

**SUPPLEMENTARY  
PAPERS**

**BIRMINGHAM CITY  
COUNCIL**

**LICENSING SUB-  
COMMITTEE A**

**MONDAY 21 JANUARY 2019**

Further to the papers previously sent to you, I now enclose a copy of an additional report for consideration at the meeting as Other Urgent Business (agenda Item 6)

**6 ZARA'S BAR, 80 BROAD STREET<BIRMINGHAM, B15 1AU -  
LICENSING ACT 2003 AS AMENDED BY THE VIOLENT CRIME  
REDUCTION ACT 2006 - CONSIDERATION OF  
REPRESENTATIONS IN RESPECT OF THE INTERIM STEPS  
IMPOSED ON 18 JANUARY 2019**

N.B. Application scheduled to be heard at 1330 hours.

Documents submitted.

- A. Representations made by the premises licence holder
- B. Decision of the meeting held on 18 January 2019
- C. Certificate issued by West Midlands Police under Section 53A of the Licensing Act 2003
- D. Application for an expedited Review of Premises Licence
- E. Copy of Premises Licence
- F. Location maps

The premises licence holder has made representations (See A above) in respect of the interim steps imposed on 18 January 2019 (See B above) following the application from West Midlands Police for an expedited review of the premises licence in respect of Zara's Bar, 80 Broad Street<Birmingham, B15 1AU. The application was accompanied by a certificate signed by a senior member of the force, stating that in their opinion the licensed premises is associated with serious crime and disorder which was made under Section 53A of the Licensing Act 2003 (as amended). (See C and D above)

In accordance with the regulations, the licensing authority has given the premises licence holder and responsible authorities a copy of the application for review and a copy of the certificate.

This hearing has been arranged in order to consider whether it is necessary to take any interim steps in respect of the licence pending the determination of the review. The Premises Licence is included at item E.

At the hearing the licensing authority must:

- consider whether the interim steps are appropriate for the promotion of the licensing objectives; and
- determine whether to withdraw or modify the steps taken.

When considering the case the licensing authority must take into account:

- the senior officer's certificate that accompanies the application,
- the chief officer's representations (if any); and
- any representations made by the premises licence holder.

There is no right of appeal to a magistrates court against the licensing authority's decision at this stage.

**Phil Wright**  
**Democratic Services**  
**Tel: 0121 675 0216**  
**Fax: 0121 303 1086**  
**e-mail: [phil\\_wright@birmingham.gov.uk](mailto:phil_wright@birmingham.gov.uk)**  
**18 January 2019**

**From:** Carl Moore [mailto:carl1@hotmail.com]  
**Sent:** Friday, January 18, 2019 3:04 PM  
**To:** David Kennedy; Paul Franks  
**Cc:** zarasbar@co2.com; Leo Charalambides; Jake P...  
**Subject:** Appeal Notice re Interim Steps against ZARAS BAR

6A

Dear David,

**Re: ZARAS BAR, Broad Street, 80 Birmingham, B15 8AU**

I wish to inform you that I have been instructed by Pete Sangha a director of Five Rivers 2 UK the premises License holder for the above premises, to represent him in relation to licensing issues at the said premises.

Mr Sangha has also instructed Mr Leo Charalambides, barrister at Kings Chambers to represent him in legal matters.

1

I have been instructed by my client Mr SANGHA, to make representation against the interim step imposed in the decision made by the Licensing sub-committee 18th January 2019, comprising a suspension of the premises license, after having heard what they believed to be evidence of Crime & Disorder from PC Abdul Rohomon of The West Midlands Police, following an incident on 12th January 2019 where it is alleged a disorder broke out, resulting someone being knocked unconscious and shortly after Fire bombs allegedly thrown at ZARAS BAR.

My client refutes this allegation and as we believe that the application was not advanced on the basis of full and accurate evidence, we will be in a position to provide evidence to support this case and challenge the interim step.

