terrace who are older and regularly place outside their homes together during the warmer months of the year. I would be very worried for their safety if we saw an increase in individuals loitering and using our car parks in the evenings.

The prospect of the venue being open til 5am is very alarming, as I am regularly up and about with the children at a similar time. I regularly take them out in the early morning to the park and for walks along the canal when they are unsettled. I would feel unsafe in doing this if there was an increase in antisocial activity in the area.

Thank you for taking the time to read over my concerns.

With best wishes

Brookfield area resident

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I Apphia Tella

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Klassic Event Western House Unit 2 A4-a10 Western Industrial Complex Western Road			
Post town	Birmingham	Postcode	B18 7QD
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£5,400	

Part 2 - Applicant details

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

- a) an individual or individuals * ☒ please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership ☐ please complete section (B)
- ii as a partnership (other than limited liability) ☐ please complete section (B)
- iii as an unincorporated association or ☐ please complete section (B)
- iv other (for example a statutory corporation) ☐ please complete section (B)
- c) a recognised club ☐ please complete section (B)
- d) a charity ☐ please complete section (B)

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Tella			First names Apphia		
Date of birth			I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes		
Nationality British					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

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

DD	MM	YYYY

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

Take away food with venue for parties, weddings.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

☒

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

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input 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 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
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 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input 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 4)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
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 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			
Fri			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 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur			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 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00		<u>Please give further details here</u> (please read guidance note 4)		
		00:00			
Tue	23:00				
		00:00			
Wed	23:00		<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
		00:00			
Thur	23:00				
		00:00			
Fri	23:00		<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
		05:00			
Sat	23:00		Non standard timings: christmas eve, christmas day, new years eve, new years day, various African countries independent day, wimbledon, world cup, African cup of nation. Till 06:00		
		05:00			
Sun	23:00				
		05:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00		<u>Please give further details here</u> (please read guidance note 4)		
		00:00			
Tue	23:00				
		00:00			
Wed	23:00		<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
		00:00			
Thur	23:00				
		00:00			
Fri	23:00		<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
		05:00			
Sat	23:00		Non standard timings: christmas eve, christmas day, new years eve, new years day, various African countries independent day, wimbledon, world cup, African cup of nation. Till 06:00		
		05:00			
Sun	23:00				
		05:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>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</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	23:00		<u>Please give further details here</u> (please read guidance note 4)		
		00:00			
Tue	23:00				
		00:00			
Wed	23:00		<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
		00:00			
Thur	23:00				
		00:00			
Fri	23:00		<u>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</u> (please read guidance note 6)		
		05:00			
Sat	23:00		Non standard timings: christmas eve, christmas day, new years eve, new years day, various African countries independent day, wimbledon, world cup, African cup of nation. Till 06:00		
		05:00			
Sun	23:00				
		05:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon	13:00	00:00			
Tue	13:00	00:00			
Wed	13:00	00:00			
Thur	13:00	00:00			
Fri	13:00	05:00			
Sat	13:00	05:00			
Sun	13:00	05:00	<u>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</u> (please read guidance note 6) Non standard timings: christmas eve, christmas day, new years eve, new years day, various African countries independent day, wimbledon, world cup, African cup of nation. Till 06:00		

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

Name Mrs Apphia Tella	
Date of birth	
Address	
Postcode	
Personal licence number (if known) 15/000006LAPER	
Issuing licensing authority (if known) Sandwell13	

K

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

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	13:00		
		00:30	
Tue	13:00		<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6) Non standard timings: christmas eve, christmas day, new years eve, new years day, various African countries independent day, wimbledon, world cup, African cup of nation. Till 06:30
		00:30	
Wed	13:00		
		00:30	
Thur	13:00		
		00:30	
Fri	13:00		
		05:30	
Sat	13:00		
		05:30	
Sun	13:00		
		05:30	

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 10)

The Premises Licence holder will train all staff in the main principles of the Licensing Act 2003, notably the promotion of the four licensing objectives, and the specific conditions of this premises licence before being allowed to sell alcohol.

All staff will receive refresher training every six months about their responsibilities under the Licensing Act 2003 and training records will be available to police and authorised officers on reasonable request.

