

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Acting Director of Regulation and Enforcement
Date of Meeting:	Monday 1st October 2018
Subject:	Licensing Act 2003 Premises Licence – Summary Review
Premises:	Lab 11, 26 Oxford Street, Digbeth, Birmingham, B5 5NR
Ward affected:	Bordesley & Highgate
Contact Officer:	David Kennedy, Principal Licensing Officer, 0121 303 9896 licensing@birmingham.gov.uk

1. Purpose of report:

A review of the premises licence is required following an application for an expedited review under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006).

2. Recommendation:

To consider the review and to determine this matter.

3. Brief Summary of Report:

An application under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) was received on 5th September 2018 in respect of Lab 11, 26 Oxford Street, Digbeth, Birmingham B5 5NR.

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:

On 5th September 2018 Superintendent Shaer, on behalf of West Midlands Police, applied for a review, under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006), of the Premises Licence granted to Afta Dark Music Limited in respect of Lab 11, 26 Oxford Street, Digbeth, Birmingham, B5 5NR.

The application was accompanied by the required certificate confirming that in his opinion the premises are associated with serious crime and disorder. See Appendix 1.

Within 48 hours of receipt of an application made under Section 53A, the Licensing Authority is required to consider whether it is appropriate to take interim steps pending determination of the review of the Premises Licence, such a review to be held within 28 days after the day of its receipt, review that Licence and reach a determination on that review.

Licensing Sub-Committee B met on 6th September 2018 to consider whether to take any interim steps and resolved that the Premises Licence be suspended pending a review of the Licence. A copy of the decision is attached at Appendix 2.

On the 12th September 2018 Afta Dark Music Limited applied to vary the Designated Premises Supervisor (DPS) to nominate Mr William Power to replace the previous DPS. Whilst at the time of publication of this report the application is going through its statutory consultation period Mr Power is in effect the current DPS.

At 01:11 hours on 19th September 2018 the Premises Licence Holder made representations back against the interim steps imposed on the 6th September 2018. See Appendix 3.

A Licensing Sub-Committee was required to be convened to consider the representations within 48 hours of receipt (excluding non-working days).

Licensing Sub-Committee A met on 20th September 2018 and having heard from the Premises Licence holder, their legal representative and a representative of West Midlands Police, they resolved that the interim step of suspension be lifted and replaced with the conditions agreed in advance of the meeting by the Premises Licence Holder and West Midlands Police. A copy of the decision is attached at Appendix 4.

The review application was advertised, by the Licensing Authority in accordance with the regulations; the closing date for responsible authorities and other parties ended on 20th September 2018.

A representation has been received from Public Health as a responsible authority, which is attached at Appendix 5.

A copy of the current Premises Licence is attached at Appendix 6.

Site location plans at Appendix 7.

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's functions under the Licensing Act 2003 are to promote the licensing objectives: -

- 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:

Review Application and Certificate from West Midlands Police, Appendix 1
Sub-Committee Interim Steps Meeting decision of 6th September 2018 , Appendix 2
Representations against interim steps from the Premises Licence Holder, Appendix 3
Sub Committee decision following receipt of representations to interim steps, Appendix 4
Representation from Public Health, Appendix 5
Current Premises Licence, Appendix 6
Site location plans, Appendix 7

7. Options available:

Modify the conditions of Licence
Exclude a Licensable activity from the scope of the Licence
Remove the Designated Premises Supervisor
Suspend the Licence for a period not exceeding 3 months
Revoke the Licence
Take no action

ORIGINAL

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: Lab 11

Premise Licence Number: 4159

Premise Licence Holder: Afta Dark Music Ltd

Designated Premise Supervisor: Mr Aineel Davis

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 crime that occurred on the night.

The level and seriousness of the incidents both in terms of the crimes being committed 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 circumstances 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 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 2nd September 2018.

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 SHAR
05/09/2018



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 Mat Shaer

(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: Lab 11

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

26 Oxford Street, Digbeth,

Post Town: **Birmingham**

Post Code (if known): **B5 5NR**

2. Premises Licence details:

3. Name of premise licence holder (if known):

Afta Dark Music Ltd

Number of premise licence (if known): **4159**

4. 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)



5. Details of association of the above premises with serious crime, serious disorder or both:
(Please read guidance note 2)

At approximately 02.34 hours on 2nd September 2018 a 999 call was received from staff at the City Hospital, indicating that a 19 year old male had been transported into the hospital via ambulance who was suffering from a cardiac arrest.

The 999 operator was informed that the male had been transported in from a premise called Lab 11.

Around the same time another call was made to the Police from the ambulance service indicating that they were transporting a male in from Lab 11, querying a drugs overdose.

At 03.46 hours on the 2nd Sept, the 19 year old was confirmed deceased by the hospital.

Early indications are showing that the male died of an overdose, and that it is potentially cocaine; however this has yet to be clarified.

After speaking to friends the male had been with, it is believed that the male had never taken a controlled substance before, and he would not have had the controlled substance on him when he went into the premises.

Enquiries have found that the male entered the premises at around 10pm with friends. From videos and CCTV that we have been provided with indicates that the male deteriorated at a very fast rate.

It is the current belief, from speaking to friends he was with, that the male was given/supplied with a controlled substance sometime after 1am, as this was the last sighting of him, at which he was fine.

From the security incident reports, it is known that the male had been identified to security by another customer as not being well and found staring at the ceiling on the dance floor.

CCTV shows that the male had deteriorated to such an extent that he was being carried by staff holding arms and legs and being rushed into the medical room.