I am aware that if the holder of the premises licence makes, and does not withdraw, representations against any interim steps taken by the relevant licensing authority, the authority must, within 48 hours of the time of its receipt of the representations, hold a hearing to consider those representations. (Section 53(b) 6, Licensing Act 2003)

I look forward to your response

Regards

Carl

Carl Moore

C.N.A. Risk Management Ltd  
Mobile : 07967 132143  
E Mail : [carl@cna-riskmanagementltd.co.uk](mailto:carl@cna-riskmanagementltd.co.uk)

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**BIRMINGHAM CITY COUNCIL**  
**LICENSING SUB COMMITTEE - A**  
**FRIDAY 18 JANUARY 2019**

**ZARA'S BAR, 80 BROAD STREET, BIRMINGHAM, B15 1AU**

That having considered the application made and certificate issued by West Midlands Police under Section 53A of the Licensing Act 2003 for an expedited review of the premises licence held by Five Rivers 2 UK Limited in respect of Zara's Bar, 80 Broad Street, Birmingham, B15 1AU this Sub-Committee determines:

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

The Sub-Committee's reasons for imposing this interim step are due to concerns by West Midlands Police in relation to matters which came to light at the premises on 12 and 13 January 2019 as outlined in the Chief Officer of Police's certificate and application.

The Sub Committee determines the cause of the serious disorder appeared to originate from deficient security measures and the inability of management to respond to the first incident in an appropriate manner as viewed on the CCTV footage submitted by the WMP during the private part of the hearing.

The Sub Committee was concerned to note there was no security by the premises door at 11pm and by the behaviour of door staff towards the fight that took place immediately outside the premises which appeared to be instigated by the premises visitor, namely the promoter.

Further, the lack of regard shown to the unconscious individual laying immediately outside the licenced premises was a cause of concern for the members. The Sub Committee felt the inaction by door staff and, or the management of the premises to call the emergency services in respect of the unconscious individual fell short of the standards required.

It was recognised by the Sub-Committee that the premises management in the aftermath of the two incidents that took place on 12 and 13 January, cooperated with the police's investigation, and made a subsequent offer of extra measures to deal with the police's concerns, however these were not considered satisfactory by the Responsible Authority.

The Sub Committee also noted additional conditions were offered by the premises licence holder's legal representative during the hearing to address issues pertaining to the incidents. However, members considered the employment of a door supervisor at 7pm and a further two more at 9pm; including use of body cameras did not address the source of the first incident, a serious disorder.

Members felt the lack of adequate presence of door staff gave rise to poor management of the group of individuals and promoter leaving their premises which in turn enabled the first serious disorder to occur outside the premises. There was little evidence to suggest that security staff had intervened to pre-empt or defuse the situation or incident as it developed nor had they generally alerted the emergency services to the incident or about the unconscious individual at the time that it had happened.

Members considered on the balance of probabilities, the modification of conditions did not address the behaviour displayed by the door staff as viewed on the CCTV footage. The Sub committee gave weight to the concerns expressed by the police in respect of the conduct and proficiency of security staff at the premises and determined it necessary and reasonable to suspend the licence to address the immediate problems identified with the premises, in particular the likelihood of serious disorder, and to promote the prevention of crime and disorder objective in the Act.

All parties are advised that the premises licence holder may make representations against the interim steps taken by the Licensing Authority. On receipt of such representations, the Licensing Authority must hold a hearing within 48 hours.

All parties are advised that there is no right of appeal to a Magistrates' Court against the Licensing Authority's decision at this stage.

6C

# West Midlands Police

## CERTIFICATE UNDER SECTION 53A (1)(B) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime and disorder

**Premises: Zara's Bar**

**Premise Licence Number: 4052**

**Premise Licence Holder: Five Rivers 2 UK Limited**

**Designated Premise Supervisor: Miss Victoria Sherwin**

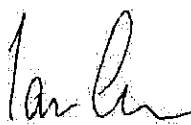
**I am a Superintendent in West Midlands Police.**

I am giving this certificate because I am in the opinion that the procedures under the Licensing Act are inappropriate in this case because the standard review procedures are thought to be inappropriate due to the seriousness of the disorder, and the serious management failings of the premises concerned.

The level and seriousness of the incident in terms of the serious disorder warrant the use of this power. I have considered the use of the normal review procedure but I do not feel this would be appropriate in these circumstance due to the above reasons, and the fact that to maintain the licensing objective of preventing crime and disorder the normal review procedure would not be sufficient.

The severity of the incidents is a matter that needs to be brought to the attention of the Licensing Committee immediately.

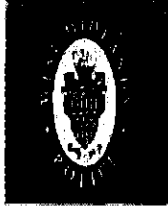
The concern of West Midlands Police is that if steps are not taken to consider the running of these premises they will continue to be used in the manner in which they were discovered on the weekend of 13<sup>th</sup> January 2019. I am conscious of the guidance on the use of "Expedited Reviews" and given the emphasis that is given to use of this power to tackle serious crime and disorder, my feelings that this process is deemed appropriate are further enforced.

