

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

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C

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

A G E N D A

1 NOTICE OF RECORDING

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

2 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3 MINUTES

3 - 10

To confirm and sign the Minutes of the meeting held on 18 April 2016.

To note the public section of the Minutes of the meeting held on 27 April 2016.

4 LICENSING ACT 2003 PREMISES LICENCE – GRANT BIERKELLER ENTERTAINMENT COMPLEX, 196 – 209 BROAD STREET, BIRMINGHAM, B15 1AY

11 - 32

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

5 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.

6 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:-

PRIVATE AGENDA

1 MINUTES

To note the private section of the Minutes of the meeting held on 27 April 2016 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 Chairman are matters of urgency.

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C 18 APRIL 2016
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MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE C HELD ON MONDAY, 18 APRIL 2016 AT 1000 HOURS, IN COMMITTEE ROOM 1, COUNCIL HOUSE, BIRMINGHAM

PRESENT: - Councillor Buchanan in the Chair;

Councillors Eustace and Leddy

ALSO PRESENT

Shaid Yasser - Licensing Section
Sanjeev Bhopal - Legal Services
Joanne Swampillai – Legal Services
Victoria Williams - Committee Services

NOTICE OF RECORDING

1/180416 The Chairman advised the meeting, and the Sub-Committee noted, that members of the press/public could record and take photographs except where there were confidential or exempt items.

UK ZABKA, 270 HIGH STREET, ERDINGTON, BIRMINGHAM, B23 6SH – LICENSING ACT 2003 - PREMISES LICENCE REVIEW

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

(See document No. 1)

Presenting the Application for the Review

Mr Martin Williams, Trading Standards, Birmingham City Council, on behalf of the Chief Inspector of Weights and Measures.

On Behalf of the Premises Under Review

Mr Abdullah Salami, Premises Licence Holder/Designated Premises Supervisor.

Following introductions by the Chairman, the main points of the report were outlined by Shaid Yasser, Licensing Section.

Mr Williams, Trading Standards, stated the grounds for review and highlighted the information provided in support of the application as set out in the report now submitted.

In response to questions from Members of the Sub-Committee, Mr Williams made the following points:-

1. Since the original inspection on 15 February 2016 he had visited the shop once but Mr Darun Mahmoud, the former Designated Premises Supervisor, was not present.
2. A police detection dog had found cigarettes and tobacco products in a cupboard to the rear of the shop.
3. There were no legitimate cigarettes, advertising, statutory warning signs or premises licence on display in the shop. However, there was alcohol displayed.
4. Whilst there were some individual packets of cigarettes, some were still in 'sleeves' and had not been broken down.
5. No duty had been paid on any of the cigarettes or tobacco products.

At 1024 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, Committee Lawyer and Committee Manager, withdraw from the meeting.

After an adjournment all parties were recalled to the meeting at 1029 hours.

6. Illicit products were found on the premises. However, they were not counterfeit. There was a safety issue regarding the sale of contraband illicit cigarettes and tobacco products.
7. The fact that illicit products had been found on the premises was subject to a criminal investigation.
8. Discussions had taken place with the local licensing police officer. However, the police had not challenged the application to transfer the licence.
9. It was suspected that the former premises licence holder was still involved with the shop and that even though there was a new premises licence holder/designated premises supervisor, there had been no change to the way in which it operated. Mr Williams had no confidence in the licence moving forward.
10. There were no documents available regarding the transfer of the business from Mr Mahmoud to Mr Salami and the Council Business Tax was still being paid by Mr Mahmoud.

The Sub-Committee noted that there was no-one present to make verbal representations and considered the written submission attached as appendix 1 to the report in respect of the application.

Mr Salami, on behalf of the premises under review, made the following points:-

1. He lived in Nottingham and was not involved in the shop at the time of the incident.
2. He was shocked about the fact that illicit cigarettes had been found on the premises.