West Midlands Police are satisfied from the evidence provided so far that the male was supplied with a controlled substance whilst inside the premise. The supply of controlled substances is a serious offence, as defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000.

West Midlands Police are concerned that this has happened and are seeking the suspension of the premise licence, in order to work with the premises to review all control measures, safety provisions, as well speak to witnesses and obtain toxicology reports. This has not been feasible in the time frame so far and the premises are due to open over the coming weekends (it is accepted they have decided to close of their own accord for the weekend of the 7th/8th)

Signature of applicant/

SAPOL

Date: 05/09/2018.

Rank/Capacity: Supt 22441

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

Address: Licensing Dept c/o, Birmingham Central Police Station

Telephone Number(s):

E-mail -

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.



BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE B

6 SEPTEMBER 2018

LAB 11, 26 OXFORD STREET, DIGBETH, BIRMINGHAM, B5 5 NR

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 Afta Dark Music Ltd in respect of Lab 11, 26 Oxford Street, Digbeth, Birmingham, B5 5NR 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 is due to concerns expressed by West Midlands Police in relation to matters which came to light at the premises during the weekend of 2nd September 2018, as outlined in the Chief Officer of Police's certificate and application.

West Midlands Police stated that there had been a fatality of a patron aged 19 years, during the weekend of the 2nd September. At this early stage, it was suspected that the death was likely to have been caused by a drug overdose.

The Sub Committee determined the causes of the serious crime appeared at this stage to originate from either patrons of the premises, or deficient security measures (perhaps at the door), and/or the inability of management to uphold the licensing objectives.

It was the recommendation of the Police that the interim step of suspension should be imposed. The premises licence holder stated that this was not resisted.

The Sub-Committee therefore considered it necessary and reasonable to impose the interim step of suspension to address the immediate problems with the premises, in particular the likelihood of serious crime, and to promote the prevention of crime and disorder objective in the Act.

The Sub Committee noted that West Midlands Police had found the premises to be cooperative and helpful thus far.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued by the Home Office in relation to expedited and summary licence reviews, and the submissions made by the police and the premises licence holder at the hearing.

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.

Appendix 3

From: Duncan Craig <
Sent: 19 September 2018 01:11
To: Licensing; David Kennedy
Cc: bw licensing
Subject: Afta Dark Music Ltd - Lab 11

Dear Sirs

I act for the above premises licence holder who were subject to a expedited review application under section 53A of the Licensing Act, dated 5th September 2018.

The licence holder hereby gives notice under Section 53B(6) of the Licensing Act 2003 of its intention to make representations against the interim step of suspension of its premises licence imposed by Birmingham City Council on 6th September 2018.

The grounds for the representations are that since the interim step of suspension was imposed the premises licence holder has:

- Made a number of material alternations to the premises (in consultation with WMP)
- Reviewed their security provision and made material and significant changes to it
- Commissioned a number of reports relating to health and safety (which will be served upon WMP on 19th September)
- Installed 12 new cameras with more to follow (all in consultation with WMP)
- Reviewed and modified the premises' medical staff provision
- Committed to the provision of a welfare team
- Applied to vary the DPS

Please note I am unable to attend any scheduled hearing until 20th September.

Supporting documentation in relation to the foregoing grounds will be submitted in advance of the hearing.

Yours faithfully

Duncan Craig
Barrister



BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE A

20 September 2018

Lab 11, 26 Oxford Street, Digbeth, Birmingham B5 5NR

That, having considered the representations made on behalf of Afta Dark Music Ltd, the premises licence holder for Lab 11, 26 Oxford Street, Digbeth, Birmingham B5 5NR, in respect of the interim steps imposed on the 6 September 2018, this Sub-Committee hereby determines that the interim step of suspension shall be lifted and replaced with the condition agreed in advance of the meeting between the premises and West Midlands Police, and which was dictated to the Sub-Committee by the premises' legal representative during the meeting, namely:

"For every event at the premises there will be a documented risk assessment detailing as a minimum:

- a. Artists (full name, stage name)
- b. Hours of operation, including last entry time
- c. Security deployment
- d. CCTV and bodycam provision
- e. Searching
- f. Drugs prevention and policy
- g. Welfare and vulnerability policy
- h. Anything else that may be relevant

and lastly, West Midlands Police will have power of veto over each event".

The Sub-Committee carefully considered the representations made both by the Police and on behalf of the premises licence holder. The Police confirmed that the premises had been cooperative throughout, and keen to adopt all the measures that the Police had recommended.

In reaching this decision, the Sub-Committee has given due consideration to the guidance issued by the Home Office in relation to expedited and summary licence reviews, the certificate issued by West Midlands Police under Section 53A of the Licensing Act 2003 and the application for review.

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

Birmingham Public Health

Lab 11

Trent Street, Digbeth, B5 5NL

Expedited Review Response

Produced on behalf of Becky Pollard

Director of Public Health, Birmingham City Council

19/09/18

Final version.

The information contained in this document is provided for the purpose of review by Licensing Committee and may be circulated to all parties of the Review by Licensing Committee as appropriate. This document is not to be circulated to other parties outside of this Review without prior consent from the Author or used for purposes other than for the Review referred to in this report.

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Lab 11 – B5 5NL

Public Health Response: Expedited Review

This is a response document from Birmingham Public Health in its capacity as a Responsible Authority (Police Reform and Social Responsibility Act 2011). This document supports the application for an expedited review of a premises licence or club premises certificate under the Licensing Act 2003.

