

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Tuesday 30th May 2017
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Ace Face Barbers, 92 Bristol Street, Birmingham, B5 7AH
Ward affected:	Nechells
Contact Officer:	Shaid Yasser, Senior Licensing Officer, 0121 303 6920, licensing@birmingham.gov.uk

1. Purpose of report:

To consider relevant representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption on the premises) to operate from 08:00am until 10:00pm (Monday to Sunday).

Premises to remain open to the public from 08:00am until 10:00pm (Monday to Sunday).

2. Recommendation:

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

3. Brief Summary of Report:

An application for a Premises Licence was received on 5th April 2017 in respect of Ace Face Barbers, 92 Bristol Street, Birmingham, B5 7AH.

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:

Craig Millard applied on 5th April 2017 for the grant of a Premises Licence for Ace Face Barbers, 92 Bristol Street, Birmingham, B5 7AH.

Representations have been received from other persons. See Appendices 1 – 3.

The application is attached at Appendix 4.

Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 5.

Site Location Plans at Appendix 6.

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

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

6. List of background documents:

Copy of the representations as detailed in Appendices 1 – 3

Application Form, Appendix 4

Conditions agreed with Birmingham City Council Licensing Enforcement, Appendix 5

Site Location Plans, Appendix 6

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.

Appendix 1

Entered
RJ

From:
Sent: 11 April 2017 19:57
To: Licensing
Subject: RE: license objection (Ace face 92 Bristol Rd B5 7AH)

Dear Bhapinder

the old bakery Henstead st B5

I wish to make a representation to the council against a premises licence request at

(Ace face 92 Bristol Rd B5 7AH)

Citing the following reasons:

Being a neighbour living on Henstead Street, the proposed licence backs onto my property and/or is within close proximity.

A) This particular area of town already has several licensed premises already, (the Wellington hotel, the fountain pub, prysm night club, loft lounge, penthouse club, missing bar, Nightingale club, various restaurants, and Tesco and other off license premises to name but a few.

B) The noise pollution already felt from the above premises, general noise, arguments and fights in the street, is already bad enough. I know city living you need to expect a degree of this, but 1 thing this area does not need is another outlet for it. I know my neighbours thoughts are along similar lines.

C) Henstead st is already being used as a public toilet with their clientele on their way home. This is unacceptable to me, to step outside my door to human excrement and urine.

D) I don't think alcohol which is a consumed product (so therefore food) should be sold/ opened or consumed where hair is being cut. surely there must be some restrictions around this that the council imposes, if only from a public health perspective.

E) As this is a barbershop premises presumably it will be visited by children often. Given this fact the premises has sunbeds in the basement already, I don't think they must have a license for these, as there is no fire exit from this basement, as it backs onto the carpark. If this is already being ignored, what's to say they won't sell alcohol to minors, and said minors are not already using these sunbeds.

I ask that the council take into consideration the points I've raised and fully appreciate that I have nothing personal towards these premises, or continued business, just the opposite I wish them well, but this area already has enough public nuisance issues to deal with without granting more.

Yours faithfully

Appendix 2

Entered

&

From:
Sent: 15 April 2017 17:08
To: Bhapinder Nandhra
Subject: Ace Face Barbers 92 Bristol Street

Dear Bhapinder Nandhra

c/c Bristol Street B5

I wish to make a representation to the council against a premises licence request at

(Ace face 92 Bristol Rd B5 7AH)

Citing the following reasons:

Being a neighbour living on Bristol Street, the proposed licence property is within close proximity.

A) This particular area of town already has several licensed premises. (The Wellington Hotel, the fountain pub, prysm night club, loft lounge, penthouse club, missing bar, Nightingale club, various restaurants, and Tesco and other off license premises to name

B) As this is a barbershop, premise presumably it will be visited by children which is not suitable to see adults consume alcohol.

C) The premises is a barbershop it is not very hygienic to cut hair and serve drinks with hair floating in the air and going in to drinks.

I ask that the council take into consideration the points I've raised and fully appreciate that I have nothing personal towards these premises, or continued business, just the opposite I wish them well.

