

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A

MONDAY, 17 SEPTEMBER 2018 AT 09:30 HOURS
IN ELLEN PINSENT ROOM, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM, B1 1BB

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

A G E N D A

1 NOTICE OF RECORDING

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

2 DECLARATIONS OF INTERESTS

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

3 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3 - 14

4 MINUTES - PUBLIC

To note the public section of the Minutes of the meeting held on 8 June 2018.

15 - 46

5 LICENSING ACT 2003 PREMISES LICENCE (GRANT) - SADLER'S BREWHOUSE, 77 HIGH STREET, HARBORNE, BIRMINGHAM, B17 9NS

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

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:-

Exempt Paragraph 3

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

1 **MINUTES - PRIVATE**

Item Description

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

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

BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE A FRIDAY 8 JUNE, 2018
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**MINUTES OF A MEETING OF LICENSING
SUB COMMITTEE A HELD ON FRIDAY
8 JUNE, 2018 AT 1000 HOURS IN
ELLEN PINSENT ROOM, COUNCIL HOUSE,
BIRMINGHAM**

PRESENT: - Councillor Barbara Dring in the Chair;

Councillors Nagina Kauser and Mike Leddy

ALSO PRESENT

David Kennedy - Licensing Section
Joanne Swampillai – Committee Lawyer
Louisa Nisbett - Committee Manager

NOTICE OF RECORDING

1/080618 The Chair advised the meeting and it was noted that members of the press/public may record and take photographs except where there are confidential or exempt items.

DECLARATION OF INTERESTS

2/080618 Members were reminded that they must declare all relevant and pecuniary and non-pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations to be recorded in the minutes of the meeting.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/080618 There were no apologies or nominee members.

APPOINTMENT OF SUB-COMMITTEE

4/080618 **RESOLVED:-**

That the appointment of by the City Council of the Committee and Chairman for the Municipal Year 2018/19 be noted.

MINUTES

5/080618 The public part of the Minutes of the meetings on 9 April, 23 April, 24 April and 14 May, 2018, having been previously circulated were confirmed and signed by the Chairman.

DELEGATIONS TO SUB-COMMITTEE

6/080618 **RESOLVED:-**

That the delegations to the Sub-Committee be noted as follows:-

To determine matters relating to the Licensing Act 2003, the Gambling Act 2005, hackney carriage licences and private hire licences and such business as may be referred by the Director of Regulation and Enforcement.

LICENSING ACT 2003 – PREMISES LICENCE – REVIEW, CLOUD NINE, GOOCH STREET NORTH, BIRMINGHAM, B5 6QU

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

(See document No. 1)

The following persons attended the meeting:-

On behalf of the Applicant:

Mohammed Malik – Premises Licence Holder
Duncan Craig – Counsel for Premises Licence Holder

Those Making Representations on behalf of West Midlands Police

Sergeant Ben Parsons – West Midlands Police
Molly Joyce – Counsel for West Midlands Police

Following introductions by the Chair, the main points of the report were outlined by David Kennedy, Licensing Section.

Molly Joyce requested that the photographs and CCTV footage which included images of children should be shown in private.

The meeting adjourned at 1035 and reconvened at 1038 hours. It was

7/080618 **RESOLVED:-**

That the photographs and CCTV footage should be viewed in private for the protection of children.

The following additional evidence - CCTV footage (to be shown in private), photographs and a Conditions of Hire document was submitted by West Midlands Police:-

(See document no. 2)

Molly Joyce made the following points on behalf of West Midlands Police and in response to Members' questions:-

1. It was noted that the Premises Licence did not permit the sale of alcohol therefore a Designated Premises Supervisor was not required for the premises.
2. As a result of the Closure Order issued to Cloud 9 by the Magistrates Court under section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014 the Licensing Authority is required to review the premises licence.
3. West Midlands Police have submitted a bundle of evidence and would draw attention to the relevant parts. Reference was made to the Witness Statement by P C Rob Moore indicating that a man had been arrested on 7 May 2018 for selling silver canisters of Nitrous Oxide to children from a vehicle outside of Cloud Nine Shisha Lounge. A number of boxes containing Nitrous Oxide had been seized from the premises including some that were stored in the fridge.
4. Molly Joyce highlighted particular aspects of the statements from Officers of West Midlands Police. P C Cartmell on his arrival found small silver canisters on the floor which he suspected to be psychoactive substances known as laughing gas. A PACE search was carried out and boxes of Nitrous Oxide and used canisters were found on the floor inside the premises.
5. In the statement from PC Willetts, a large number of youths were present at the premises a number of which were under 18 and he witnessed one of them inhale the contents of a balloon. He had met Mr Ashtiq at the premises on a previous occasion. During a search of Mr Ashtiq's car a box and bag containing unused canisters of Nitrous Oxide, balloons and cash were found.
6. A number of photographs were taken as evidence by WMP, including some of children. There was also evidence of large number of capsules lying on the street.
7. At another incident PC Willetts had been told by a member of the public that the street had been covered in capsules before the police had arrived, however it had been cleaned up.