Wherever possible, supporting information contained within this document will be evidence-based and demonstrably refer to one or more of the licensing, those objectives being:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

To promote good practice and a collaborative, multi-agency approach, we may also share this document with the other Responsible Authorities for licensing in Birmingham.

This report is provided on behalf of the Director of Public Health.

Any queries relating to this report should be addressed to:

Licensing and Regulation

publichealth@birmingham.gov.uk

1 Premises or club details

Name of premises	Lab 11
Postal address of premises	Trent Street Digbeth Birmingham B5 5NL
Premises licence holder	Afta Dark Music Limited
Premises licence number	4159
Designated Premises Supervisor	Mr Aineel Davis

2 Overview of the Grounds for Review

At approximately 02.34 hours on 2nd September 2018 a 999 call was received from staff at the City Hospital indicating that a 19 year old male had been transported into the hospital via ambulance who was suffering from a cardiac arrest. The 999 operator was informed that the male had been transported in from Lab 11.

- Around the same time another call was made to the Police from the ambulance service indicating that they were transporting a male in from Lab 11, querying a drugs overdose.
- At 03.46 hours on the 2nd September the 19 year old was confirmed deceased by the hospital.
- The male entered Lab 11 at around 10pm.
- From videos and CCTV provided indicates that the male deteriorated at a very fast rate. It is believed that the male was given/supplied with a controlled substance sometime after 1am,
- From the security incident reports, it is known that the male had been identified to security by another customer as not being well and found staring at the ceiling on the dance floor.
- CCTV shows that the male had deteriorated to such an extent that he was being carried by staff holding arms and legs and being rushed into the medical room
- West Midlands Police are satisfied from the evidence provided so far that the male was supplied with a controlled substance whilst inside the premise. The supply of controlled substances is a serious offence, as defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000.

3 Public Health response

Licensing Objective	Response
<i>The prevention of crime and disorder</i>	<p>The only information that Public Health have received from West Midlands Police (WMP) to date is the original "Overview for Ground to Review" document. This document states that WMP "are satisfied from the evidence provided so far that the male was supplied with a controlled substance whilst inside the premises." This alone constitutes an extremely serious offence.</p> <p>If the supply and consumption of a controlled substance is deemed to be the causal factor for the death of the individual, we are dealing with a potentially preventable incident that has led to 59 years of life lost (p.8;4.7).</p>
<i>Public safety</i>	<p>West Ambulance Service (WMAS) have recorded 17 incidents over the last 12 month period. These are incidents either inside the premises, or to the door. The breakdown of these callouts (as per appendix 2) includes 3 overdoses, 4 unconscious, and two for trauma. Nearly a quarter (23.5%) of all callouts was for unconsciousness, with nearly a fifth (17.6%) of callouts for overdose. 88.2% of all callouts required the patient to be transported to hospital for further treatment.</p> <p>The patient was initially treated by WMAS at 02.34 hours, and sadly confirmed deceased at 03.46 hours on the 2nd September; 58.8% of WMAS callouts to the premises are on a Sunday, with 41% of these callouts between 00.00 hours and 04.00 hours. The 2nd September was a Sunday, the incident occurring between 00.00 hours and 04.00 hours. There does appear to be a trend that we suggest warrants further examination, and probable intervention.</p>
<i>The prevention of public nuisance</i>	N/A
<i>The protection of children from harm*</i>	N/A

Summary

At the time of the request for an expedited review, WMP were confident that a serious offence had been committed; this is the basis for our representation.

WMAS recorded 17 callouts in a 12 month period to the premises (03/09/2017 to 02/09/2018), 88.2% of these callouts required transportation to hospital, 23.5% were for unconsciousness, and 17.6% are for overdose. These callouts are for the premises, either inside, or to the door.

58.8% of callouts took place on a Sunday, 41% of these callouts were between 00.00 hours and 04.00 hours, also on a Sunday.

The patient who was later declared deceased was transported to hospital at 02.34 hours and declared deceased at 03.46 hours on a Sunday, 59 years of life was lost. The frequency and pattern of these callouts concerns us, and we ask the committee to consider whether there are factors that need addressing through the powers that they have at their disposal.

Based on WMP initial statement that they are satisfied that a serious offence has occurred at the premises, compounded by WMAS data for the last 12 month period, we are not convinced that the licence holder/and/or DPS are able to promote their objectives to prevent crime and disorder and to ensure public safety, we are also concerned that the current conditions are not robust enough to achieve the routine promotion of the objectives.

However, due to the lack of information available to Public Health at the time of submission of this representation, specifically from WMP, we will reserve our final recommendations to the Licensing Committee until we have had the opportunity to hear from all parties and their representatives; we believe that this is a fair and transparent process.

A young person has died, at least 59 years of life have been lost, this is tragic, and of the utmost concern, especially if it is identified that there are preventative steps that have been missed, or not taken.

There is clearly a tragic set of circumstances preceding this loss of life, they need to be identified and addressed accordingly.

However, should revocation not be the committee's decision, there is an opportunity for the venue and its representatives to work with Public Health to consider how it can better safeguard the wellbeing and welfare of its community going forward.

4 Supporting Evidence and Information

4.1 Public Health Statistical Analysis

The statistical analysis in Appendix 1 has determined a **HIGH RISK rating (RED) against a series of key alcohol related crime offences**. In particular there is a high concentration of non-domestic violence incidents¹ in this area and there have been justified underage sales complaints which have been RAG rated RED / HIGH RISK.