The Designated Premises Supervisor shall co-operate with reasonable requests made by authorised officers of responsible authorities under the Licensing Act 2003 to ensure the licensing objectives are not undermined. The premises licence holder or the designated premises supervisor will regularly attend pub-watch meetings.

b) The prevention of crime and disorder

The premises licence holder and/or Designated Premises Supervisor (DPS) shall carry out reviews of security incidents at the premises. Such reviews shall be documented and conducted at least quarterly and include details of any remedial action identified and implemented. Copies of the security review shall be made available upon inspection by a responsible authority, police officer, or authorised officer.

Any person who appears to be intoxicated or who is behaving in a disorderly manner will not be allowed entry to the premises.

The premises licence holder and/or the DPS will ensure that where appropriate a risk assessment will be completed to ascertain whether door staff are required at events held at the premises.

The premises licence holder shall ensure that the provision of door supervisors at the premises is appropriate to ensure the safe control of the premises and shall review this on a regular basis.

All security and any staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high-visibility jackets or vests.

Any door supervisors on duty at the premises must be supplied by an SIA- Approved Contractor Scheme company. Where appropriate there shall be a ratio of 2 door supervisors for every 100 customers (or parts thereof).

All door supervisors shall be briefed on their responsibilities and relevant company operating procedures before they commence duty.

A Colour CCTV system will be in place which covers entry/exit points of the premises and all areas where alcohol/money is served/taken, all areas where the public have access. The system will be installed and maintained in working order at the premises during all times when licensable activities are authorised by the licence.

Signs will display that CCTV is in operation.

Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand.

The premises licence holder/ designated premises supervisor must ensure that they or an appointed member of staff is capable and competent at downloading CCTV footage in a recordable format EITHER DISC or USB to the Police/Local Authority on demand.

An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

In the event of technical failure of the CCTV equipment the Event Supervisor MUST report the failure to the Police Licensing immediately.

Only persons entitled to work in the UK may be employed at the premises, with employment records kept, which will be made available for inspection by the police or responsible authorities without delay at their request.

Incidents log: An electronic or written incidents log will be maintained at the premises with a record of all incidents of crime and disorder reported to or by the premises; all ejections of patrons; any complaints received; seizures of drugs, offensive weapons, fraudulent ID or other items; any faults in the CCTV system; any visit by a relevant authority or emergency service. The incidents log will be produced to an officer of a responsible authority upon request. Where a crime is believed to have been committed, the incident will be reported to the West Midlands Police. The incidents log will be kept for at least 12 months and will be produced to an officer of a responsible authority upon request.

The premises must have a written drugs policy which all staff at the premises shall receive regular training on and written records of such training will be maintained.

Any drugs found on the premises will be seized and will be recorded and stored in a lockable safe on the premises or handed to Police if an arrest is made.

c) Public safety

Regular inspections of the premises will take place to identify any hazards that are likely to put staff and customers at risk from harm. The findings of these inspections should be documented, and hazards should be dealt with within a time scale based on risk assessment.

All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.

No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.

Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these checks shall be kept and made available to an authorised officer of the licensing authority.

The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.

The edges of the treads of steps and stairways shall be conspicuously displayed.

A minimum of one qualified first aider shall be onsite when licensable activities are taking place.

An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.

d) The prevention of public nuisance

Noise and disturbance from the premises or users of the premises must not negatively impact on the nearest noise sensitive properties.

Provide containers to collect any litter created by patrons smoking outside the premises and ensure any smoking litter is removed on a regular basis.

Signs requesting patrons to use external areas quietly and to leave the premises quietly shall be placed at all exits.

Deliveries to the premises and collections from the premises shall be made at times that do not cause a noise nuisance to nearby residents.

Clear and legible notices shall be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly.

Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00.

Between the hours of 21:00 and 07:00 no waste/glass bottles shall be moved or deposited outside

The premises licence holder will keep a dispersals policy and ensure that all staff are fully trained in all aspects of the policy.

e) The protection of children from harm

Challenge 25: The Challenge 25 scheme will be operated to ensure that any person who appears to be under the age of 25 will provide documented proof that they are over 18 years of age. Proof of age will only comprise a passport, photocard driving licence, an EU/EEA national ID card or a card bearing the PASS hologram.