In response to questions from Members of the Sub-Committee, Mr Salami made the following points:-

1. He knew the shop owner and worked for him.
2. It was a business move and he had taken on a lease for 10 years.
3. Mr Darun Mahmoud, the former Designated Premises Supervisor/ Premises Licence Holder, had gone back to his country on holiday.
4. Mr Salami did not know how long Mr Mahmoud would be away.
5. They had known each other for a long time and Mr Mahmoud had asked Mr Salami to manage the shop on his behalf.
6. A neighbouring shop owner had alerted him to the fact that there had been a problem at the premises.
7. He had no experience in running a shop.
8. Mr Mahmoud had been advising him on the running of the business.
9. He was not the Premises Licence Holder/Designated Premises Supervisor at the time of the incident.
10. He understood his role and duties as the new Premises Licence Holder/ Designated Premises Supervisor.
11. He owned the shop but did not know the value of the premises or stock. He did not pay anything for the shop.
12. He still lived in Nottingham and had only owned the shop for two months.
13. Mr Darun Mahmoud was still involved in the running of the shop.

Mr Salami advised that he had nothing more to add and declined the invitation to sum up his case.

Mr Williams summed up his case and at 1044 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, Committee Lawyer and Committee Manager, withdraw from the meeting.

After an adjournment, all parties were recalled to the meeting at 1132 hours and the decision of the Sub-Committee was announced as follows:-

2/180416 **RESOLVED:-**

That, having reviewed the premises licence held under the Licensing Act 2003 by Mr Abdullah Salami, in respect of UK Zabka, 270 High Street, Erdington, Birmingham, B23 6SH upon the application of the Chief Officer of Weights and Measures, this Sub-Committee hereby determines to revoke the premises licence.

In reaching this decision, the Sub-Committee was mindful of the promotion of the Licensing Objectives in the Act, particularly the prevention of crime and disorder and public safety objectives.

The Sub-Committee's reasons for revoking the licence are due to concerns by the Chief Inspector of Weights and Measures in relation to the seizure of 261 packs of illicit cigarettes and 23 packs of non-duty rolling tobacco on the premises on the 15 February 2016.

Of particular concern to the Sub-Committee were quantities of non-duty-paid tobacco goods on the premises. The Sub-Committee were persuaded that the items seized were likely to be a representative example of the total number of items purchased and sold on to consumers. No UK duty had been paid on them, and it was noted that there was no attempt by the business to stock any legitimate duty-paid tobacco products at all. The fact that the tobacco was hidden in the shop makes it clear that those supplying the items knew that the goods were illicit, and wished to keep them concealed.

The new Premises Licence Holder/Designated Premises Supervisor accepted that the previous DPS still had a connection with the business, and was maintaining an active role. Although the precise terms were unclear, it was stated by the new DPS to the Sub-Committee that he receives advice and support from the previous DPS on an ongoing basis.

In addition the Sub-Committee noted that there was no evidence of a legal transfer of the business. (The Sub-Committee asked, but did not receive, any legal documents evidencing any transfer). The Sub-Committee also noted that when checks of the Business Rates register were made, on 4 April 2016, the previous Premises Licence Holder was found to still be paying the Business Rates for the premises, suggesting active involvement in, and responsibility for, the business.

On questioning the new Premises Licence Holder, the Sub-Committee observed that the new PLH had little or no knowledge of how to promote the Licensing Objectives, notwithstanding the fact that he is the DPS.

The Sub-Committee was informed by Trading Standards that despite the change in arrangements the business was still considered to be likely to be associated with Crime and Disorder. The risk to public safety was considerable. The Sub-Committee bore in mind the observation made by Trading Standards - that the responsible sale and supply of tobacco products is just as important as that for alcohol. The Sub-Committee noted that in addition to the tobacco products being contraband, there were no statutory warning signs on display in the shop regarding sales to under 18s.

These matters seriously compromised the ability of the premises licence holder and DPS to properly promote the Licensing Objectives, particularly the prevention of Crime and Disorder and the promotion of Public Safety. The Sub-Committee had no confidence in the new PLH's ability to run the business in terms of the promotion of the Licensing Objectives.

The Sub-Committee carefully considered the guidance under Section 182 of the Licensing Act 2003 by the Secretary of State, particularly Reviews in connection with Crime. They reviewed the Guidance at sub-paragraph 11.27, which states that certain criminal activity should be treated particularly seriously – and which includes 'the use of licensed premises for the sale or storage of smuggled tobacco'. Given the circumstances set out above, and the fact that the Sub-Committee felt that the Premises Licence Holder/DPS was undermining the Prevention of Crime and Disorder objective within the Act (a seizure of illicit tobacco, ie which did not bear the correct safety labels and was non-UK-duty-paid, had been made), and also given the continuing involvement of the previous DPS in the operation of the business, there were no compelling reasons to depart from the Guidance when considering revocation of the licence.