Signed  SUPT 1218 GREEN  
BW NFR





6D



**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 the 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

**I - Supt Ian Green**

**(on behalf of) the chief officer of Police for the West Midlands Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003**

1. Premises details: Zara's Bar

Postal address of premises,(or if none or not known, ordinance survey map reference or description): 80 Broad Street,

Post Town: Birmingham

Post Code (if known): B15 1AU

2. Premises Licence details:

Name of premise licence holder (if known): Five Rivers 2 UK Limited

Number of premise licence (if known): 4052

3. Certificate under section 53A (1)(B) of the Licensing Act 2003 (Please read guidance note 1)

I confirm that this is a certificate has been given by a senior member of the police force for the police area above that in his/her opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)



4. Details of association of the above premises with serious crime, serious disorder or both:

(Please read guidance note 2)

At 00.19 hours on Sunday 13<sup>th</sup> January 2019 West Midlands Police received a 999 call from Zara's that 2 petrol bombs had been thrown from a passing vehicle at the premises.

Officers attending and an investigation started as this was a very serious incident. When officers spoke to the security staff they were told that the males involved had a fight with other people outside the premises and it had nothing to do with them.

Officers obtained video footage both from the premises and other cameras on the street. Footage from other cameras on the street showed a fight outside the premises but it was unclear to see what was happening or who had done what, except the fact a male was knocked out and fell to the floor for some time.

Officers have reviewed the CCTV footage from Zara's, they have a camera by the cloak room which is a hut at the front by the gate.

Officers have reviewed the CCTV numerous times and also spoken to the DPS and manager to get their version of events.

From the CCTV the incident starts around 23.04 hours, according to the door staff records the head doorman G Pryce had been on since 10pm with the other 5 staff signing in at 11pm.

The DPS and manager have both indicated to officers that they have seen the footage, they have stated that they see the group arrive and there is a verbal confrontation and this group become verbally abusive and threaten violence.

One of the group who is wearing a tracksuit ends up on the floor, at which he comes round to the front and tries to kick a person who had been waiting to see the manager to discuss a promotion.

This person manages to grab hold of the kickers foot and up end him. When the male gets up someone punches him again and he is knocked out. They then recall that the Street Pastors were with him so they left it to them, although they say he was knockout for several minutes.

This version of the incident is also reflected in the incident report that was submitted.

Officers have reviewed the CCTV on multiple occasions and have seen the following –

- The liaison manager who is not SIA registered or authorised was at the front of the premises, he was searching people as they entered the premises before and after the incident. He is very distinctive as he is very tall and wearing a flat cap.
- The meet and greet person was also on the front door, dressed all in black. Although he is not doing any searches he is clearly involved in controlling entry to the premises.
- At the time of the incident there are no security at the front
- There is another male at the front who was smaller and eating, according to the premises this was a promoter who had come to the premises to talk about a promotion
- 23.05:21s – the group of 6 arrive at the front
- Still just Liaison manager and meet and greeter at front with other male purported to be a promoter
- 23.06:10s – DJ is seen to enter and walkthrough the group with no issues
- Promoter male is now standing behind meet and greeter
- 23.06:43s another male with a radio appears in shot, he approaches the front having come from inside the premises. He is not wearing any ID and is not identifiable
- He is wearing a woollen hat, a puffer jacket which is zipped up
- He walks to the front and goes into the group
- 23.07:02 – can see the male reported to be the promoter gesticulating with his hands to person behind the pillar
- 23.07:14s – this male then walks round the side of the group
- Same time you see a male from the group who was wearing a tracksuit also walk from the other side, and appears to do a goading movement