Yours Faithfully

Appendix 3

ENTERED

20

1

From:
Sent: 22 April 2017 21:51
To: Bhapinder Nandhra
Subject: Premises Licence Application for Ace Face 92 Bristol Street
Importance: High

Birmingham City Council Licensing Section
PO Box 17013
Birmingham
B6 9ES

Dear Bhapinder

I wish to make a representation to the council against a premises licence request at

"Ace Face" 92 Bristol Street, Birmingham, B5 7AH

Being the Leaseholder at The Wellington Hotel, 72 Bristol Street Birmingham B5 7AH

I would like to cite the following reasons:

- A. As you may be aware that "Ace Face" is in an area of town already served by several licensed premises; Namely, The Wellington Hotel, The Fountain Inn, Prysm Night Club, Loft Lounge, Penthouse Club, Missing Bar, Tesco and other off license premises including various types of restaurants
- B. "Ace Face" is a barbershop and in my opinion raises questions around Health & Safety in terms of suitability of the premises to offer the sale of any type of alcohol, as I understand from the environmental health comes under the food hygiene regulations.
- C. As the premises is a barber shop; children could visit the premises and should not be in the kind of environment where alcohol is being consumed.
- D. I understand the premises have a basement, and if this is the intended area where alcohol will be served from then I am informed that there is no fire escape route.
- E. On a purely personal note I have concerns about the effect on my Business. I am barely managing to make ends meet as it is and one more licensed premise in the area could be the final nail in the coffin could result in me having to close down. It is not only the loss of my business that concerns me; but I also have staff who would become unemployed, two of whom live on the premises and would become homeless. In addition my Business also offers hotel accommodation at competitive rates which Birmingham can ill afford to lose.

I would ask the council take the above points into consideration when assessing this application.

Appendix 4



Birmingham Application for a premises licence Licensing Act 2003

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

* required information

Section 1 of 19

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

System reference

Not Currently In Use

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

Craig Peter

* Family name

Milard

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Is the applicant:

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

☒ Applying as an individual

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

BCC	
REGULATION & ENFORCEMENT	
LICENSING SECTION	
DATE RECEIVED	
15/01/2017	
REF NO	_____
INITIALS	_____

Continued from previous page...

Address

* 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 private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

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

* Is your business registered outside the UK? ☐ Yes ☒ No

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

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

* Legal status

* Your position in the business

Home country The country where the headquarters of your business is located.

Continued from previous page...

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

* Building number or name	DOG AND PARTRIDGE
* Street	136 HIGH STREET
District	Brierley Hill
* City or town	DUDLEY
County or administrative area	WEST MIDLANDS
* Postcode	DY5 3BP
* Country	United Kingdom

Section 2 of 19

PREMISES DETAILS

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

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name	Aceface Barbers
Street	92 Bristol Street
District	
City or town	Birmingham
County or administrative area	
Postcode	B5 7AH
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	4,900

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 19

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Craig Peter

Family name

Millard

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No
-

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

Add another applicant

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start?

/ /
dd mm yyyy

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

/ /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

This is a traditional barbers shop we wish to sell alcohol to our customers only as part of the overall experience.

Continued from previous page...

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

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PROVISION OF PLAYS

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

☐ Yes ☒ No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

☐ Yes ☒ No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

☐ Yes ☒ No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

☐ Yes ☒ No

Section 13 of 19

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

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

☐ Yes ☒ No

Continued from previous page...

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

Section 15 of 19

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

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

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...

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.

NONE

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number
(if known)

Issuing licensing authority
(if known)

Continued from previous page...

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 19

ADULT ENTERTAINMENT

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 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 08:00

End 22:00

Start

End

SUNDAY

Start 08:00

End 22:00

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.

NONE

Section 18 of 19

LICENSING OBJECTIVES

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

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

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

Our primary business is a barber shop alcohol will only be sold to customers visiting the shop for that purpose
All staff be trained with regard to the the licensing act 2003, the service of alcohol. A record will be kept of all attempted purchases by under 18's. We will liaise with the local police licensing officer on a regular basis.

b) The prevention of crime and disorder

Prominent signs are displayed with regard to alcohol
CCTV cameras are installed at the premises
A refusal book is kept at the premises

c) Public safety

Any emergency lighting will be checked weekly
Entrances, exits and passageways are kept clear.