Prominent, clear and legible signage shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.

Refusals log: An electronic or written refusals log will be maintained at the premises with a record of all refusals of admission or service, including the sale of alcohol. The refusals log will include the basis of a refusal; the person making the decision to refuse; the date and time of refusal. The refusals log will be kept for at least 12 months and will be produced to an officer of a responsible authority upon request.

Such records shall be collected by staff and produced to the police or an authorised person (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Birmingham City Council.

Children under the age of 18 will not be permitted on the premises after 19:00 unless accompanied by a responsible adult.

Checklist:

Please tick to indicate agreement

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

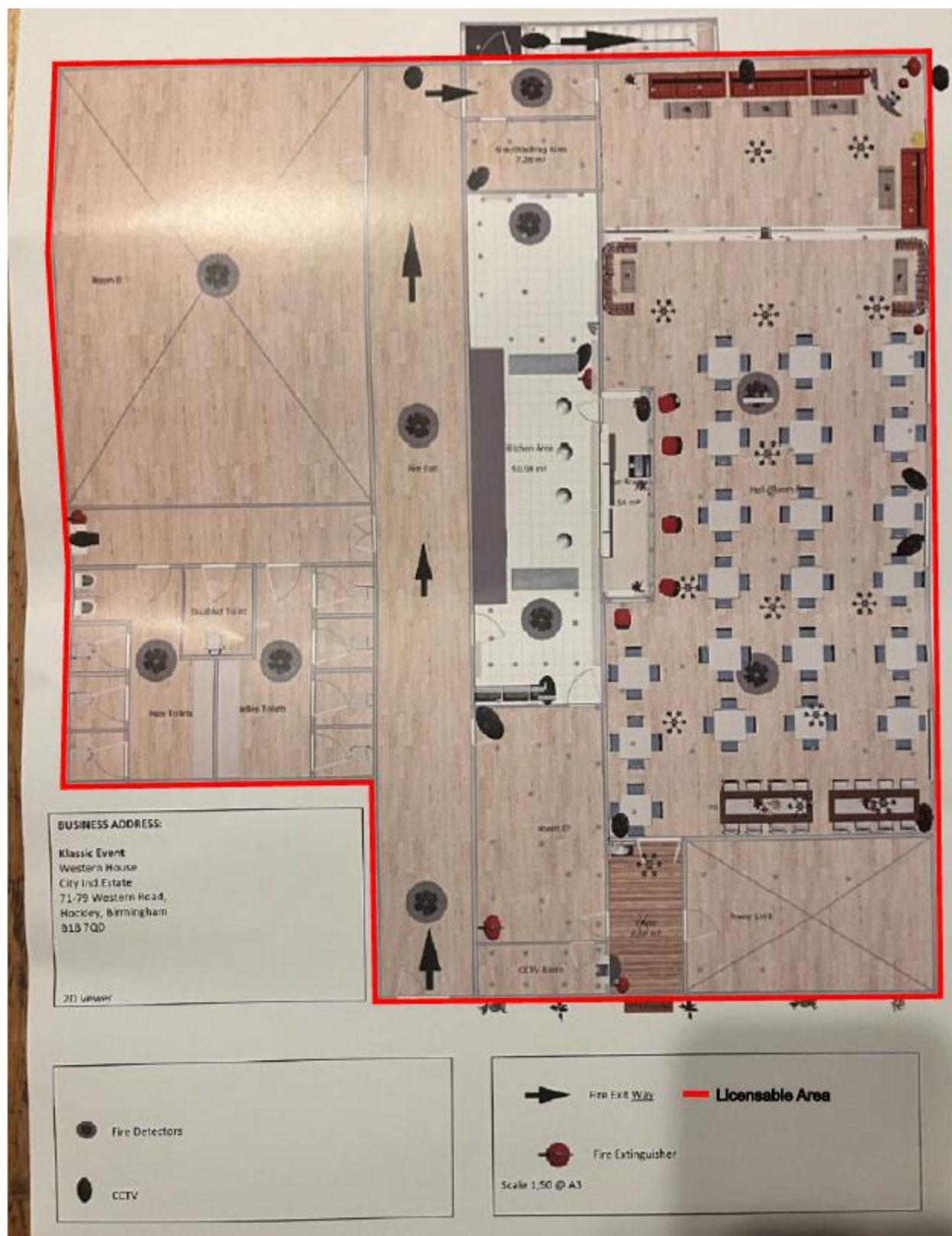
Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the
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	<p>entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	10/07/2024
Capacity	Duly Authorised Agent