- 23.07:18s – there is contact between the person who is promoter and another, unclear who did what
- 23.07:21s – male in tracksuit ends up on the floor, falling on his bum
- 23.07:22s – the first person who is identifiable as a door supervisor arrives, walking from inside the premises, he has "security" on the back of his jacket.
- The male who was seen earlier with the radio and the promoter are next to each other
- 23.07:25s - the male that had been on the floor, tries to kick the promoter. He manages to grab his foot and up ends him
- 23.07:31s – the male then gets up, the promoter then throws a punch at the male
- As the male stumbles backwards the other male who is then seen to punch the male twice
- 23.07:35s – another male with security on his back appears again from inside the premises carrying a long stick behind his back but in plain view of the CCTV
- 23.07:40s – male is on his back on the floor and does not appear to be moving
- Security with stick put it by gate, which is then picked up by another person and taken to the hut
- 23.07:47s – the staff start to retreat to the front of the premises. The second male who is seen to throw punches, puts his hood back up – he is wearing a baseball cap as well, and retreats back behind the pillar.
- From what he was wearing and his positioning officers believe this to be the meet and greeter.
- No staff stay with the male to offer any assistance. It appears that the people he was with are around him
- There does not appear to be any "Street Pastors" with the male immediately although enquiries are continuing.
- The male is lying on the street, on his back for sometime

At some point the male does get up and walks off towards Sheepcote Street

At 00.19 a car that is travelling up Broad Street ( from the bottom towards Five Ways), throws what looks like two petrol bombs at the front of Zara's, both explode and ignite on the pavement.

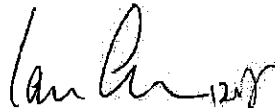
West Midlands Police are concerned that this serious disorder happened at this licensed premises. The premises have indicated that they were not involved in the fight, indicating to officers that it was another group. It was from viewing the CCTV numerous times that officers have found this account to be incorrect.

There is no definition of serious disorder, however it is my opinion that this is serious disorder that then lead to the serious actions of people throwing petrol bombs at the premises, something that has not happened before as far as I am aware. It is very lucky that someone was not seriously hurt/injured by this.

After a meeting with the licensing officer, the premises have offered some remedial action but West Midlands Police are not satisfied with this response in addressing the issues.

West Midlands Police are seeking the suspension of the licence.

Signature of applicant:



Date: 16/1/2019.

Rank/Capacity: SUPT 1218 IAN GREAVES (BWMPL)

**Contact details for matters concerning this application: Pc 4075 Abdool ROHOMON**

**Address: Licensing Dept c/o Steelhouse Lane Police Station, Birmingham**

**Telephone Number(s): 0121 626 6099**

**E-mail - a.rohomon@west-midlands.police.uk**

**Notes for guidance:**

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious Disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder or both.

**LICENSING ACT 2003**

**PREMISES LICENCE**

Premises Licence Number:

4052 / 1

**Part 1 - Premises details:**

<b>Postal address of premises, or if none, ordnance survey map reference or description</b> Zara's Bar 80 Broad Street	
<b>Post town:</b> Birmingham	<b>Post Code:</b> B15 1AU
<b>Telephone Number:</b> Not Specified	

<b>Where the licence is time limited the dates</b> N/A
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<b>Licensable activities authorised by the licence</b>	
A	Plays
B	Films
C	Indoor Sporting Event
E	Live Music
F	Recorded Music
G	Performance of Dance
H	Anything similar to (e) (f) or (g)
M3	Sale of Alcohol by retail on and off the premises

<b>The times the licence authorises the carrying out of licensable activities</b>				
Monday - Sunday	07:00	-	06:00	A , B , C , E , F , G , H , M3
	23:00	-	05:00	L

<b>The opening hours of the premises</b>			
Monday - Sunday	07:00	-	06:30

<b>Where the licence authorises supplies of alcohol whether these are on and/or off supplies</b>	
On and Off Supplies	

BIRMINGHAM CITY COUNCIL

Part 2

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</b> Five Rivers 2 UK Limited 354 Hagley Road Pedmore Stoubridge	
<b>Post town:</b> West Midlands	<b>Post Code:</b> DY9 0QY
<b>Telephone Number:</b> Not Specified	
<b>Email</b> N/A	

<b>Registered number of holder for example company number or charity number (where applicable)</b> 07421533
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<b>Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</b> Miss Victoria Sherwin	
<b>Post town:</b>	<b>Post Code:</b>
<b>Telephone Number:</b>	

<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
<b>Licence Number</b> 3683	<b>Issuing Authority</b> BIRMINGHAM CITY COUNCIL

Dated 21/12/2013

David Kennedy  
Senior Licensing Officer  
For Director of Regulation and Enforcement

## BIRMINGHAM CITY COUNCIL

### Annex 1 – Mandatory Conditions

No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises— (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to— (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either— (a) a holographic mark, or (b) an ultraviolet feature.