Revocation was therefore the correct course, as revocation was the only measure the Licensing Sub-Committee considered to be appropriate, reasonable and proportionate in order to properly promote the Licensing Objectives.

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 review, the written representation received, and the submissions made at the hearing by the applicant.

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 appeal is disposed of.

The meeting ended at 1138 hours.

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CHAIRMAN

BIRMINGHAM CITY COUNCIL

**LICENSING SUB -
COMMITTEE C -
27 APRIL 2016**

**MINUTES OF A MEETING OF
LICENSING SUB-COMMITTEE C HELD
ON WEDNESDAY 27 APRIL 2016
AT 1000 HOURS IN COMMITTEE ROOM 1,
COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Alex Buchanan in the Chair;

Councillors Neil Eustace and Mike Leddy.

ALSO PRESENT:

Chris Arundel – Licensing Section
Angeline Hayles-Henderson – Legal Services
Sarah Stride – Committee Services.

NOTICE OF RECORDING

01/270416 The Chairman advised the meeting that members of the press/public may record and take photographs except where there are confidential or exempt items.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

02/270416 No apologies were submitted.

OTHER URGENT BUSINESS

03/270416 No items of other urgent business were submitted.

EXCLUSION OF THE PUBLIC

04/270416

RESOLVED:

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

(Paragraph 1)

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Wednesday 18th May 2016
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Bierkeller Entertainment Complex, 196 – 209 Broad Street, Birmingham, B15 1AY
Ward affected:	Ladywood
Contact Officer:	David Kennedy, Principal Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider a relevant representation that has been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption both on and off the premises) to operate from 09:00am until 02:00am (Sunday to Thursday) and 09:00am until 03:00am (Friday and Saturday).

To permit the provision of Regulated Entertainment consisting of films, indoor sporting events, live music, recorded music and performances of dance, to operate indoors only, from 09:00am until 02:00am (Sunday to Thursday) and 09:00am until 03:00am (Friday and Saturday).

To permit the provision of Late Night Refreshment to operate from 11:00pm until 02:00am (Sunday to Thursday) and 11:00pm until 03:00am (Friday and Saturday).

Premises to remain open to the public from 09:00am until 02:00am (Sunday to Thursday) and 09:00am until 03:00am (Friday and Saturday).

Other dates and times as specified in the application.

2. Recommendation:

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

3. Brief Summary of Report:

An application for a Premises Licence has been received in respect of Bierkeller Entertainment Complex, 196 – 209 Broad Street, Birmingham, B15 1AY.

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

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of public spaces, persons, premises and vehicles in the City.

<p>5. Relevant background/chronology of key events:</p> <p>Burningnight Limited have applied for the grant of a Premises Licence for Bierkeller Entertainment Complex, 196 – 209 Broad Street, Birmingham, B15 1AY.</p> <p>A representation has been received from West Midlands Police, as a responsible authority. See Appendix 1.</p> <p>The application is attached at Appendix 2.</p> <p>Site Location Plans at Appendix 3.</p> <p>It should be noted that there is a special policy in force for Broad Street. The effect of a special policy is to create a rebuttable presumption that applications for new licences or material variations to existing licences will normally be refused unless it can be shown that the premises concerned will not add to the cumulative impact on the licensing objectives being experienced.</p> <p>The Council will expect the applicant to demonstrate the steps it will take to promote the licensing objectives. Where relevant representations are made, the Council will consider the application on its individual merits and decide whether to apply the special policy.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ul style="list-style-type: none"> a. The prevention of crime and disorder; b. Public safety; c. The prevention of public nuisance; and d. The protection of children from harm.
<p>6. List of background documents:</p> <p>A copy of the representation as detailed in Appendix 1 Application Form, Appendix 2 Site Location Plans, Appendix 3</p>
<p>7. Options available</p> <p>To Grant the licence in accordance with the application. To Reject the application. To Grant the licence subject to conditions modified to such an extent as considered appropriate. Exclude from the licence any of the licensable activities to which the application relates. Refuse to specify a person in the licence as the premises supervisor.</p>

Appendix 1

ENTERED
R

From: Vicki Demuth
Sent: 19 April 2016 12:50
To:
Cc: bw licensing
Subject: New Application - Bierkeller Entertainment Complex, 196-209 Broad Street

Dear Licensing,

West Midlands Police are objecting to the premises licence application for Bierkeller Entertainment Complex, 196-209 Broad Street, Birmingham, B15 1AY.