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8. WMP and West Midlands Fire Service were called out to an incident on Easter Monday 2018. Several hundred young people had entered the premises, causing traffic chaos outside the premises. In his view there was a look out person at the premises because each time WMP arrived the venue closed the shutters to make it look as if they were closed. When they attempted to gain entry the premises appeared to be closed however they could hear the music from inside. WMFS were called out at which point the shutters were opened. Inside 2 open plan rooms contained 250 – 300 people. One youth said he was 13 however in the opinion of WMP he was more likely to be 11. The licence was for over 18's.
9. The premises were completely full with 250-300 young people even though the licence allowed for up to 50 people. Some of the customers said that they had been sold canisters from the bar staff. There were empty Moet and wine bottles although there was no alcohol licence for the premises.
10. The Fire Safety Officer said that there was no working fire alarm. The shutter had been closed down at the front of the premises. Had there been a fire the people inside the premises would have been trapped. A DPS was not required.
11. The Fire Safety Officer had imposed a restriction on trading until there was a working fire extinguisher. The CCTV showed that they had been trading 5 hours after the licence allowed.
12. The attitude of staff had been appalling. They had been obstructive, rude and laughed at the police officers. Pictures of empty canisters, empty capsules, balloons, empty Moet and Champagne bottles were highlighted.
13. Statements from 2 April 2018, page 80/81 indicate that once the shutters were opened up a large amount of young people rushed out. Again there was alcohol being consumed. A lock knife was found on the floor. When asked Mr Ashiq stated that no searches were carried out on entry as there were too many people to search and it would take all night.
14. Page 86 – Further statements were read out stating that the ages of some of the young people were younger than 16. Customers were told that staff could supply them with alcohol and the canisters if they wanted them. A number of teenagers said they were waiting to get in as their friends were inside.
15. The street outside the premises and floor of the premises were littered with canisters and boxes of alcohol. There were also boxes outside the premises next to the bins.. Incidents had occurred on 18 February as well as 7 May. When the police arrived following an incident on 18 February at 0210 hours the venue was full of customers. The manager said it was closed and he had asked them to leave. The young people informed that the premises was normally open at this time and they would be let back in after the police had gone.
16. Incident on 23 April 2017 – The shutters were closed down and there was approximately 30 youths inside causing carnage throwing capsules at each other. When the staff saw the police they tried to clean up the canisters.

17. Staff said that they were nothing to do with the canisters. They could not control what happened there. Someone was told in Urdu to hurry up and clear up the floor. A staff member was seen holding the canisters in his hand. A man called Cameron said he was the manager and not aware of the legislation regarding the canisters but would ask people to leave.
 18. A parent had complained on 25 October 2017 that Cloud Nine was allowing his 14 year old son to attend and smoke tobacco.
 19. A closure order had been imposed on 20 May, 2018. There had been a potential breach of the closure order on 29 May when there were 6 men inside the premises and an investigation of the incident was ongoing.
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EXCLUSION OF THE PUBLIC

08/080618 **RESOLVED:-**

That in accordance with Regulation 14 of the Licensing Act 2003 (Hearing) Regulations 2005, the public be excluded from the hearing due to the sensitive nature of the evidence to be presented.

Cloud Nine, Gooch Street North, Birmingham, B5 8QU.

CCTV footage and photographs of children.

The meeting reconvened in public at 1221 hours.

1. Molly Joyce continued that with regard to Crime and Disorder - WMP were seeking a revocation of the licence because it was the opinion of a number of police officers who had attended incidents at the venue that criminal activity was taking place on the premises. The canisters had been supplied to children under 18 years of age.
2. Public Safety – Numerous incidents had been captured on CCTV when there were large numbers of children present in the premises. If there had been a fire and electrical failure all those inside would have come to potential harm.
3. The main aim was to protect children. Police resources had been used to visit the premises on numerous occasions. As well as the incident on 2 April 2017 other incidents had taken place.
4. David Kennedy explained the background to the licence being granted in 2016 with modified conditions to the original application.
5. WMP confirmed that if the premises were to reopen following the closure order they would probably make representations. They were asking for the Sub-Committee to revoke the licence.

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The meeting adjourned at 1234 hours and reconvened at 1235 hours. The Chairman advised the representative for the Applicant, Duncan Craig that any questions should relate to the public meeting.

Duncan Craig questioned whether there was any evidence that Mr Malik was at the premises at the time of the incidents. Mr Malik was not aware of the incidents as he was not present.

Duncan Craig in presenting the case for the Premises Licence Holder and in response to questions from Members made the following points:-

1. The Closure Order gives the powers of the Court to close a premise for 4 to 6 months and the punishment and steps taken should be proportional. The premises licence holder had co-operated with the police during the proceedings and the closure order was by consent.
2. With regard to the dates in question, Mr Ashiq had been arrested for the supply of psychoactive substance nitrous oxide. The substance also had legitimate uses in diary products.
3. The Licence for Shisha Bars included food. With regard to the 12 or 13 items that had been found in the fridge, sweets and deserts were sold in most restaurants in the City therefore there would be nitrous oxide in the fridge.
4. There was no evidence of any substance being supplied in the premises and the supply had taken place outside. The premises were not responsible as this was away from the control of the premises. The vast majority of canisters had been found in the street
5. Mr Malik felt let down by Mr Ashiq who was the door supervisor on a sub-contracted basis. An ongoing criminal investigation was taking place.
6. The allegations had been made against the premises, however apart from being present after a wedding on 2 April, 2018, Mr Malik had not been present.
7. There was no hard evidence to prove the ages of the young people present. There was nothing wrong with people under the age of 18 being on the premises prior to 1800 hours.
8. Focus should be on what was inside the premises. The applicant was not present but was told that the shutter was put down because it was felt that the situation could become potentially unsafe.
9. The fire risk assessment stated the capacity as 55 which was surprising as the premises were of a decent size. The person calculating the capacity had set the limit on the number of fire escapes. They did not feel that the capacity set was still applicable as the premises had complied with the fire risk assessment. WMFS had been concerned that the rear door was not illuminated sufficiently and there had been a trip hazard. There was now more than one fire escape which changed the position of the capacity.
10. In response to a query David Kennedy advised that the fire risk assessment they were operating to at the time was a capacity of 55. Had there been any

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changes then they should have requested that the fire risk assessment be amended. Premises operate on the last fire risk assessment undertaken.