The responsible person must ensure that— (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures— (i) beer or cider: ½ pint; (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and (iii) still wine in a glass: 125 ml; (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

## BIRMINGHAM CITY COUNCIL

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. (2) In this condition:— (a) "permitted price" is the price found by applying the formula  $P = D + (D \times V)$ , where— (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence— (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Each individual assigned to carrying out a security activity must be licensed by the Security Industry Agency.

The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendation made: (a) By the British Board of Film Classification (BBFC), where the film has been classified by that Board, or (b) By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20(3)(b) (s74(3)(b) for clubs) of the Licensing Act 2003 applies to the film.



## BIRMINGHAM CITY COUNCIL

### Annex 2 – Conditions consistent with operating schedule

#### 2a) General conditions consistent with the operating schedule

CCTV to be installed and maintained to the satisfaction of West Midlands Police. The CCTV system to be in full working order at all times when the premises are open for licensable activities. The CCTV system shall record and store images for a minimum of 30 days. Images to be made available to West Midlands Police and Local Authority officers upon request.

The premises will risk assess its standard operating procedures covering seven days a week, included in this risk assessment will be any security provisions. A copy of risk assessments to be made available to West Midlands Police Licensing Department (Steelhouse Lane).

#### 2b) Conditions consistent with, and to promote the prevention of crime and disorder

The use of the premises for licensable activities between 0400 and 0600 hours is subject to 7 days notice (28 days notice in respect of "risk" events) by any means to the West Midlands Police Licensing Department at Steelhouse Lane Police Station, or such other officer or Police Station as shall have been notified to the Designated Premises Supervisor in writing. A "risk" event is defined as a music event attracting a defined or special interest audience. In such case the Police shall have the right to veto the use of the premises for that event during those hours by giving notice within 3 days of notification.

External Promoted Events: If the premises has any late night external promoter event which is not part of the standard operating procedure, then a separate risk assessment will be completed and forwarded to the Licensing Department at Steelhouse Lane Police Station at least 28 days, or such other time as agreed with West Midlands Police Licensing Department, before the event. Any additional conditions (in writing) required by West Midlands Police will become a condition of the premises licence for the purposes of that event.

The premises will implement and put in practice a drugs policy and an incident log book will be kept and maintained on the premises, and will be made available for inspection by West Midlands Police and responsible authorities.

The Premises License Holder shall ensure members of staff will receive regular training in their responsibilities under the Licensing Act 2003, to include use of the proof of age scheme adopted by the premises. Such training to be documented and records shall be retained at the premises and produced to responsible authorities upon reasonable request.

The Premises licence holder will ensure that the Designated Premises Supervisor, or such other member of staff as may be nominated by him/her, attends local Pub watch (or such other similar scheme).

#### 2c) Conditions consistent with, and to promote, public safety

SIA registered door supervisors will be engaged at the premises in accordance with the standard operating procedures risk assessment. Door staff profiles will be retained for all staff that are working in the premises or have been working at the premises in the last 3 months. Profiles are to be proof of identity (photocopy of driving licence or passport) and proof of address (utility bill or bank statement). Proof of address is not required when proof of identity is a new photo driving licence. Profiles are to be available for inspection on request by a responsible authority.

The Premises License Holder shall ensure when door supervisors are engaged at the premises they shall wear Hi-Vis armbands at all times.

**BIRMINGHAM CITY COUNCIL**

**2d) Conditions consistent with, and to promote the prevention of public nuisance**

There shall be adequate supervision of the external area, and security provision will be assessed within the standard operating procedure risk assessment (see above).

The licence holder or designated premises supervisor will ensure that music sound levels are monitored, and that regular patrols are carried out by designated members of staff, internally and externally, to limit any noise pollution during regulated entertainment in the premises.

The premises License Holder shall ensure notices are displayed on the premises asking customers to respect local residents when leaving the premises.

**2e) Conditions consistent with, and to promote the protection of children from harm**

The premises will implement a Challenge 25 proof of age scheme.

If the premises wishes to hold an under 18 event, 28 days notice will be provided to the Licensing Department at Steelhouse Lane Police Station, together with a risk assessment for the event.

## BIRMINGHAM CITY COUNCIL

### Annex 3 – Conditions attached after hearing by licensing authority

#### 3a) General committee conditions

Conditions as stated below under the appropriate licensing objective.

Licensing Sub Committee C resolved on the 23rd November 2016, having reviewed the premises licence as a result of a flyposting review application being submitted to permanently modify the conditions of licence relating to flyposting as detailed below under the public nuisance objective.