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Innpacked Ltd Suite F8 10 Whittle Road Ferndown Industrial Estate			
Post town	Wimborne	Postcode	BH21 7RU
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



From: Alfred Ratcliffe
Sent: Monday, July 29, 2024 12:39 PM
To: Licensing
Subject: RE: Klassic Event application

Still as per hours stated Monday to friday



PC 21361 Ratcliffe
Central Licensing
Lloyd House
West Midlands Police
Working in partnership, making communities safer



OFFICIAL

From: Shaïd Yasser On Behalf Of Licensing
Sent: 29 July 2024 11:00
To: Alfred Ratcliffe
Cc: Premises Licence
Subject: RE: [External]: RE: Klassic Event application

Hi

And what about the hours in respect of special days?

Regards

Mr. Shaïd Yasser | Senior Licensing Officer | Licensing Section | Regulation & Enforcement | City Operations Directorate

From: Alfred Ratcliffe
Sent: Friday, July 26, 2024 11:38 AM
To: Licensing; Premises Licence
Cc: Premises Licence
Subject: RE: [External]: RE: Klassic Event application

Good morning again,

Apologies for any confusion

Please take the end times as agreed for ANY licensable activity

Sunday-Thursday – 0000hrs
Friday & Saturday – 0130hrs

Again apologies for the confusion



PC 21361 Ratcliffe
Central Licensing
Lloyd House
West Midlands Police
Working in partnership, making communities safer



OFFICIAL

From: Shaïd Yasser On Behalf Of Licensing
Sent: 26 July 2024 11:27
To: Premises Licence ; Alfred Ratcliffe
Subject: RE: [External]: RE: Klassic Event application

Dear Stephen and Alfred

The conditions have been put on the record and will form part of the licence when its issued.

In respect of the hours, please note some of the licensable activities don't begin until 13:00/23:00 and therefore these start times will remain the same as we cant give the applicants something more than they have actually applied for.

Please can you answer the following questions:

- 1. What in respect of the opening hours?**
- 2. What in respect of the Special hours?**

Regards

Mr. Shaïd Yasser | Senior Licensing Officer | Licensing Section | Regulation & Enforcement | City Operations Directorate

From: Premises Licence
Sent: Friday, July 26, 2024 11:06 AM
To: Alfred Ratcliffe; Licensing
Subject: RE: [External]: RE: Klassic Event application

Good Morning PC Ratcliffe,

Thank you for emailing that to the council.

Kind Regards

Stephen Bartlett

Premises Licence Manager

From: Alfred Ratcliffe
Sent: Friday, July 26, 2024 10:42 AM
To: Licensing
Cc: Premises Licence
Subject: FW: [External]: RE: Klassic Event application
Importance: High

Good morning Licensing

With regards to the recent application for Klassic Event Western House Unit 2 A4-a10 Western Industrial Complex Western Road

Please see the below email chain for the agreed conditions and hours of operation, agreed between the applicants agent and West Midlands Police.

The hours of licensable activity are to be amended to;

Sunday to Thursday 1000 – 0000
Friday & Saturday 1000 – 0130

Further conditions to be added to the licence are agreed as;