11. Mr Malik had not been present when the shutter had been closed because it was felt that the premises could become potentially unsafe due to the number of young people coming in. They were not aware that the police were outside.
12. There premises did not have a licence to sell alcohol as it was not that type of premises. No stocks of alcohol had been found on 2 April apart from a couple of champagne bottles. It was suggested that the young people must have taken alcohol into the premises themselves. There was no evidence to suggest it had been sold inside the premises. Alcohol boxes had been found in the bin over the road.
13. There had been no breach of the closure order. The reason Mr Malik had attended the premises was because the fire alarm had gone off. He had the right to protect his property.
14. There would be more clarity in the conditions of licence if the condition relating to under 18's was removed and replaced with – "that no persons under 18 years old be permitted on the premises at any time".
15. Two hard drives belonging to Mr Malik had been taken by West Midlands Police. He had requested that they be returned but did not receive a response to the request.
16. Mr Malik was willing to take whatever steps were necessary to satisfy West Midlands Police that the premises should remain open. Subject to the closure order the premises could open and serve food up to 2300 hours. The Committee were invited to use its powers to modify the conditions of licence. It was submitted that to revoke the licence in these circumstances was not appropriate.
17. Mr Malik had not been present at any of the incidents and has cooperated with the police.
18. The events on 2 April and 7 May, 2018 had been special events and the premises had been hired out. The pictures of alcohol were taken outside the premises. The contract for security included searching individuals and recording refusals.
19. Mr Malik had allowed Mr Ashiq to hire out the premises on 7 May, 2018. On 2 April, 2018 it had been booked by travellers for a birthday party and the venue was to provide security arrangements, however the security had not turned up and Mr Ashiq undertook this role. Mr Malik was not aware that Mr Ashiq had not worn high visible wear as he was not there.
20. In response to a comment that the CCTV equipment was out of order for a month, Mr Malik was not aware that the hard drive had been taken by the police on 7 March and thought that they had downloaded the footage. This had led to there being no CCTV recording being available for later events.

21. Mr Malik said that Steve Graham, WMFS had agreed that the capacity calculation could be changed but he had not received any correspondence from him. He was not aware what the new number for capacity was as the premises were closed.
22. Mr Malik was still in the process of transferring the licence to a Mr Hussain and was awaiting confirmation. His only connection with Mr Ashiq was that he had worked for him previously however there had not been any issues. He did not know him prior to that. There was approximately 12-14 staff on duty at busy times and 4 on quiet days.
23. Mr Ashiq had signed the document on 2 April, 2018 but had told the police he was not in charge. There was a contract for the hire out of the venue. There was a search policy on the door and the door supervisor should sort this out. The previous incidents had not been brought to his attention. If he had been aware of them he would have taken action. The hire of the venue was signed off by himself or one of the staff. He was shown references etc for promoters of events to be held there. He had not been told that he must be present at all times when they were open.
24. He would not allow his child to attend the premises.
25. Staff worked on a rota basis. They used a large amount of the canisters for drinks. Potentially 90% of customers bought drinks so they found it cheaper to buy the stock of nitrous oxide in bulk. The premises was used as a multi-purpose venue for Shisha, arcade, restaurant, deserts and conference purposes.
26. The issues he has been made aware of today should have been addressed with staff at the time and the police should have spoken to him about them.
27. All of the security staff were self-employed but SIA registered. He was aware of the importance of carrying out searches.

In summing up Molly Joyce stated that Mr Malik had been aware of the issues and they were included in the bundles prepared in advance of the meeting. It was not the responsibility of the police to find the licence holder and speak to them about the issues as they had spoken to someone who appeared to be management at the time and said that his name was Cameron.

Evidence had been provided in the form of CCTV footage, pictures and evidence in the bundle. There was an ongoing investigation into crime and disorder at the premises. A member of staff had been arrested on suspicion of selling substances to young people. Substances were also found in the fridge and officers had been told by the young people that they had been sold to them by staff.

There was an element of disorder seen in the number of call outs and obstruction on the street. The pictures inside the premises showed hundreds of nitrous oxide capsules on the floor. It was not plausible that staff were not aware how they got inside. This showed they had been sold and consumed on the premises. There was a lack of regard for public safety. The fire exit had been shut and the explanation for shutting the shutters to stop more people coming in was not

plausible. It can be seen on the CCTV footage that they were shut when the police arrived. There were in excess of 250 young people on the premises when the capacity was 55.

The licence should be revoked, there was a lack of regard for the safety of children. The events were targeted for the under 18's. The police had been told by the children that they had been sold alcohol and drugs by staff and they had allowed underage children to consume them on the premises. The condition being offered was not acceptable or workable.

There was no CCTV of the incidents in April and May in line with the conditions of licence. The responsibility for the licence is with the Premises Licence Holder. It was not plausible that he was not aware of what was going on. To revoke the licence was the only action.

In summing up, Duncan Craig said that the evidence was unreliable. It was not known what was contained in the boxes that were carried in. The statements from young people could not be verified. Mr Malik did not know who Cameron was.

Mr Malik wanted to positively work with West Midlands Police in opening the premises and promoting the licensing objectives. The condition for no under 18's to be on the premises at any time should be accepted.

The Applicant should be given a chance and the Sub-Committee should step back from revoking the licence.

At 1400 hours, the Sub-Committee adjourned and the Chair requested that all present, with the exception of Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1440 hours, all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

9/080618

RESOLVED:-

That, having reviewed the premises licence held under the Licensing Act 2003 by Mr Mohammed Malik, in respect of Cloud Nine, 76 Gooch Street North, Birmingham B5 6QU, in accordance with Section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014, this Sub-Committee hereby determines that the licence

BE REVOKED

in order to promote the prevention of crime and disorder, public safety, and the protection of children from harm objectives in the Act.