#### 3b) Committee conditions to promote the prevention of crime and disorder

N/A

#### 3c) Committee conditions to promote public safety

N/A

#### 3d) Committee conditions to promote the prevention of public nuisance

Doors and windows: The applicant shall ensure that all doors and windows are shut during the provision of regulated entertainment save for access or egress.

Noise limiter: The applicant shall install a noise limiter at the premises to be calibrated at a level set by Environmental Health.

Additional Permanent Conditions following flyposting review:

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

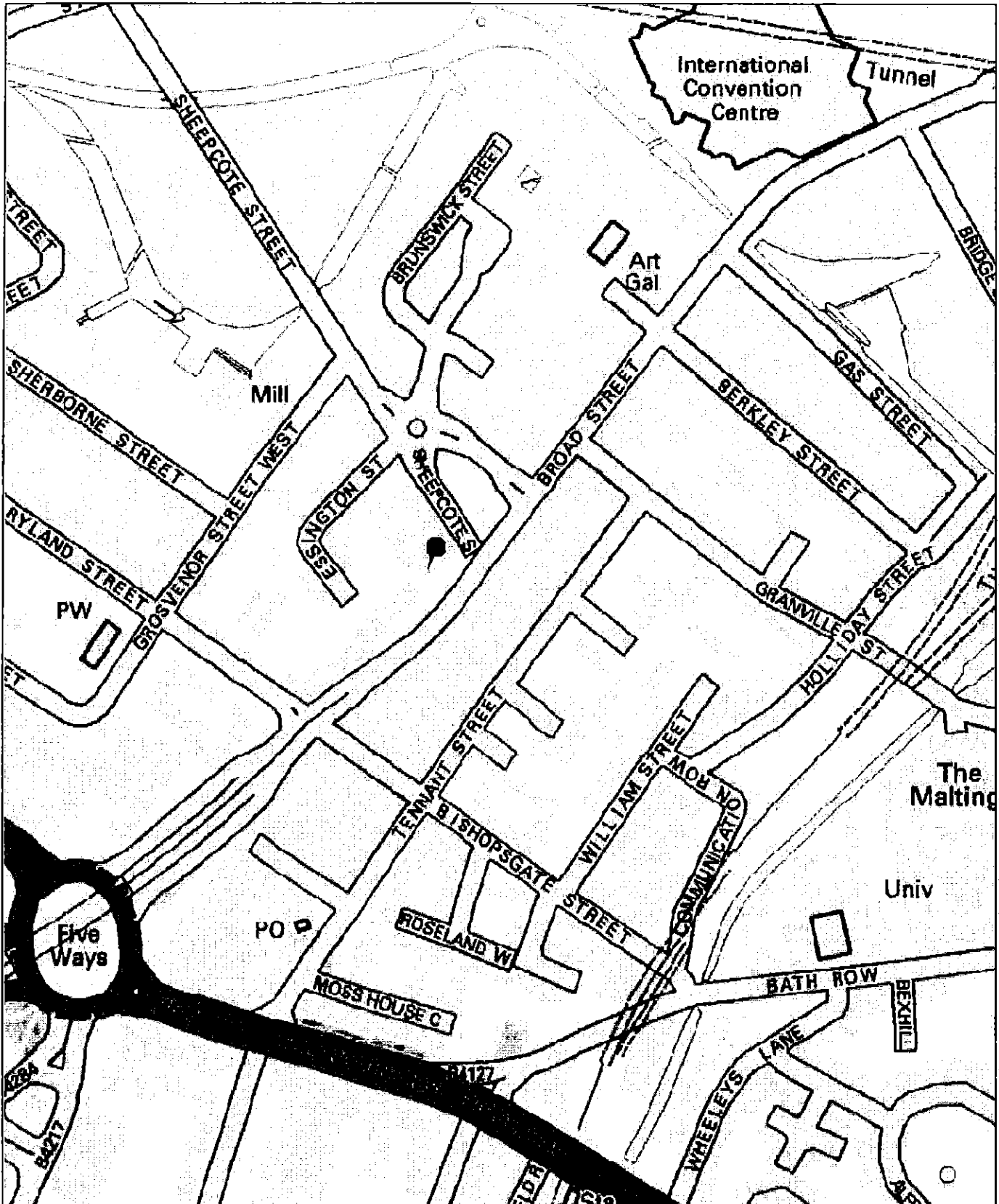
#### 3e) Committee conditions to promote the protection of children from harm

N/A

**BIRMINGHAM CITY COUNCIL**

**Annex 4 – Plans**

The plan of the premises with reference number **83973-4052/1** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please ring the Licensing Section on 0121 303 9896 to book an appointment.