This rating is based upon an analysis of a range alcohol related datasets through our Alcohol Risk Assessment Tool. This allows Public Health to place the premises' postcode into the tool and

assess against the surrounding area, compare against the Birmingham LSOA average, examine the larger Ward area and impact within the district.

¹ It is important to note that the figures provided show statistical significance, meaning they are RAG rated by whether this LSOA is any better or worse than the average of all other LSOAs. As such, some figures show an AMBER or GREEN rating even though they may represent significant risk or have a high number of incidents in that area – the figures themselves are high, but the area may not be any worse than the average LSOA rating.

For example, **Police (Non-Domestic Violence)** is rated GREEN (better than Birmingham's LSOA average); however, incidents are recorded as 148 for this area which represents a significant risk to health and is therefore rated as **HIGH RISK**.

Please note: Birmingham is made up of 10 districts with approximately 100,000 people in each; each district contains four ward of approx. 25,000 people; each ward contains approx. 20-25 LSOAs (lower super output area) of approximately 1,000 -1,500 people in each.

See Appendix 1

4.2 Ambulance Activity

The West Midlands Ambulance Service (WMAS) collate data on ambulance activity including nature of call out, age, gender, time of day, day of the week, etc. We contacted the WMAS who were able to provide ambulance activity data in relation to these premises, where the incident was either in or directly outside Lab 11.

The data shows 17 incidents over a 12 month period, including the event being addressed in this review. Incidents recorded include:

- three overdoses
- four persons rendered unconscious
- trauma

- 88.2% of the call outs required transport to hospital for further treatment
- 53% of the incidents happened on Sunday morning between the hours of 1am and 6am

See Appendix 2.

4.3 Crime

In July 2018, West Midlands Police reported 1410 individual crimes for that month, within a 1 mile radius of the property (www.police.uk). These breakdown into several categories, a sample of which are below:

- | | |
|-----------------------------|-----|
| • Anti-social behaviour | 208 |
| • Criminal damage and arson | 72 |
| • Drugs | 33 |
| • Possession of weapons | 15 |

- Public order 112
- Violence and sexual offences 300

It is important to note that these are **one month's figures**.

Detailed statistics from West Midlands Police show that for the 12 months ended August 2018, there were 72 reported crimes in or near to Trent Street.

See Appendix 3

4.4 Location

Trent Street is a minor road in an industrialised area with 24 hour night buses, train links and taxi ranks nearby.

The property itself sits close to the edge of Birmingham's core night-time economy with, the O2 academy and extended licensed premises within easy walking distance.

4.5 Costs to the NHS

Public Health England have said that drug misuse has a significant cost to society as a whole, costing the UK an estimated £10.7 billion each year from health service costs, drug-related crime and economic costs such as premature deaths.

(Reviewing the Evidence on Drug Misuse Treatment: Public Health England – January 2017)

4.6 Loss of Life

A simple 'years of life lost' measure used in public health takes the average life expectancy age of an individual (78 years for Birmingham) and deducts the age at death. The resulting figure is the number of potential years of life lost due to premature loss of life.

In this instance the male was aged 19 at death resulting in 59 years of life lost.

5 References

- Crime stats (appendix 2) - www.police.uk
- Reviewing the Evidence on Drug Misuse Treatment: Public Health England – January 2017
- <http://www.nationalcrimeagency.gov.uk/crime-threats/organised-crime-groups>
- <http://birminghamcsp.org.uk/admin/resources/birmingham-alcohol-strategy-2012-2016-lo-res-210612-v2.pdf>

- *Economic Analysis of Costs and Consequences of The Treatment of Drug Misuse: 2-Year Outcome Data From The National Treatment Outcome Research Study (Godfrey, Stewart & Gossop)*

Appendix 1. Public Health Data Analysis

Interpretation of this document:

Variable geographical levels of information have been used where available, in each case this is based on the post code of the application falling within this larger geographical area. Two terms are less commonly used outside of certain specialist areas and are detailed below:

- LSOA (Lower Super Output Area) is a geographical Census area with an approx. population of 1,500.
- MSOA (Medium Super Output Area) is a geographical Census area with a approx. population of 8,000.

Scores have been calculated by comparing the geographical area in question to the average at a higher level (Birmingham in most instances). 10% margin of error has been applied to both the smaller and larger areas and it is only where these are still relatively different that a RED (more prevalence or risk in area compared to average) or GREEN (less prevalence or risk in area compared to average) score has been calculated. Where these margins for error overlap in any way this has been calculated as AMBER (indifference).

1 Tier One Data Overall LSOA Score: RED / HIGH RISK

This score has been generated based on information regarding alcohol related violence and domestic violence, existing on-licences and off-licences, alcohol related fires, alcohol related safeguarding, underage sales and the existence of a cumulative impact area. These elements have been viewed as having the largest measurable impact on whether the licence should be granted and actual numbers were made available on a low level geography. The score is by quartiles and these are colour coded worst to best as Red, Amber, Yellow, Green. Full details below.

Whilst Alcohol Related Ambulance Activity is viewed as Tier One data it has not been possible to include it in the overall LSOA score as the data is only available on a post code district level.