The Sub-Committee decided to revoke the licence due to concerns expressed by West Midlands Police in relation to a recent incident. The Police confirmed that the Cloud Nine premises operated under a Licence which permitted regulated entertainment and late night refreshment, but no sale of alcohol.

A daytime Special Event held at the premises in May 2018 had required the attendance of both West Midlands Police and the West Midlands Fire Service. There had been a lack of proper management control which had resulted in the

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Police forming the view that crimes were being committed and that public safety and child protection was being seriously compromised. It had also been observed by Police that the Conditions of the Premises Licence were not being observed, for example relating to CCTV and security, and that there were inadequate management arrangements across the entire operation. Public safety was at risk. The incident, which had involved the staff (and /or associates) and the management of the premises, had resulted in Birmingham Magistrates' Court issuing an immediate Closure Order against the premises.

The greatest concern was the safeguarding of children. At the incident in May 2018, it was observed by Police that all the indications were that:

- the majority of patrons at the event were aged under 18;
- there were no safeguarding measures whatsoever in place for a daytime event aimed at, and attracting, those aged under 18, and some of whom appeared to be as young as nine years of age;
- the person in charge of the event confirmed to Police that patrons were not searched at the door, and other staff added that this was due to the large numbers being admitted;
- illegal psychoactive substances were being supplied by, and consumed on, the premises;
- alcohol was being supplied by, and consumed on, the premises - despite the premises holding no licence to sell alcohol by retail;
- the fire capacity of the premises had been vastly exceeded, and in the event of a fire, public safety would have been compromised

Given all the circumstances, West Midlands Police recommended that revocation was the only correct course in order to promote the licensing objectives in particular the prevention of crime and disorder, public safety, and the protection of children from harm.

The Sub-Committee heard from the Premises Licence Holder and was unimpressed with his answers to questions. He was the person with responsibility for the premises, yet had shown a flagrant disregard for every licensing objective, especially relating to child safeguarding.

The West Midlands Fire Service had found that one fire escape was nailed shut, and the front entrance was controlled by electric shutters which had been lowered, perhaps to conceal what was going on inside. The Sub-Committee was aghast on hearing how fire safety had been further jeopardised by those at Cloud Nine due to the decision to exceed the 55-person capacity limit several times over; the daytime event had attracted some 200 to 250 children under 18, who would have been at significant risk of being trapped inside the building in the event of a fire.

At the conclusion of the evidence, Members had no confidence whatsoever that the Premises Licence Holder was capable of promoting the licensing objectives. The Premises Licence Holder (PLH) suggested that he had been misled by the person running the event, but the Sub-Committee considered the PLH to be entirely culpable; he was, after all, the responsible person. They considered his offer of an amended condition to be completely inadequate, especially given that the Police were not satisfied that he was observing the existing conditions. The

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fact that the PLH confirmed to the Sub-Committee that he would not permit any child of his to attend an event of this type spoke for itself.

Having heard all the evidence, the Members of the Sub-Committee determined that the only correct course to ensure the safety of the public, especially children, and to promote the four licensing objectives within the Act, was to revoke the Premises Licence.

The Sub-Committee gave consideration as to whether it could modify the conditions of the licence, or suspend the licence for a specified period of not more than 3 months, but was not satisfied given the evidence submitted (part of which was heard with the public excluded from the hearing following a request from West Midlands Police, in accordance with Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005), that the licensing objectives would be properly promoted following any such determination.

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 Closure Order made by the Magistrates' Court which prompted the Review hearing, the written representations received and the submissions made at the hearing by those representing West Midlands Police, and the premises licence holder and his legal adviser.

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 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 disposal of the appeal.

DATE OF MEETINGS

10/080618 **RESOLVED:-**

That the Sub-Committee will meet on Mondays at 0930 hours, subject to business.

OTHER URGENT BUSINESS

11/080618 There was no urgent business.

EXCLUSION OF THE PUBLIC

12/080618 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 Minutes

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CHAIRMAN

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Monday 17th September 2018
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Sadler's Brewhouse, 77 High Street, Harborne, Birmingham, B17 9NS
Ward affected:	Harborne
Contact Officer:	Bhapinder Nandhra, Senior 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 both on and off the premises) to operate from 10:00am until 11:00pm (Sunday to Thursday) and 10:00am until 00:00midnight (Friday and Saturday).

The provision of Regulated Entertainment consisting of live music, recorded music and anything of a similar description to operate indoors only from 10:00am until 11:00pm (Sunday to Thursday) and 10:00am until 00:00midnight (Friday and Saturday).

Premises to remain open to the public from 08:00am until 11:00pm (Sunday to Thursday) and 08:00am until 00:00midnight (Friday and Saturday).

Other dates and times as specified in the application form.

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 27th July 2018, in respect of Sadler's Brewhouse, 77 High Street, Harborne, Birmingham, B17 9NS.

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:

Sadler's Brewhouse Limited applied on 27th July 2018 for the grant of a Premises Licence for Sadler's Brewhouse, 77 High Street, Harborne, Birmingham, B17 9NS.

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

The application is attached at Appendix 3.

Conditions have been agreed with West Midlands Police and the applicant, which are 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:

Copies of the representations are detailed in Appendices 1 - 2
Application Form, Appendix 3
Conditions agreed with West Midlands Police, 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.

Exclude from the licence any of the licensable activities to which the application relates.

Refuse to specify a person in the licence as the premises supervisor.