1. There will be no vertical drinking within the premises
2. No alcohol will be provided to any individual patron unless a substantial meal is also ordered.
3. The Premises Licence holder shall provide a “refresher” training session to all relevant staff members as and when deemed necessary on a case-by-case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every six months.
4. Records of the training programme shall be maintained and made available to Authorised Officers upon request.
5. The CCTV policy shall incorporate the following basic requirements:
 - Be switched on and fully operational when the licensable activities are being carried out.
 - Record for a minimum rolling period of 31 days.
 - Have a camera covering any entrance which will provide a facial shot of identification quality.
 - Have a means of copying any footage to another medium as evidence if requested by the Police.
 - Daily CCTV checks to be carried out to check if functioning correctly and documented, this document will be made available to any responsible authority on request
6. A member of staff will be available to operate and download the CCTV whilst licensable activity is being carried out within the premises
7. CCTV to be installed to the specifications and locations of West Midlands Police Licensing Department at Birmingham Central Police station
8. All members of staff at the premises shall seek credible photographic proof of age evidence from any person who appears to be under the age of 25 years and is seeking to purchase alcohol for consumption on/off the premises. Such credible evidence, which shall include a photograph of the customer will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
9. A refusal log will be kept and maintained to record the refusal of alcoholic beverages to underage or intoxicated persons. The details collated will include a description of the individual refused, the date and time, the details of the product refused, the reason for refusal and the name of the staff member.
10. Prominent, clear notices shall be displayed at all exit points to advise customers to respect the needs of the local community and of acceptable behaviour in public spaces when leaving the premises.
11. No 3rd party promoted events whether fully or partly promoted by a 3rd party.
12. Local taxi firm information is to be available at the premises.

13. A risk assessment will be made prior to an event to identify measures required for the safety of staff and patrons. A copy of this risk assessment will be made available to Police or other responsible authority on request
14. Drinks will not be taken outside by persons smoking. The numbers of persons smoking outside the premises at any one time will be limited to 6
15. An incident register will be kept on the premises and made available at all times to any of the responsible authorities.
16. The premises will have a contract or agreement, between the premises licence holder and any delivery company, that the delivery company shall require ID verification when orders are delivered with alcohol. A Challenge 25 proof of age scheme shall be operated where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram The premises Licence Holder is to have a documented policy in relation to how age restricted products are sold on-line or ordered and the checks that are to be made. This policy is to be made available to any of the responsible authorities on request.
17. Contracts with third party delivery companies are to be on-site and are to be made available to any of the responsible authorities on request.
18. The third-party delivery company will record all refusals in relation to alcohol and inform the premises of these.
19. Deliveries which include alcohol are only to be made to residential or commercial addresses. No deliveries will be made to open spaces
20. Delivery drivers will wait for their order inside the premises and not sit outside in / on their vehicles.
21. Delivery drivers will not keep their engines running while outside the premises.
22. Delivery drivers will not play music audible from outside their vehicle while outside the premises.
23. For the duration of any event a regular staff member, who is personal licence holder shall be present within the area of the event and a member of the business management on duty within the hotel for the duration of the event.
24. All bookings for the premises will be authorised by the premises license holder or their nominated deputy in their absence.
25. When taking an event booking staff will take a copy of Photographic ID which will be either a Passport or driving licence, staff will take a copy of a utility bill not more than 3 months old. Booking details are to be kept on the premises for a minimum of 6 months after the event and made available to West Midlands Police on request. A deposit is to be taken for all bookings. Additionally, the persons booking will be informed that it is subject to agreement to the deployment of door staff and the entry/ search policies of the venue.
26. The premises will implement a Search Policy for events which will include the use of metal wands and all patrons will be subject to searches should risk assessment dictate
27. The DPS will ensure SIA security wear numbered high visibility
28. All events will be risk assessed by an SIA registered or qualified person, the risk assessment for the event will be signed and acknowledged by the DPS, a copy of the risk assessment will be sent to both the premises licence holder and West Midlands Police no less than 28 days before the event takes place.
29. For a wedding event West Midlands Police shall be given a risk assessment and booking form no later than 56 days before the event takes place, when taking a booking for a wedding additional documents produced by the hirer will include supporting evidence that a marriage ceremony has been booked and a copy of the supporting documents shall be supplied along with the risk assessment to West Midlands Police.
30. For a wake West Midlands Police will be given a risk assessment will be produced to West Midlands Police no later than 5 days prior to the event, a copy of a death certificate will be taken by the venue and supplied in conjunction with the risk assessment to West Midlands Police.
31. For all birthday party event bookings a copy of a driving licence or passport of the person who the birthday party is for will accompany all other details to be taken and again supplied to West Midlands Police
32. Door staff will sign on and off duty. The premises will keep a profile of all door staff which will include a copy of their SIA licence and photographic ID. (If photographic ID is not available then a utility bill no older than 3 months will be acceptable.) The signing in & out sheets and profiles will

be kept on the premises for a minimum of 3 months and made immediately available to any of the responsible authorities on request.