This is based on the fact that the premises is situated within a Cumulative Impact Area, where the rebuttable presumption is that an application will be refused unless it can be shown that the premises concerned will not add to the cumulative impact on the licensing objectives being experienced.

Whilst we have engaged with the premises, we are not in a fully confident position that this premises will not add to crime and disorder in the area.

Kind Regards
Vicki

PC 0027 Vicki Demuth
BWC Licensing
Birmingham Central Police Station

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Appendix 2

Birmingham City Council

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Burningnight Limited

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Bierkeller Entertainment Complex 196-209 Broad Street			
Post town	Birmingham	Postcode	B5 1AY
Telephone number at premises (if any)		0121 700 8650	
Non-domestic rateable value of premises		£106,000.00	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

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

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

Please tick yes

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

I am making the application pursuant to a

statutory function or ☐

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name Burningnight Limited
Address 4th Floor Sovereign House 1-2 South Parade Leeds LS1 5QL
Registered number (where applicable) 0730095
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
A	S	S	P				

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

DD		MM		YYYY			

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

The venue will be a mixed entertainment premises that will be split into a German themed Bierkeller with live music and German food, a Sports bar with American style grill dining showing live sports on screens, and a World Beer and Food Brand with world beers paired with foods from around the world.

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

N/A

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue			State any seasonal variations for performing plays (please read guidance note 4)			
Wed			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)			
Thur						
Fri						
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon	09.00	02.00	Please give further details here (please read guidance note 3)	
Tue	09.00	02.00		
Wed	09.00	02.00	State any seasonal variations for the exhibition of films (please read guidance note 4)	
Thur	09.00	02.00		
Fri	09.00	03.00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	09.00	03.00	At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.	
Sun	09.00	02.00	From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.	

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	09.00	02.00	
Tue	09.00	02.00	State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed	09.00	02.00	

Thur	09.00	02.00	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri	09.00	03.00	At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.
Sat	09.00	03.00	From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.
Sun	09.00	02.00	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
Wed						
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	09.00	02.00			
Tue	09.00	02.00			
Wed	09.00	02.00			
			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	09.00	02.00			
Fri	09.00	03.00			
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	09.00	03.00			
			At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.		
Sun	09.00	02.00			
			From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.		

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	09.00	02.00			
Tue	09.00	02.00			
			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed	09.00	02.00			
Thur	09.00	02.00			

Fri	09.00	03.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat	09.00	03.00	At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.
Sun	09.00	02.00	From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish			
Mon	09.00	02.00	Please give further details here (please read guidance note 3)		
Tue	09.00	02.00			
Wed	09.00	02.00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	09.00	02.00			
Fri	09.00	03.00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	09.00	03.00	At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.		
Sun	09.00	02.00	From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	23.00	02.00	Please give further details here (please read guidance note 3)		

Tue	23.00	02.00	
Wed	23.00	02.00	
			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)
Thur	23.00	02.00	
			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)
Fri	23.00	03.00	
Sat	23.00	03.00	At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.
Sun	23.00	02.00	From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	09.00	02.00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	09.00	02.00			
Wed	09.00	02.00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur	09.00	02.00			
Fri	09.00	03.00	At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.		
Sat	09.00	03.00	From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.		
Sun	09.00	02.00			

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

Name Rebecca Moran	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	09.00	02.00	
Tue	09.00	02.00	

Wed	09.00	02.00	
Thur	09.00	02.00	
Fri	09.00	03.00	
Sat	09.00	03.00	
Sun	09.00	02.00	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.

From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.

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

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

1. Substantial food shall be available at all times the premises are operating.

b) The prevention of crime and disorder

1. A CCTV system shall be installed to an agreed standard, as approved by West Midlands Police and maintained and operated at all times when the premises are open to the public. The system will cover all public areas of the premises including all entrances and exits, bars, seating areas, stages, public walkways, queuing areas, reception (excluding toilets) and external pedestrian areas associated with the premises. Images will be kept for a minimum period of 31 days. The images will be produced to a Police or Council employee in a readily playable format as soon as reasonably practicable. There will be provision to train staff to facilitate the above.
2. Plans indicating the positions of CCTV cameras to be submitted to West Midlands Police Licensing Department prior to the premises licence being operated.
3. SIA registered security staff, if and when needed shall be on duty at the time the premises open to the public until it closes at a level risk assessed by the premises licence holder and communicated to West Midlands Police.
4. A search policy shall be in place, including procedures for confiscation of illegal substances and random searches at the door supervisor's discretion.
5. There will be no externally promoted events.
6. All forms of entertainment shall be subject to a written risk assessment and appropriate action and measures put in place to manage each event.
7. The Designated Premises Supervisor shall maintain a duty register of all persons engaged as door and security staff. This register must include the name and SIA number of the person employed, time and date of duty commenced/finished with a signed acknowledgement by that person. The register must include the company employed or through whom the services of that person are engaged. The register shall be kept so