1.1 Tier One Indicator Scores and Risk Ratings

Alcohol Related Ambulance Activity score was generated using actual incident information covering the period of September 2014- April 2015 provided by West Midlands Police Service.	AMBER / MEDIUM	The score for the Post Code District was AMBER or 1 on a scale of 0-2 meaning that it was not significantly statistically different from the average across all Post Code Districts. There were 10 incidents in the Post Code District in the period.
Police (Non-Domestic Violence) score was generated using actual incident information covering the period of 2008-2013 provided by West Midlands Police Service.	GREEN / HIGH	The score for the LSOA was GREEN or 0 on a scale of 0-2 meaning that it was significantly statistically better than the average across all LSOAs. There were 148 incidents in the LSOA in the period.

Police (Domestic Violence) score was generated using actual incident information covering the period of 2008-2013 provided by West Midlands Police Service.	RED / HIGH	The score for the LSOA was AMBER or 1 on a scale of 0-2 meaning that it was not significantly statistically different from the average across all LSOAs. There were 15 incidents in the LSOA in the period.
Existing On-Licences score was generated utilising a list of all current existing Alcohol Licences of the relevant type known to Birmingham City Council.	RED / HIGH	The score for the LSOA was RED or 2 on a scale of 0-2 meaning that it was significantly statistically worse than the average across all LSOAs. There are 0 in the Post Code.
Existing Off Licences score was generated utilising a list of all current existing Alcohol Licences of the relevant type known to Birmingham City Council.	AMBER /MEDIUM	The score for the LSOA was RED or 2 on a scale of 0-2 meaning that it was significantly statistically worse than the average across all LSOAs. There are 0 in the Post Code.
Cumulative Impact Areas (CIA) score was calculated based on if a given LSOA contains a Post Code that falls wholly or partly within a CIA.	GREEN / LOW	The score for the LSOA was GREEN or 0 on a scale of 0 or 2 meaning that it was significantly statistically better than the average across all LSOAs. The individual post code does not fall wholly or partly within a CIA.
Fire Services score was generated using actual incident information on a Post Code level covering the period of 2009-2014 provided by West Midlands Fire Service.	AMBER /MEDIUM	The score for the LSOA was AMBER or 1 on a scale of 0-2 meaning that it was not significantly statistically different from the average across all LSOAs. There were 0 incidents in the Post Code in the period.
Safeguarding score was generated utilising factors identified at the end of Birmingham City Council Children assessments over the period 01/04/2014 to 31/03/2015 that were alcohol relevant at a post code level.	AMBER /MEDIUM	The score for the LSOA was AMBER or 1 on a scale of 0-2 meaning that it was not significantly statistically different from the average across all LSOAs. There were 0 incidents in the Post Code in the period.
Underage Sales Justified Complaints was based on information provided from the relevant department covering the period 2009-2015 at a post code level.	RED / HIGH	The score for the LSOA was RED or 2 on a scale of 0-2 meaning that it was significantly statistically worse than the average across all LSOAs. There were 0 incidents in the Post Code in the period.
Underage Sales Alcohol was based on information provided from the relevant department covering the period 2009-2015 as a post code level.	GREEN / LOW	The score for the LSOA was GREEN or 0 on a scale of 0-2 meaning that it was significantly statistically better than the average across all LSOAs. There were 0 incidents in the Post Code in the period.
Underage Sales Any Item was based on information provided	GREEN / LOW	The score for the LSOA was GREEN or 0 on a scale of 0-2 meaning that it was significantly

from the relevant department covering the period 2009-2015 at a post code level.

statistically better than the average across all LSOAs. There were 0 incidents in the Post Code in the period.

2 Tier Two Data Overall Aston Ward Score: **AMBER / MEDIUM RISK**

This score has been generated based on information regarding alcohol specific deaths, liver disease preventable deaths, and counterfeit activity and whether reducing alcohol consumption is a priority for the District. These elements have been viewed as having an indirect impact on whether the licence should be granted and were made available on a medium level geography, some of the information utilised is estimates rather than actuals. The score is by quartiles and these are colour coded worst to best as Red, Amber, Yellow, Green. Full details are below.

2.1 Tier Two Indicator Scores and Risk Ratings

Alcohol Specific Deaths score was based on information provided by Birmingham Public Health comparing ONS actual figures on alcohol specific deaths with ONS ward population estimates covering the period 2011-2013 on a ward level.	AMBER / MEDIUM	The score for Aston Ward was AMBER or 1 on a scale of 0-2 meaning that is not significantly statistically different from the average across all Wards. The directly standardised rate calculated was 28.91.
Liver Disease Preventable Death score was based on information provided by Birmingham Public Health comparing ONS actual figures on alcohol specific deaths with ONS ward population estimates covering the period 2011-2013 on a ward level.	AMBER / MEDIUM	The score for Aston Ward was AMBER or 1 on a scale of 0-2 meaning that is not significantly statistically different from the average across all Wards. The directly standardised rate calculated was 28.24.
Counterfeit Activity was based on information provided from the relevant department covering the period 2009-2015 at a post code level.	GREEN / LOW	The score for the LSOA was GREEN or 0 on a scale of 0-2 meaning that is significantly statistically better than the average across all LSOAs. There were 0 incidents in the Post Code in the period.
District Priority was determined by all Post Codes that fall within a District that has currently identified alcohol as one of their priority issues.	RED / HIGH	The score for this application was RED or 2 on a scale of 0-2. Nechells Ward falls within a District that has alcohol issues as a current priority.

3 Tier Three Data Scores

Low number of indicators and differing geographies do not allow for a meaningful overall score. The information is of a high level, estimated numbers and / or a wider social determinant rather than a more direct link.