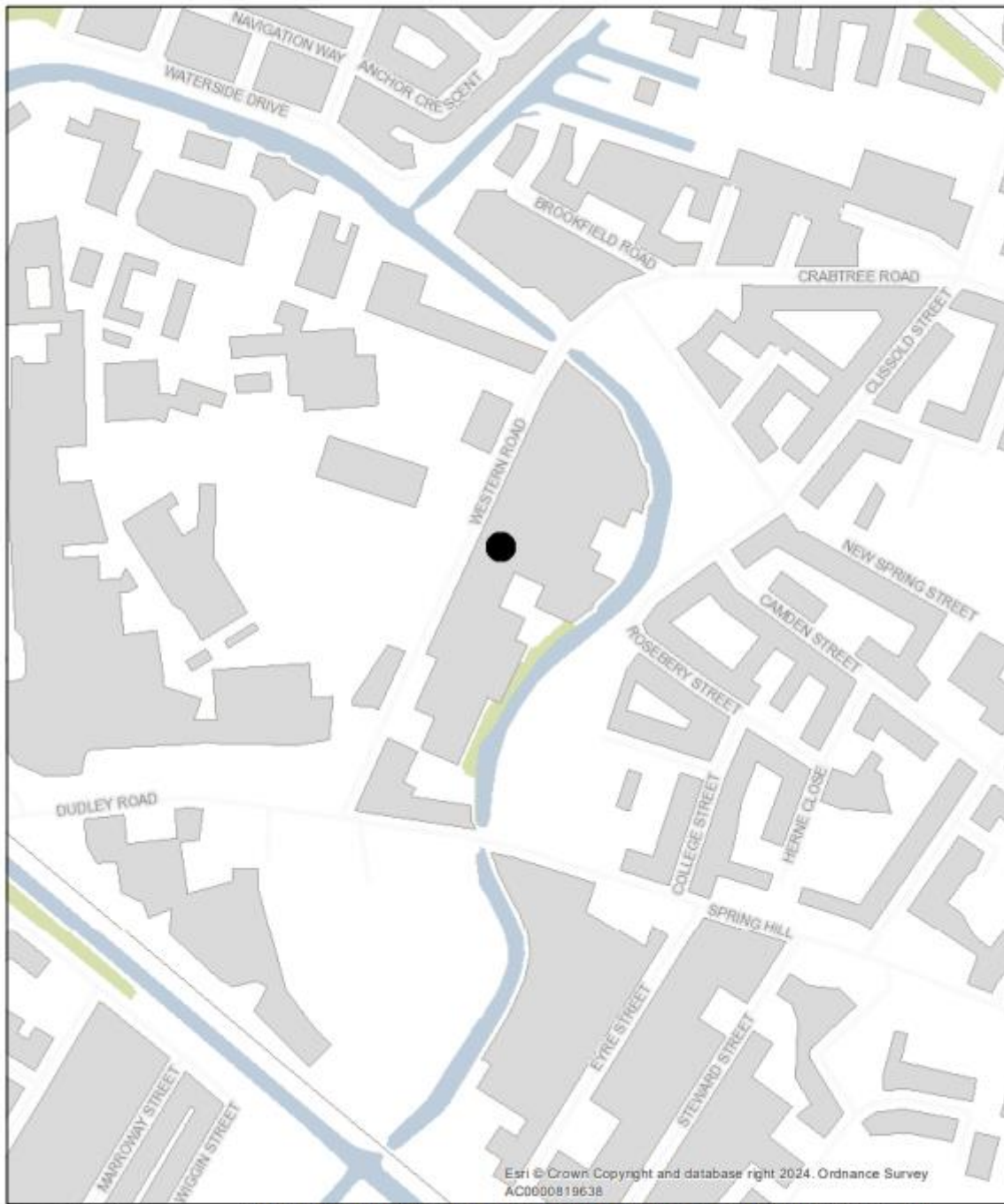
33. If an event is classified as high risk the premises will inform West Midlands Police of this event at least 28 days prior to the date of the event. This notification will be by email to the Birmingham Central Licensing Team and will include the risk assessment and the security plan for the event. Any recommendations made by West Midlands Police in relation to that event will become operating conditions of the premises license for it and West Midlands Police retain a power of veto for that event.