Continued from previous page...

d) The prevention of public nuisance

PROMINENT SIGNS WILL BE DISPLAYED REQUESTING CUSTOMERS TO HAVE REGARD FOR LOCAL RESIDENTS
WHEN LEAVING THE PREMISES
ADEQUATE BINS ARE AVAILABLE FOR CUSTOMERS TO DISPOSE OF LITTER

e) The protection of children from harm

We will operate a challenge 25 policy.

Section 19 of 19

PAYMENT DETAILS

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

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

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

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

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

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

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

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

Capacity 5000-9999	£1,000.00
Capacity 10000-14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

190.00

DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

— LICENSABLE
 ACTIVITY
 ⊗ CCTV
 Δ FIRE EXTINGUISHER

scale 1:100

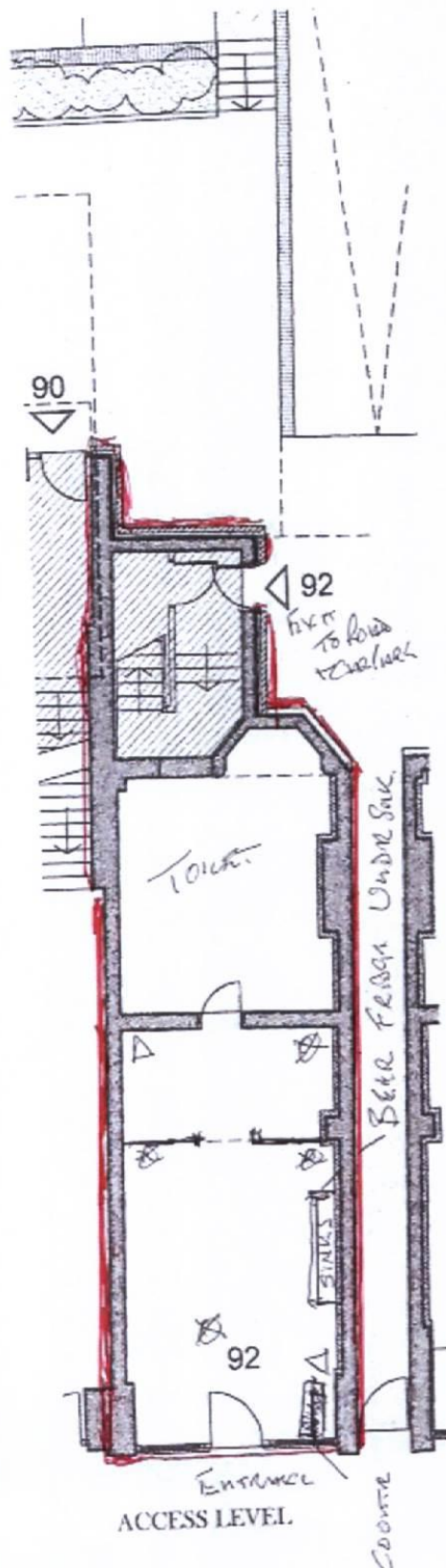


92 BRISTOL STREET
 FLOOR PLANS
 P629/SK/120B 1:100/A3 APR 12

STUDENT ACCOMMODATION
 74-94 BRISTOL STREET
 BIRMINGHAM



www.stpaulsprojects.co.uk
 St Paul's Architecture Limited
 The Studio
 The N. 10th Avenue
 Birmingham B1 1SD
 Tel: 0121 644 2122
 Fax: 0121 644 5124
 Email: info@stpaulsprojects.co.uk



Appendix 5

From: Patrick Burke
Sent: 11 April 2017 08:51
To: Christopher Jones
Subject: Re: Aceface Barbers 92 Bristol Rd Birmingham - Premises Application.

Morning Chris
My client is happy for the suggested conditions to be included in the application for a premises licence
Patrick

On Thu, 6 Apr 2017 at 9:06, Christopher Jones

Good Morning Patrick,

Hope you are well.

In relation to the licence application for Aceface Barbers, 92 Bristol Street, Birmingham B5 7AH

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

- Staff training records regarding their responsibility around the Licensing Act to be documented and signed by both the trainer and trainee. This documentation to be made immediately available to any of the responsible authorities on request. No staff to work in the premises without this documented training with the exception of personal licence holders.