ROSE ROAD
HARBORNE
B17 9LL
2nd August 2018

The Licensing Officer
B'ham City Council
PO BOX 17013
BIRMINGHAM B6 9ES

BCC	
REGULATION & ENFORCEMENT	
LICENSING SECTION	
DATE RECEIVED	
- 6 AUG 2018	
REF NO	_____
INITIALS	_____

Dear Sir/Madam

RE: APPLICATION for LICENCE by
SADDLERS BREWHOUSE at
77 HIGH ST. HARBORNE

On the following grounds, set out below,
I would like to lodge an objection
to this application as I own a
property at Clarence Road and
the noise and disturbance late at
night from this establishment
close by will severely limit its
attractiveness to prospective tenants.
This will severely affect my income.

- ② There are no less than 8 pubs within about 250 yards, not to mention shops and supermarkets (and restaurants) — all selling alcohol and viable alternative places of entertainment for those who want it.
- ③ The Police are in the process of applying a PSPO to the High St as a means of keeping drinkers off the street. How is this place going to sit with that?
- ④ To sum up; Noise, nuisance, and anti-social behaviour, are my objections, plus loss of income. Please consider this and do not grant this licence.
- Yours faithfully

Appendix 2

From:
Sent: 24 August 2018 17:04
To: Licensing
Subject: 77 high street, harbourne, b17 9ns

Hello I have concerns about this application and what it will do to our road and the amount of problems this will cause due to the alcohol being sold.

This should stay as a cafe and no licensing should be given this will have further deterioration of our society.

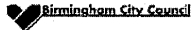
There is already places to purchase alcohol on this road please I ask you not to make another shop which sells alcohol. We as a community of harbourne will have to deal with the problems after.

I am a very concerned resident (and there are many like me)who does not wish to see this planning application approved...

If this was another cafe that would be great.

Kindest regards

Appendix 3



Birmingham
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

Applicant Details

* First name

* Family name

You must enter a valid e-mail address

* E-mail

You must enter a telephone number

Main telephone number

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

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

Registration number

Business name

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

Continued from previous page...

VAT number

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

Legal status

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Continued from previous page...

Legal status

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 21

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

You must enter a telephone number

Telephone number

Non-domestic rateable value of premises (£)	27,000
Section 3 of 21	
APPLICATION DETAILS	
<p>In what capacity are you applying for the premises licence?</p> <p> <input type="checkbox"/> An individual or individuals <input checked="" type="checkbox"/> A limited company / limited liability partnership <input type="checkbox"/> A partnership (other than limited liability) <input type="checkbox"/> An unincorporated association <input type="checkbox"/> Other (for example a statutory corporation) <input type="checkbox"/> A recognised club <input type="checkbox"/> A charity <input type="checkbox"/> The proprietor of an educational establishment <input type="checkbox"/> A health service body <input type="checkbox"/> A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales <input type="checkbox"/> 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 <input type="checkbox"/> The chief officer of police of a police force in England and Wales </p> <p>Confirm The Following</p> <p> <input checked="" type="checkbox"/> I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities <input type="checkbox"/> I am making the application pursuant to a statutory function <input type="checkbox"/> I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative </p>	
Section 4 of 21	
NON INDIVIDUAL APPLICANTS	
<p>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.</p> <p>Non Individual Applicant's Name</p> <p>Name SADLER'S BREWHOUSE LIMITED</p> <p>Details</p>	

Continued from previous page...

Registered number (where applicable)

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

PRIVATE LIMITED COMPANY

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

 / /
dd mm yyyy

* Nationality

N/A

Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

 25 / 08 / 2018
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.

Continued from previous page...

THIS FORMER BAKERY/CAFE WHICH IS NOW AN EMPTY UNIT HAS BEEN ACQUIRED BY OUR CLIENTS. THE PREMISE WAS PREVIOUSLY LICENSED HOWEVER THE LICENCE WAS SURRENDERED IN MARCH 2018. THE THREE STOREY UNIT IS CURRENTLY UNDERGOING REFURBISHMENT WHICH WILL RESULT IN THE PREMISE RE-OPENING AS BAR AND TAP ROOM WHICH WILL ALSO INCORPORATE A GIN DISTILLERY AREA ON THE GROUND FLOOR. THE PREMISE IS LOCATED OVER THREE FLOORS, THE GROUND AND FIRST FLOORS WILL HAVE STANDING AND SEATING AREAS FOR CUSTOMERS. AS WELL AS OPERATING AS A BAR, THE PREMISE WILL OFFER PRE-BOOKABLE WORKSHOPS RELATING TO THE PROCESS OF DISTILLING GIN AND TOURS OF THE FACILITY TO THE PUBLIC AND PRIVATE PARTIES. THE WORKSHOPS AND TOURS WILL BE CONDUCTED BY MEMBERS OF STAFF AND SAMPLES OF THE PRODUCTS WILL BE PROVIDED TO THE PARTICIPANTS OF THE WORKSHOPS/TOURS. AS IN ADDITION, PARTICIPANTS WILL BE ABLE TO PURCHASE ALCOHOLIC PRODUCTS TO TAKE WITH THEM. AS THE WORKSHOPS AND TOURS WILL BE AVAILABLE FROM 10.00 HOURS, THE ALCOHOL SALE HOURS APPLIED FOR REFLECT THIS. THE THIRD FLOOR WILL HAVE SEATING FOR THE WORKSHOPS AS WELL AS HOUSING THE KITCHEN. THERE ARE ALSO OUTSIDE SEATING AREAS TO THE FRONT AND SIDE OF THE PROPERTY AND A REAR YARD AREA. OUR CLIENT WOULD LIKE TO INCLUDE ALL OF THESE AREAS WITHIN THE LICENSABLE AREA AS THEY WILL INCORPORATE SEATING FOR CUSTOMERS. SADLERS BREWHOUSE LIMITED OPERATE A NUMBER OF PREMISES LOCALLY AS WELL AS OPERATING THE BREWERY AND BREWHOUSE BASED IN LYE, STOURBRIDGE.