I have copied in the applicants agent for info

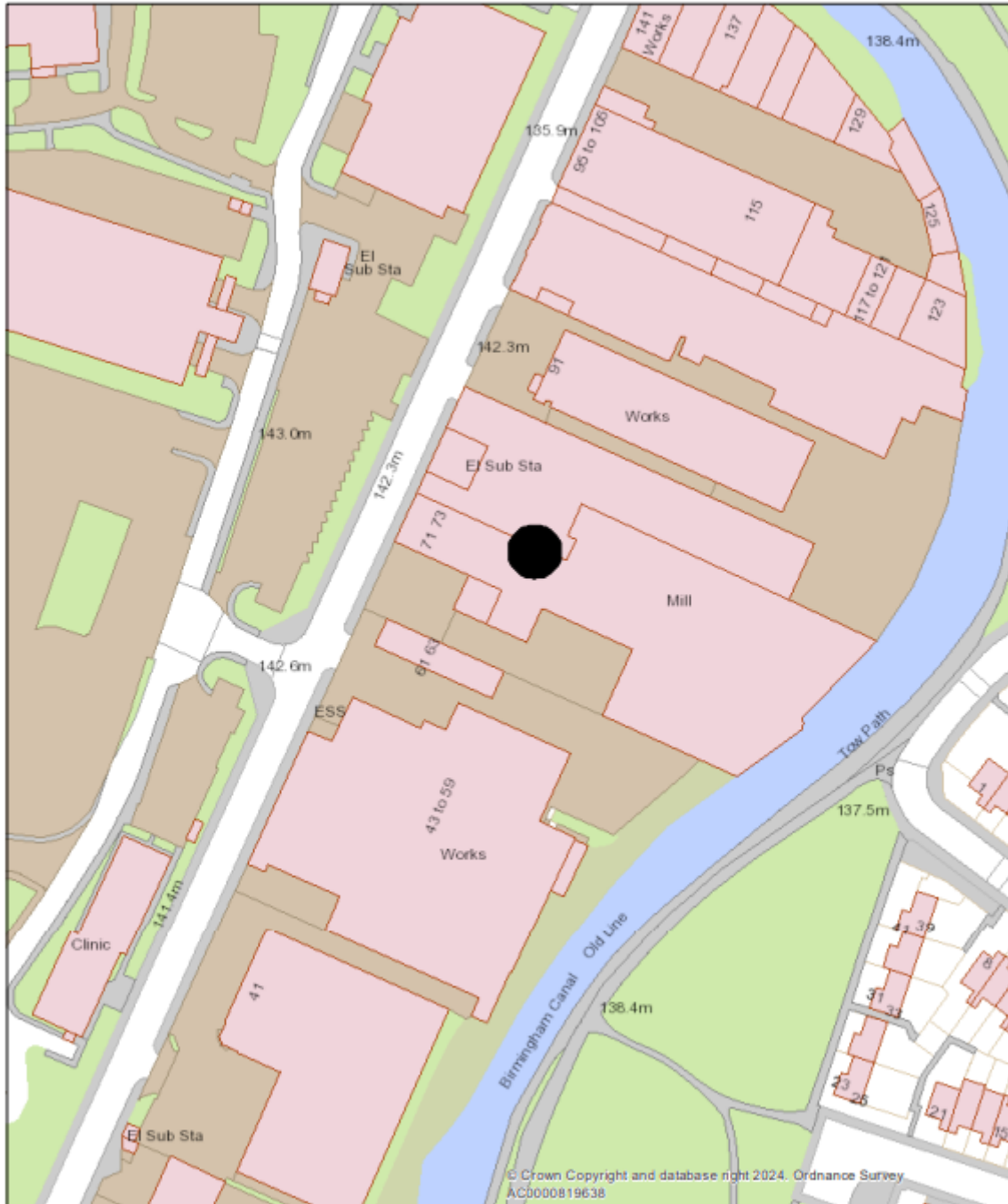
Kind Regards



PC 21361 Ratcliffe
Central Licensing
Lloyd House
West Midlands Police
Working in partnership, making communities safer



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