- that it can be readily inspected by a police employee or authorised officer of the council.
8. There will be sufficient glass collectors on or around the premises to remove all glasses and bottles from internal and external areas promptly as soon as they are finished or empty.
 9. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
 10. No patron shall be allowed to leave the premises whilst in possession of any drinking vessel, open glass bottle or Stein, whether empty or containing any beverage. Except for packaged gifts and souvenirs sold from the premises.
 11. Staff and management shall receive refresher training in relation to licensing legislation, underage sales and drugs policies and shall be fully conversant with the conditions contained in the Premises Licence.
 12. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons.
 13. A drug safe shall be installed at the premises.
 14. No performance of striptease, lap dancing, entertainment of a sexual nature or other similar entertainment will be permitted on the premises.
 15. The Designated Premises Supervisor shall be an active member of any Pub/Club Watch group.
 16. The Designated Premises Supervisor or a Personal Licence holder shall be present at all times when the sale of alcohol takes place.
 17. The Designated Premises Supervisor will ensure adoption of an adequate method to measure number of patrons in the premises, such as the use of counting clickers from 21.00 hours on Fridays and Saturdays.
 18. Male and female toilet facilities shall be supervised by an attendant on Fridays and Saturdays, and during special events organised by the Designated Premises Supervisor.
 19. The premises shall manage people who are outside the front of the premises smoking which must be monitored by security staff at busy periods.
 20. Plastic or non glass vessels shall be used in the Bierkeller at all times, which shall include the use of plastic steins.
 21. There shall be notices displayed in the toilet cubicles stating "Only one person per cubicle" and security staff shall monitor compliance of this. Any customers found to be breaching this request shall be escorted to the Security Search area for a routine search. Failure to consent to a request shall result in the customer being escorted from the premises.
 22. All toilet cubicle doors shall have a gap at the top and bottom to discourage illegal activity.
 23. No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises.
 24. An incident book shall be kept at the premises and maintained on site at all times. It shall be made available on request to an authorised officer of the local authority or a member of police staff, which will record the following:-
 - All crimes reported to the venue.
 - All ejection of patrons.
 - Any complaints received (of a Criminal or Licensing nature).
 - Any incidents of disorder.
 - Seizures of drugs or offensive weapons.
 - Any faults in the CCTV system.
 - Any refusal of the sale of alcohol.
 - Any visit by a relevant authority or emergency service.
 25. The premises shall operate any approved radio system at all times.
 26. A regular meeting, if required, will be held by the premises licence holder with the Police.
 27. An ID scanning device capable of authenticating passports, driving licences and ID cards including pass cards should be utilised at the venue as and when is necessary, in conjunction with Challenge 21. The system including related reports will be made available immediately for inspection by West Midlands Police.
 28. Staff will be employed in each room to ensure that customers seated away from supervision at the bar are monitored for alcohol consumption.
 29. An Emergency Contingency Plan shall be implemented.
 30. The premises shall undertake Event Specific Risk Assessments.

c) Public safety

1. Detailed Fire Instructions shall be issued to staff in any appropriate languages so as to be fully understood by all staff.
2. Any special effect used shall be subject to a Risk Assessment and review and consultation, where necessary, with the Licensing Authority and the Fire Service.
3. Customers entering the premises shall be made aware of the use of smoke machines, strobe lighting or any other special effects that may cause customers to experience negative reactions.

d) The prevention of public nuisance

1. Thirty minutes before closing the premises a sufficient number of security staff (when employed) or members of staff, will move outside the premises to manage the dispersal of persons leaving the premises, such security staff to be easily identifiable.
2. Any external area used by customers and the number of those customers shall be controlled in a way that does not obstruct the reasonable passage of pedestrians or cause disturbance to other businesses in the immediate area.
3. Prominent signage shall be displayed requesting that customers respect local residents and leave quietly.

e) The protection of children from harm

1. The premises will operate the Challenge 21 Police. This policy will be brought to customers' attention through the display of appropriate signage. The only form of identification recognised will be photographic identification cards, such as driving licence, passport or proof of age scheme (PASS) card.
2. Children under the age of 18 shall not be permitted to enter the premises after 21.00 hours. Children who are not accompanied by an adult will not be allowed into the premises.