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

Continued from previous page...

See guidance on regulated entertainment

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

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the 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.

OCCASIONAL LIVE MUSIC WILL BE PLAYED AT THE PREMISE DURING THE LICENSABLE HOURS.

State any seasonal variations for the performance of live music

Continued from previous page...

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

NONE

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.

NEW YEARS EVE; FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON NEW YEARS DAY.

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

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.

Continued from previous page...

SATURDAY

Start 10:00

End 24:00

Start

End

SUNDAY

Start 10:00

End 23:00

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.

BACKGROUND MUSIC WILL BE PLAYED AT THE PREMISE.

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.

NONE

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.

NEW YEARS EVE; FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON NEW YEARS DAY.

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes

☒ No

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

See guidance on regulated entertainment

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

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

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

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

THE PROVISION OF ANY OCCASIONAL LIVE MUSIC AND BACKGROUND RECORDED MUSIC SIMILAR TO THAT DETAILED PREVIOUSLY.

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.

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 entertainment

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

NONE

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.

NEW YEARS EVE; FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON NEW YEARS DAY.

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

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.

Continued from previous page...

FRIDAY

Start 10:00

End 24:00

Start

End

SATURDAY

Start 10:00

End 24:00

Start

End

SUNDAY

Start 10:00

End 23:00

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.

NONE

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.

NEW YEARS EVE; FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON NEW YEARS DAY.

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

Name

First name

JAMES

Family name

PYCRAFT

Date of birth

/ /
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

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 21

ADULT ENTERTAINMENT

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

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

NONE

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start 08:00

End 23:00

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 08:00

End 23:00

Start

End

WEDNESDAY

Start 08:00

End 23:00

Start

End

THURSDAY

Start 08:00

End 23:00

Start

End

FRIDAY

Start 08:00

End 24:00

Start

End

SATURDAY

Start 08:00

End 24:00

Start

End

SUNDAY

Start 08:00

End 23:00

Start

End

State any seasonal variations

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

NONE

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.

NEW YEARS EVE; FROM THE END OF OPENING HOURS ON NEW YEARS EVE TO THE START OF OPENING HOURS ON NEW YEARS DAY.

Continued from previous page...

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

A CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request (meaning within 48 hours) by the Police or other relevant officers of a responsible authority.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training (every 6 months) will also be undertaken. Training records can be made available for inspection upon reasonable request (meaning within 48 hours) by the Police or other relevant officers of a responsible authority.

A refusal log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request (meaning within 48 hours).

A Challenge 25 policy will be operated at the premise; forms of identification that will be accepted are a valid passport, photo card driving licence and PASS accredited identification card.

The licence holder shall display prominent signage confirming a Challenge 25 policy is in operation.

b) The prevention of crime and disorder

A CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request (meaning within 48 hours) by the Police or other relevant officers of a responsible authority.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training (every 6 months) will also be undertaken. Training records can be made available for inspection upon reasonable request (meaning within 48 hours) by the Police or other relevant officers of a responsible authority.

c) Public safety

A CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request (meaning within 48 hours) by the Police or other relevant officers of a responsible authority.

d) The prevention of public nuisance

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training (every 6 months) will also be undertaken. Training records can be made available for inspection upon reasonable request (meaning within 48 hours) by the Police or other relevant officers of a responsible authority.

e) The protection of children from harm

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training (every 6 months) will also be undertaken. Training records can be made available for inspection upon reasonable request (meaning within 48 hours) by the Police or other relevant officers of a responsible authority.

A refusal log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant

Continued from previous page...

officers of a responsible authority upon reasonable request (meaning within 48 hours).

A Challenge 25 policy will be operated at the premise; forms of identification that will be accepted are a valid passport, photo card driving licence and PASS accredited identification card.

The licence holder shall display prominent signage confirming a Challenge 25 policy is in operation.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

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

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

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

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

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

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

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

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

Capacity 5000-9999 - £1,000.00

Capacity 10000-14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

* Fee amount (£)

190.00

DECLARATION

1

Continued from previous page...

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

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

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

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

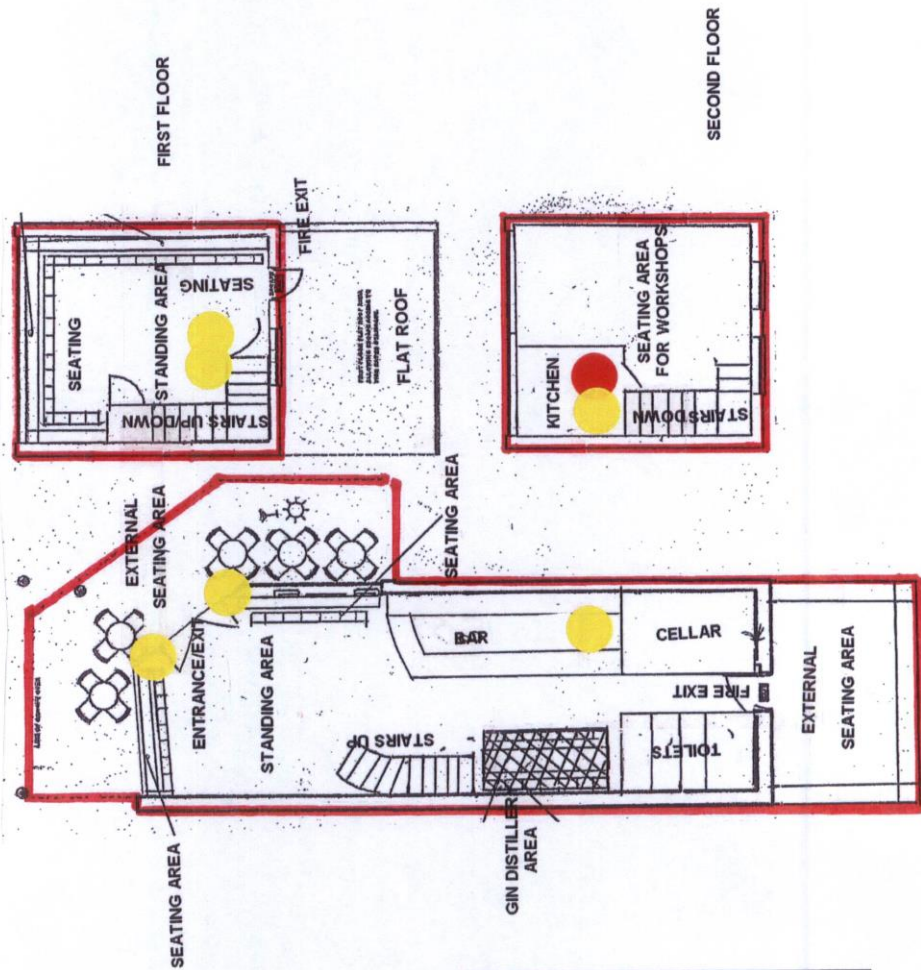
Once you're finished you need to do the following:




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

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

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

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



Key:	
	- Fire Extinguisher.
	- Fire Blanket
CCTV will be located throughout the premise	
	- Area to be licensed for all licensable activities (please note recorded live music will be restricted to indoors only).

Appendix 4

From:
Sent: 06 August 2018 10:36
To: Sara Clement; bw licensing
Subject: RE: Online Grant - Saddlers Brewhouse Ref: 659702

Categories: Egress Switch: Unprotected

From: Sara Clement
Sent: Monday, August 06, 2018 9:48 AM
To: bw licensing
Cc: Licensing
Subject: RE: Online Grant - Saddlers Brewhouse Ref: 659702

Dear Mr Jones,

Thank you for your email below and proposed conditions.

We confirm our client would be happy to accept the following conditions:

- *CCTV to record for a minimum of 28 days, to be downloadable and display the correct time and date stamp.*
- *When the premises is not open to the public the outside furniture will not be left outside the front of the premises.*

Please would you be kind enough to confirm that on this basis, the Police concerns are satisfied. We have copied in Licensing at Birmingham City Council so they are aware of the agreed conditions. We understand that the above conditions will form part of the licence (subject to grant) and will be in addition to the conditions offered in the operating schedule.

Should you have any questions, please do not hesitate to contact me.

Kind Regards,

Sara Clement

For and on behalf of



From: bw licensing
Sent: 31 July 2018 08:04
To: Sara Clement
Subject: FW: Online Grant - Saddlers Brewhouse Ref: 659702

Good Morning,

In relation to the licence application for Saddlers Brewhouse, 77 High Street, Harborne, Birmingham, B17 9NS.

West Midlands Police have reviewed the application and would like the following conditions added to the licence that are deemed appropriate to meet and promote the licensing objectives:

- CCTV to record for a minimum of 28 days, to be downloadable and display the correct time and date stamp.
- When the premises is not open to the public the outside furniture will not be left outside the front of the premises.

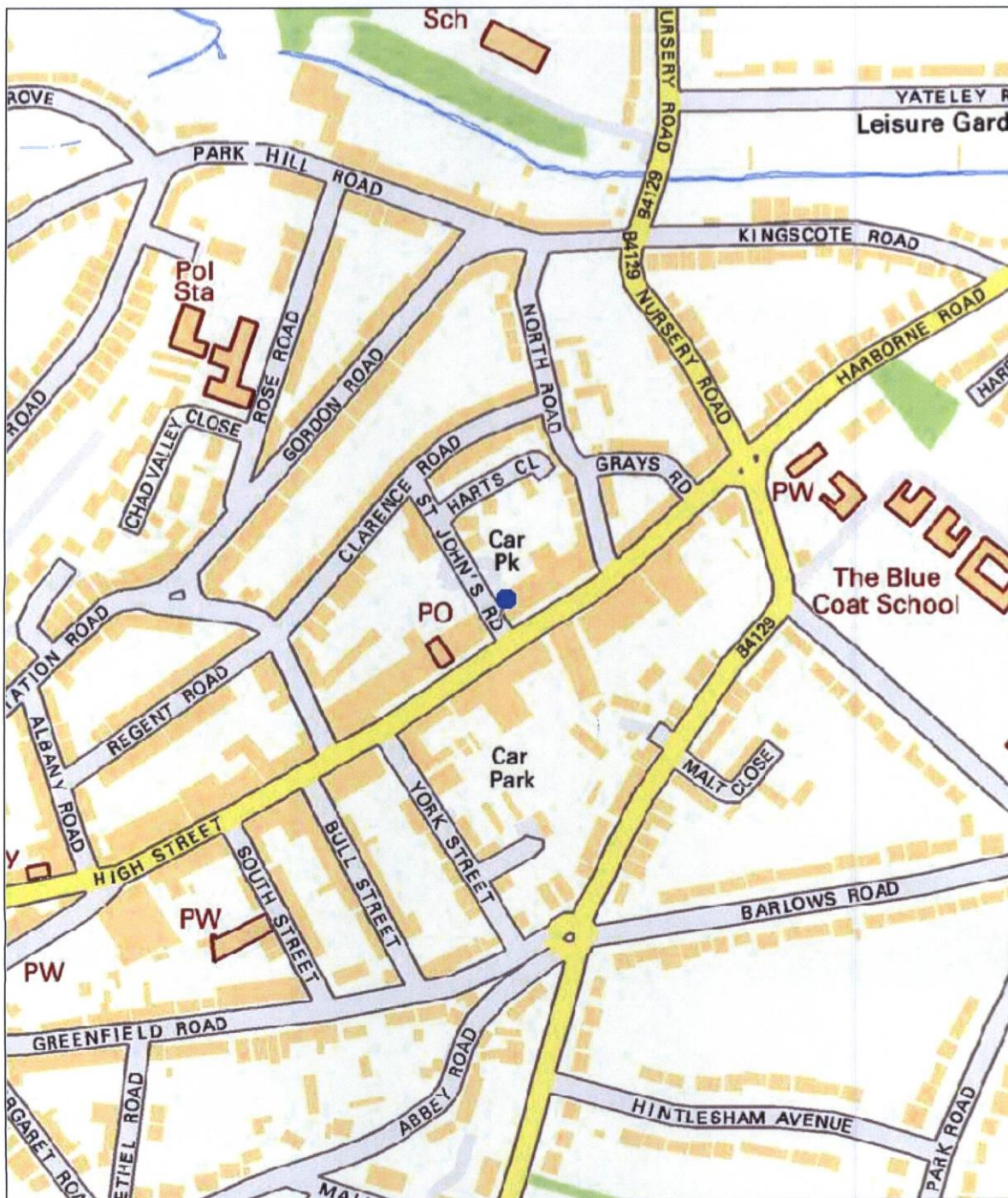
Please liaise with your client, awaiting your reply no later 14th August to afford me time to review the application.