- CCTV to record throughout the whole of the licensable activity. Images / recordings to be held for a minimum of 14 days and be downloadable. Down loaded images / recordings will be made immediately available to any of the responsible authorities on request.

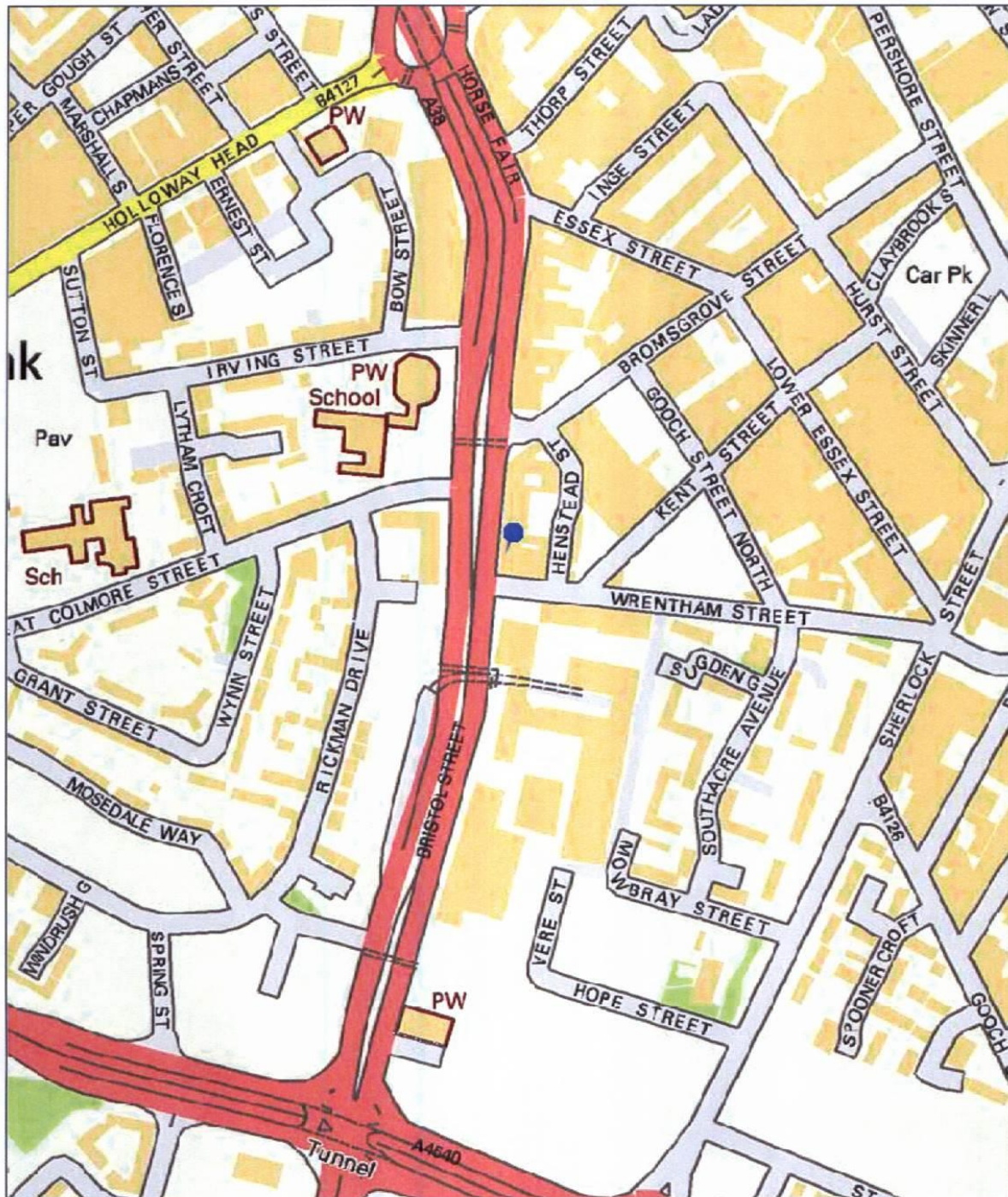
Please liaise with your client, awaiting your reply no later 18th April to afford me time to review the application.