- Binge Drinking MSA: **GREEN / LOW RISK**
- Alcohol Related Hospital Admissions MSA: **AMBER / MEDIUM RISK**
- Commissioned* Alcohol Misuse Services MSA: **AMBER / MEDIUM RISK**
- Mental Health Adults Services in Ladywood District: **AMBER / MEDIUM RISK**

*Based on working age adult information only, while the service provider for children and older adults was engaged there was not sufficient volume of data to enable a meaningful analysis.

Appendix 2. Ambulance Activity Data for premises



Licensing Review Report

Location: Lab 11 B5 5NL

From 03/09/2017 to 02/09/2018

Report ref: 520, Req 11150

Chief Complaint/ Hour of Day	0	1	2	3	4	5	6	22	Total
Alcohol Related	0	0	0	0	0	1	0	0	1
Arrest Peri Arrest	1	0	0	0	0	0	0	0	1
Assault Domestic	0	0	1	0	0	0	0	0	1
Chest Pain Cardiac	0	0	0	1	0	0	0	0	1
Fitting Now	1	0	0	0	0	0	0	0	1
Medical	1	1	0	0	0	0	0	0	2
Overdose	1	1	0	0	1	0	0	0	3
Running Call	1	0	0	0	0	0	0	0	1
Trauma	1	1	0	0	0	0	0	0	2
Unconscious	0	1	0	1	0	0	1	1	4
Total	6	4	1	1	1	1	1	1	17

Incidents and Transports to Hospital			
Month	Incidents	Transports	% Transported
December 2017	1	1	100.0 %
January 2018	1	1	100.0 %
February 2018	3	3	100.0 %
March 2018	1	1	100.0 %
April 2018	1	1	100.0 %
May 2018	1	0	0.0 %
June 2018	3	2	66.7 %
July 2018	4	4	100.0 %
August 2018	1	1	100.0 %
September 2018	1	1	100.0 %
Total	17	15	88.2 %

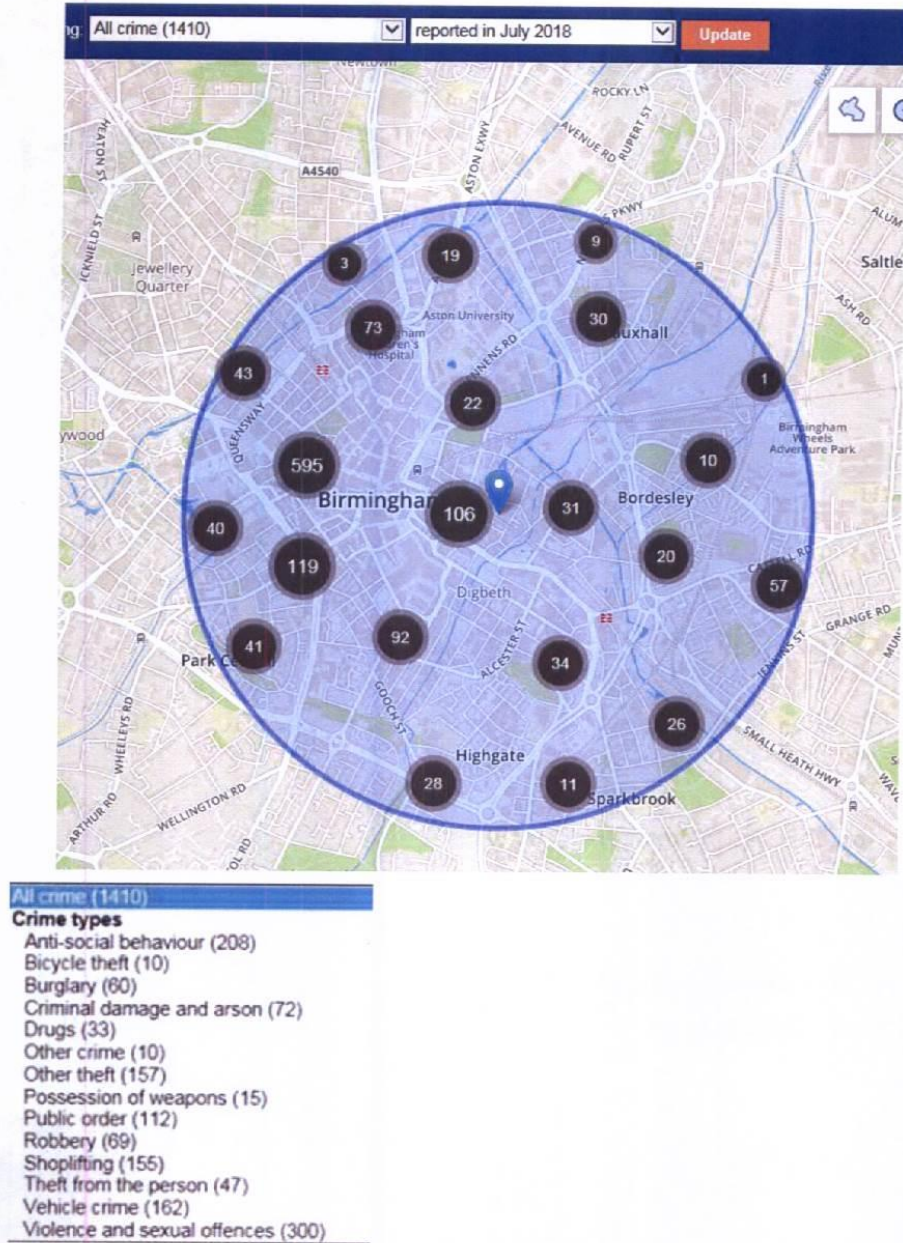
Incidents by Age & Gender				
Age Band	Female	Male	Unknown	Total
No Value	0	1	2	3
10-19	2	2	0	4
20-29	5	5	0	10
Total	7	8	2	17