**Birmingham City Council**

Map Created By:

Notes

Date of Map Creation: 15/01/2019

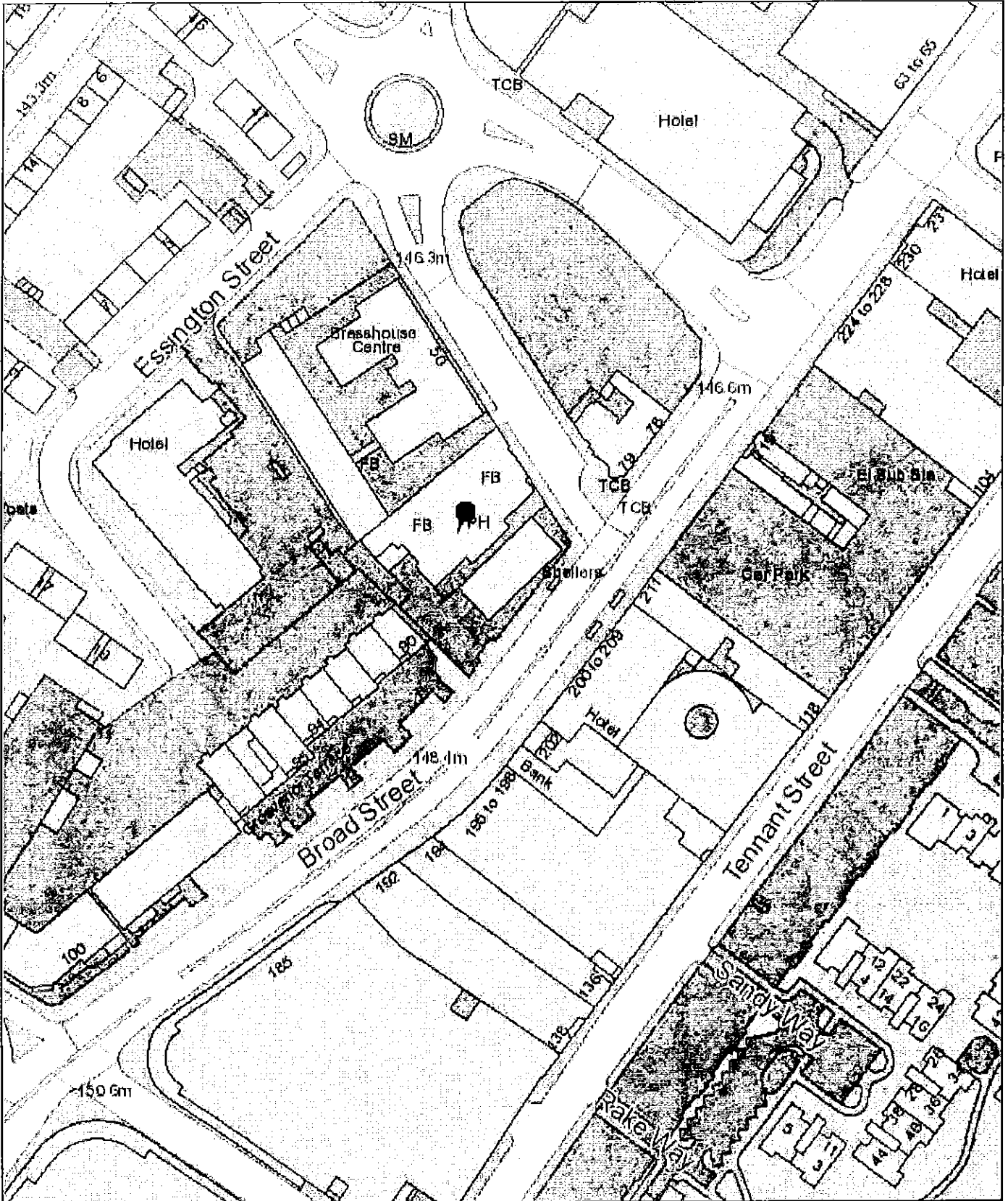


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