Checklist:

Please tick to indicate agreement

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

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

Part 4 – Signatures (please read guidance note 10)

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

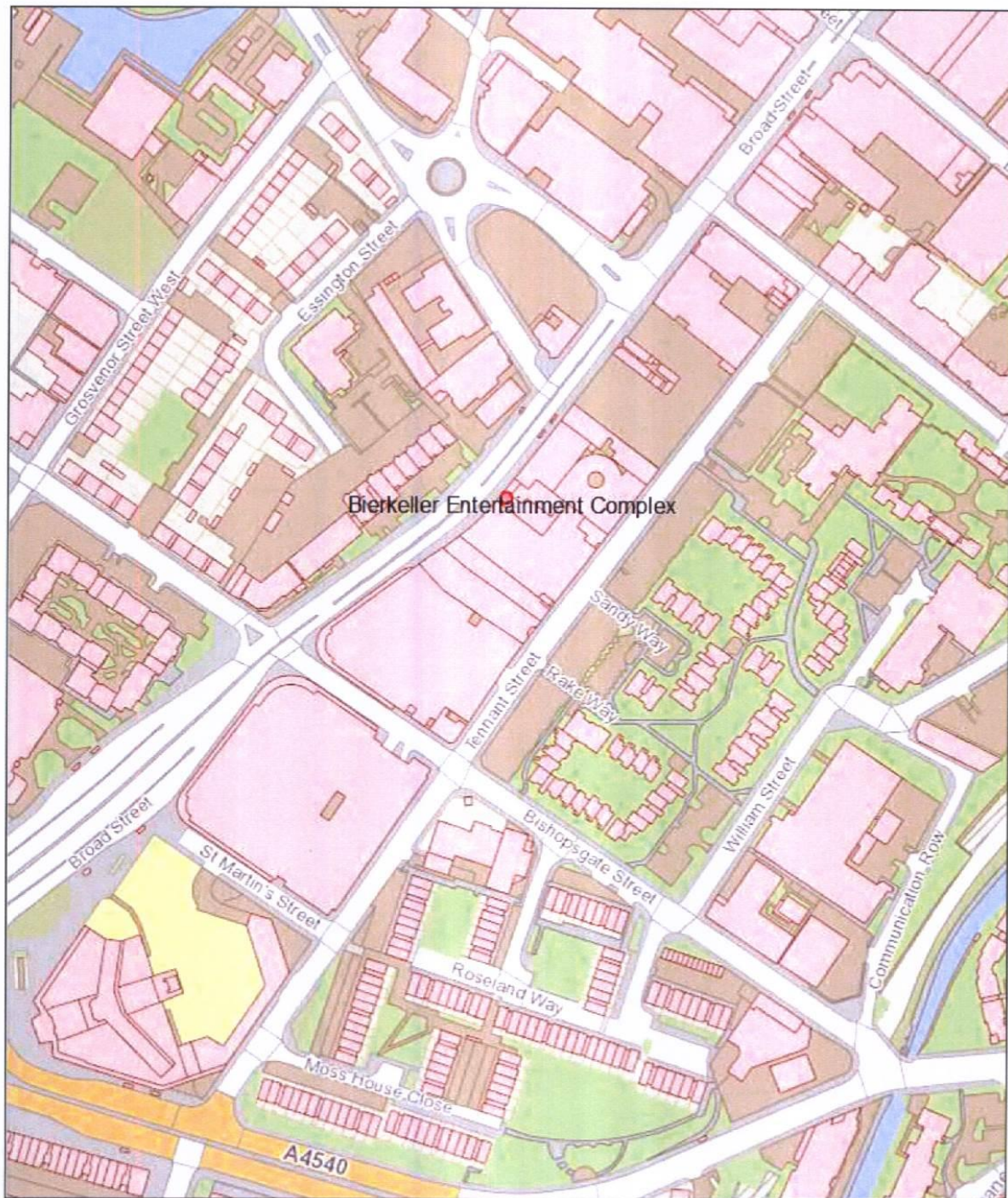
Signature	
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Date	23 March 2016
Capacity	Woods Whur 2014 Limited - Solicitors for the applicant