Day of Week / Hour of Day	0	1	2	3	4	5	6	22	Total
Wednesday	0	0	0	0	1	0	0	0	1
Friday	2	1	0	0	0	0	0	0	3
Saturday	1	1	0	1	0	0	0	0	3
Sunday	3	2	1	1	0	1	1	1	10
Total	6	4	1	2	1	1	1	1	17

Appendix 3. Crime

Taken from www.police.uk

All recorded crime for July 2018 within 1 mile radius of the premises





Public Health

PO Box 16732
Birmingham
B2 2GF

publichealth@birmingham.gov.uk

www.birminghampublichealth.co.uk
www.birmingham.gov.uk

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LICENSING ACT 2003PREMISES LICENCE

Premises Licence Number:

4159 / 3

Part 1 - Premises details:**Postal address of premises, or if none, ordnance survey map reference or description**LAB 11
26 Oxford Street
Digbeth**Post town:**

Birmingham

Post Code:

B5 5NR

Telephone Number:

Not Specified

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

- | | |
|----|--|
| A | Plays |
| B | Films |
| C | Indoor sporting events |
| D | Boxing or wrestling entertainment |
| E | Live music |
| F | Recorded music |
| G | Performances of dance |
| H | Anything of similar description to that falling within (live music), (recorded music) or (performances of dance) |
| L | Late night refreshment |
| M1 | Sale of alcohol by retail (on the premises) |

The times the licence authorises the carrying out of licensable activities

Monday - Saturday	19:00 - 07:00	A , B , C , D , E , F , G , H , M1
	23:00 - 05:00	L
Sunday	12:00 - 02:00	A , B , C , D , E , F , G , H , M1
	23:00 - 02:00	L
Bank Holidays same hours as Sundays	12:00 - 02:00	B,C , D , E , F , G , H , M1
	23:00 - 02:00	L

The opening hours of the premises

Monday - Saturday	19:00 - 07:00
Sunday	12:00 - 02:00
Bank Holidays same hours as Sundays	12:00 - 02:00

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Where the licence authorises supplies of alcohol whether these are on and/or off supplies
On Supplies Only

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Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence Afta Dark Music Ltd 18 Redhouse Road Wolverhampton	
Post town: West Midlands	Post Code: WV6 8ST
Telephone Number: Not Specified	
Email Not Specified	

Registered number of holder for example company number or charity number (where applicable) 09043868
--

Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Aineel Davis ie	
Post town:	Post Code:
Telephone Number: N/A	

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol	
Licence Number	Issuing Authority

Dated 01/11/2016

David Kennedy
Principal Licensing Officer
For Director of Regulation and Enforcement

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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."

(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

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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.

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.

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

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Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

The Licence Holder shall ensure there will be no encouragement of excessive drinking or irresponsible sale of cheap promotional drinks.

The number of Personal Licence holders on the premises when operational shall be at least two or such other number as is agreed from time to time with West Midlands Police.

The operator will call a Safety Advisory Group (SAG) Meeting and there is a power of veto of any event where the SAG is not able to set conditions or operation which satisfy the licensing objectives. Any conditions set during the SAG meeting shall become licensing conditions for that event and they must be kept in writing on the premises during the event and available for inspection by all statutory bodies.

The Licence Holder shall ensure that both the DPS and/or a senior manager and the promoter, if any, will be in attendance at the SAG meeting.

The Licence Holder shall ensure that if any adult entertainment is introduced to the premises, then it will only be done after giving at least 14 days notice to the Police Authority.

The security levels at any event will be dependent on the risk assessment and such number as is agreed shall become a condition of the Premises Licence for that particular event through the SAG process.

A programme of monthly events to be made available to adjacent tenants on a regular basis prior to the events taking place.

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

The Licence Holder shall ensure that a fixed camera will be placed on the outside of the premises at the entrance with the ability to monitor any queue and the Door staff to augment the fixed camera and monitor any queue.

The Licence Holder will make adequate provisions for monitoring and controlling the number of persons entering the licensed premises and any temporary structures within it. The Licence Holder will make all necessary arrangements by way of fencing, gate systems, security and other provisions to prevent unauthorised access to the licensed premises.

The Licence Holder shall ensure that continuous discussions between West Midlands Police Force, the appointed security/stewarding company and the event organisers will take place prior to and during the period that the Event is taking place to ensure that all means possible are employed to prevent crime and disorder. Operational plans will be drawn up between the Event organisers and the West Midlands Police Force taking into account the experience of previous events in this location.

The Licence Holder will ensure that individuals who are drunk, disorderly or both will not be permitted access to the premises.

The premises must operate an incident book and record all incidents that occur inside and immediately outside premises. The Incident book can be inspected at any time by any regulatory body.

All training records for all staff, in regard to drunkenness, and for the protection from harm for children to be maintained and to be available upon request from any regulatory body.

Premise to operate a drugs policy, and lost / found property policy. Copies of both to be supplied to Licensing Department Steelhouse Lane Police Station.

Venue to ensure the entrance area together with queuing area are sufficiently lit.

The premises is to maintain door staff profiles for all door staff working at the premises, and for any door staff

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that have worked on the premises in the last three months. The door staff profile will consist of identification for the member of staff: a copy of his/her SIA badge, Passport or Driving Licence. If the proof of identification is anything other than the photo driving Licence, then the member of staff will need proof of address, which must be a copy of a utility bill and be dated within the last six months.