Many thanks

Regards

Chris Jones 55410

Appendix 6



Birmingham City Council Map Created By:

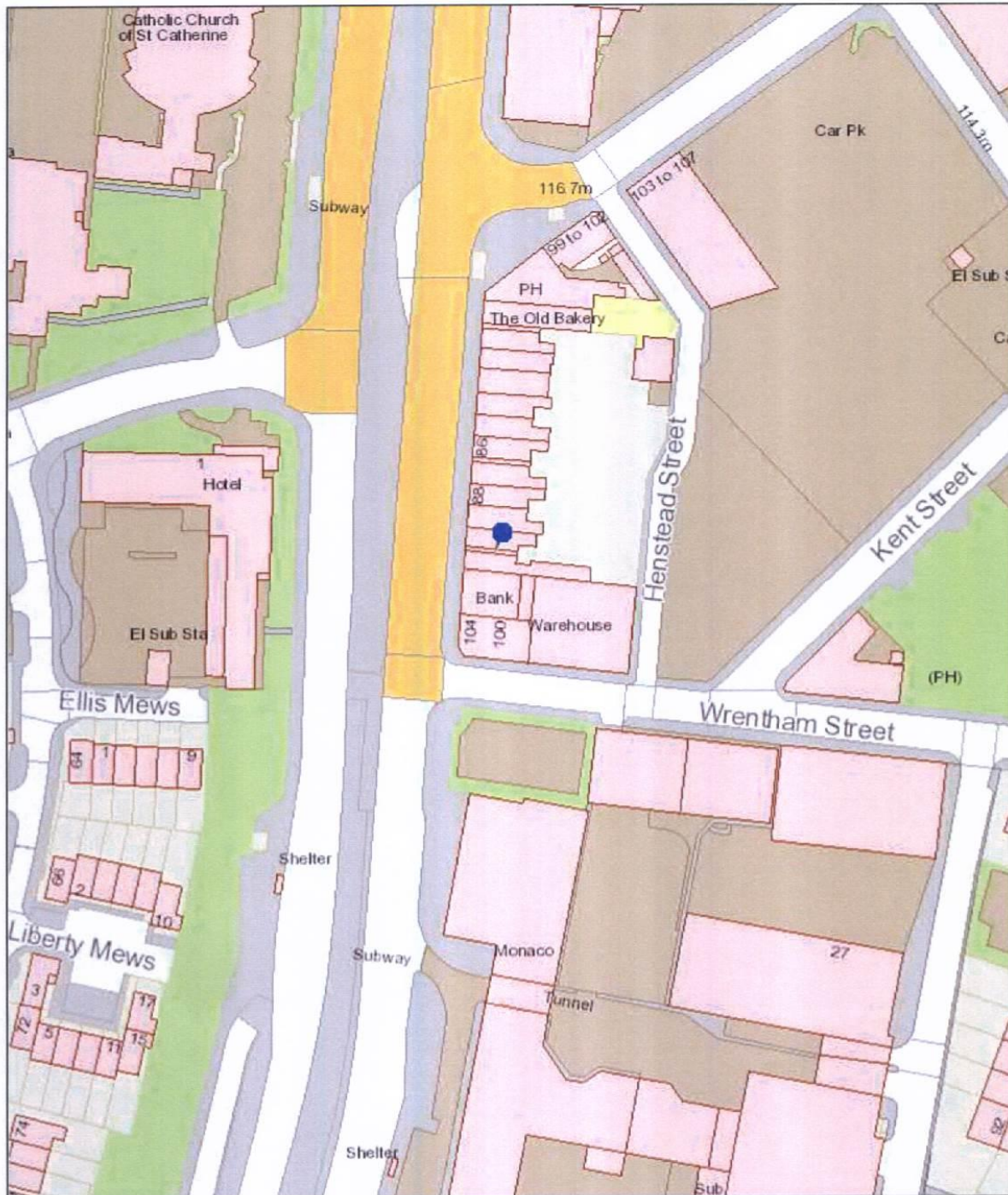
Date of Map Creation: 05/05/2017

Notes



Scale:
1:4,000

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Birmingham City Council

Map Created By:

Notes

Date of Map Creation: 05/05/2017



Scale:
1:1,250

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