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

Signature	
Date	
Capacity	

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



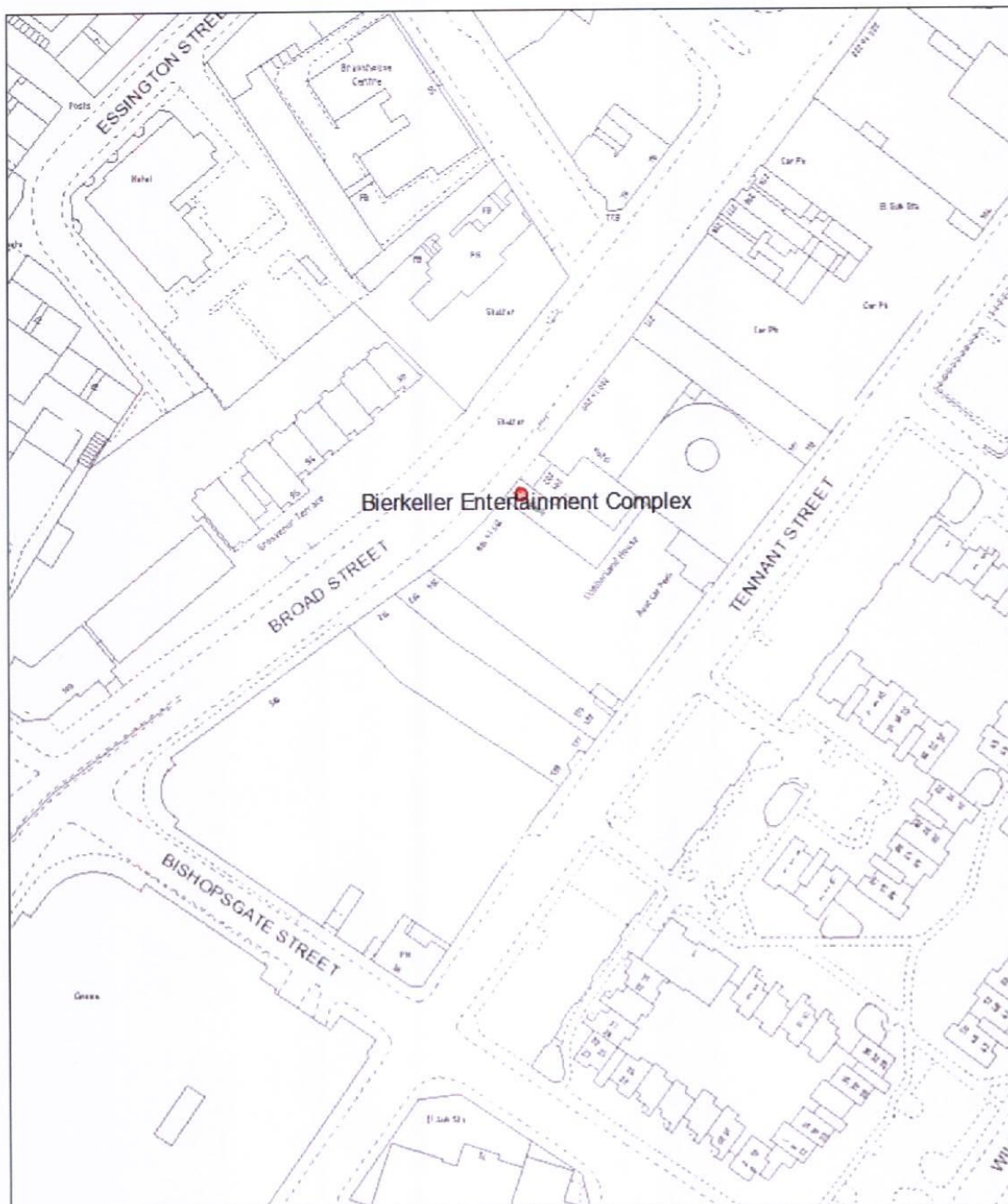
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Notes

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Scale:
 1:2,500



Birmingham City Council Map Created By:

Date of Map Creation: 21/04/2016

Notes



Scale:
1:1,250

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