Many thanks

Regards

Chris Jones 55410
Birmingham Central Licensing Team





Birmingham City Council

Map Created By:

Date of Map Creation: 15/08/2018

Notes

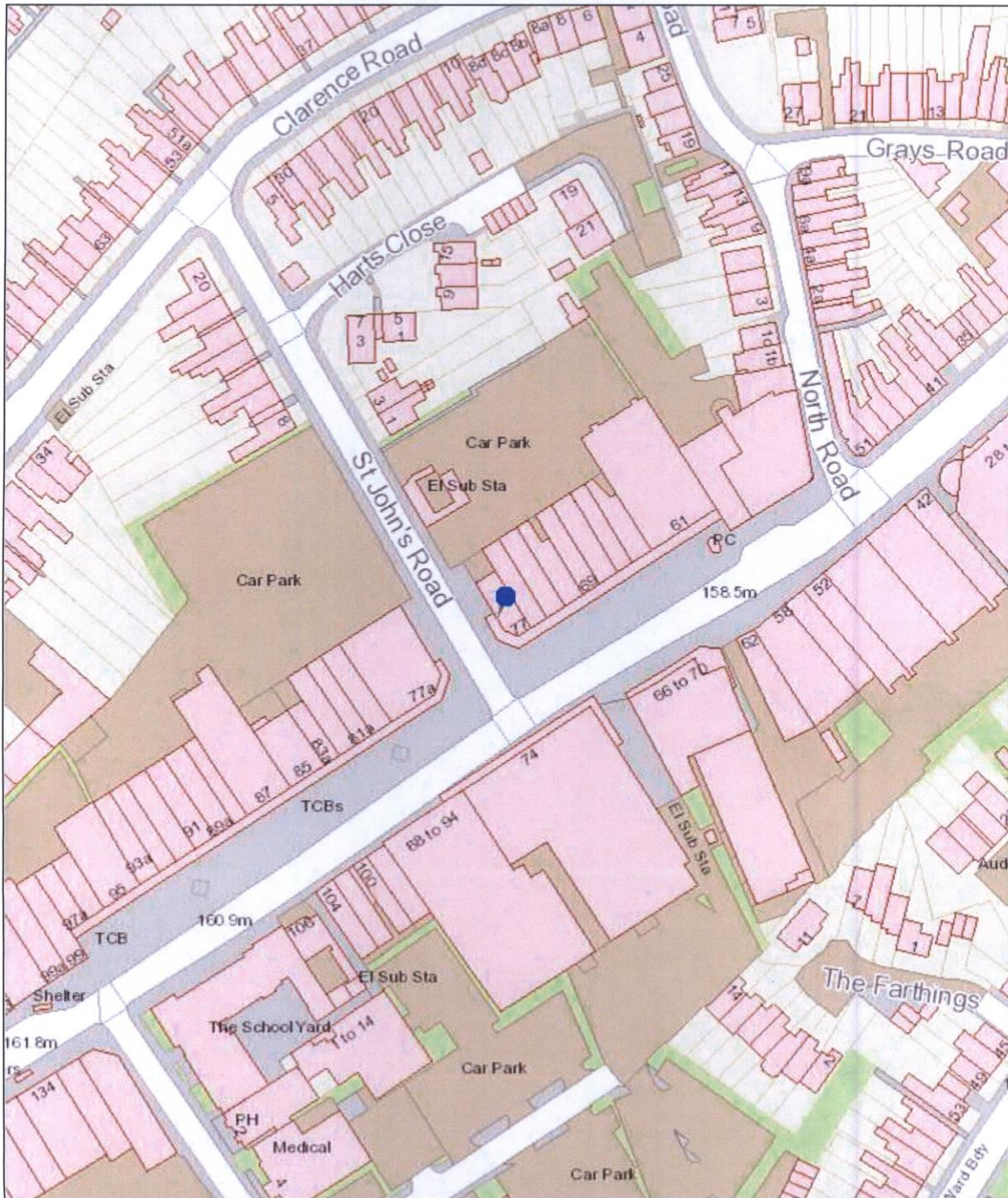


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Birmingham City Council

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Notes

Date of Map Creation: 15/08/2018



Scale:
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