Door supervisors stationed outside the front of the premises will wear hi-visibility jackets/coats, and will have their SIA badge held in a clear arm sleeve. Door supervisors inside the premises will wear hi-visibility waist coats, again with their SIA badge held in a clear arm sleeve.

A C.C.T.V. system is to be installed at the premises, including for any external areas providing regulated entertainment, to the specification agreed with the Licensing Department at Steelhouse Lane Police Station. C.C.T.V. is to be operational whilst the premises are open and be recording continually. If a hard drive system is used the recordings are to be kept for minimum of 31 days. CCTV images to be made available to any responsible authority immediately on request. Entrance and queuing area to be covered by CCTV.

Premise must supply a full month's list of events in writing to Licensing Department at Steelhouse Lane Police Station, a month in advance.

If the premises use any new promoter for any event, then for the first event the Designated Premises Supervisor for the premises will arrange to meet Steelhouse Lane Police Station Licensing Department at least 28 days before the first event, with risk assessments for the event. The premises will not hold any new events without the agreement of Steelhouse Lane Licensing Department. Recommendations made to the Designated Premises Supervisor that satisfy the four licensing objectives will become conditions for that event on the premises licence.

Premises to supply a risk assessment for all events held at premises. 28 days notice is required, unless otherwise agreed with West Midlands Police, Licensing Department at Steelhouse Lane Police Station. Included in risk assessment is a search policy which will reflect the event risk and Security deployment plan.

If the premises wish to operate past 0400hrs, the premises must inform the Licensing Department at Steelhouse Lane Police Station, in writing, a minimum of 28 days in advance. West Midlands Police have a power of veto, if it's believed that any of the four Licensing Objectives may be breached.

The premises will adopt the Challenge 25 scheme, with appropriate signage. The premise must also record the number of refusals in a refusals book.

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

First aid training for a member of staff. Health and Safety risk assessment carried out regularly. Electrics, gas fire and relevant equipment, checked and maintained in working order and tested annually. Fire risk assessment carried out weekly. Adoption of best practices, e.g. National Alcohol Harm Reduction Strategy.

The Licence Holder shall ensure that the maximum number of persons on the premises at any one time, including external areas provided regulated entertainment, shall not exceed the number agreed with West Midlands Fire Service and West Midlands Police and fixed at any individual SAG meeting for each event and such capacity will not be exceeded.

At any time that regulated entertainment is taking place at the venue there shall be at least three SIA badged doorstaff covering each of the three fire exits from the rear of the premises and they shall all be fully covered by CCTV cameras.

A suitable and sufficient written fire risk assessment to satisfy the Regulatory Reform (Fire Safety) Order 2005 shall be carried out annually and produced to the requirements of West Midlands Fire Service.

A health and safety risk assessment is to be carried out immediately and thereafter annually.

The premises shall not open until West Midlands Fire Service have inspected and are satisfied.

Any external areas not included in the licensable area will be properly fenced off and delineated whenever licensable activities are being provided to the satisfaction of Environmental Health.

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All external areas will be properly lit to the satisfaction of Environmental Health.

The Premises will undertake a risk assessment prior to each occasion when the external area will be used for regulated entertainment.

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

The Licence Holder shall ensure the conduct of patrons leaving premises will be supervised and monitored to minimise potential nuisance. Similarly, conduct of the general public in the vicinity will be monitored and the Police advised of inappropriate behaviour/unlawful activity.

The Licence Holder will comply with any reasonable requirements as to noise made during the event by the appropriate Responsible Authority.

The Licence Holder shall not permit noise emanating from the licensed premises to unreasonably disturb persons in the neighbourhood and in any case, will ensure that the noise levels from the event during the times authorised by this licence shall not exceed levels set at neighbouring occupied residential properties that will be agreed with Responsible Authorities.

The Licence holder shall ensure that whenever regulated entertainment takes place within the licensed premises, such entertainment will not be such as to be a statutory nuisance in the nearest noise sensitive or residential premises.

Noise propagation tests will be undertaken, during which the sound systems will be configured and operated in a similar manner as intended for the relevant Event. The sound sources used for the test shall be similar in character to the music likely to be produced during the relevant Event. Appropriate control limits at each sound mixer position and adjustments to sound amplification equipment will be agreed as a result of the testing to the satisfaction of the appropriate Responsible Authority.

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

Premises to operate a drugs policy and lost / found property policy. Copies of both to be supplied to the Licensing Department. Steelhouse Lane Police Station.

The premises shall adopt the Challenge 25 Scheme and appropriate signage will be placed at the entrance to the premises and adjacent to any bar server. The premises will operate a policy whereby any person attempting to buy alcohol or any person attempting to gain entry to the premises who appears to be under 25 will be asked for photographic ID to prove their age.

No persons under the age of 18 years of age shall be permitted in any circumstances into these licensed premises while they are being used for licensable activities.

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Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

Licensing Sub Committee A having considered a review application in respect of fly-posting resolved on the 14th November 2016 to modify the conditions of the premises licence as per the conditions agreed between all parties in advance of the hearing and as detailed in the public nuisance objective below. The conditions do not take effect until the end of the 21 days for appealing the decision.

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

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 License 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 hrs of receiving the said notice. If this is unachievable the licence holder should contact The Head of Environmental Health to discuss actions being taken and to agree a revised reasonable time frame.

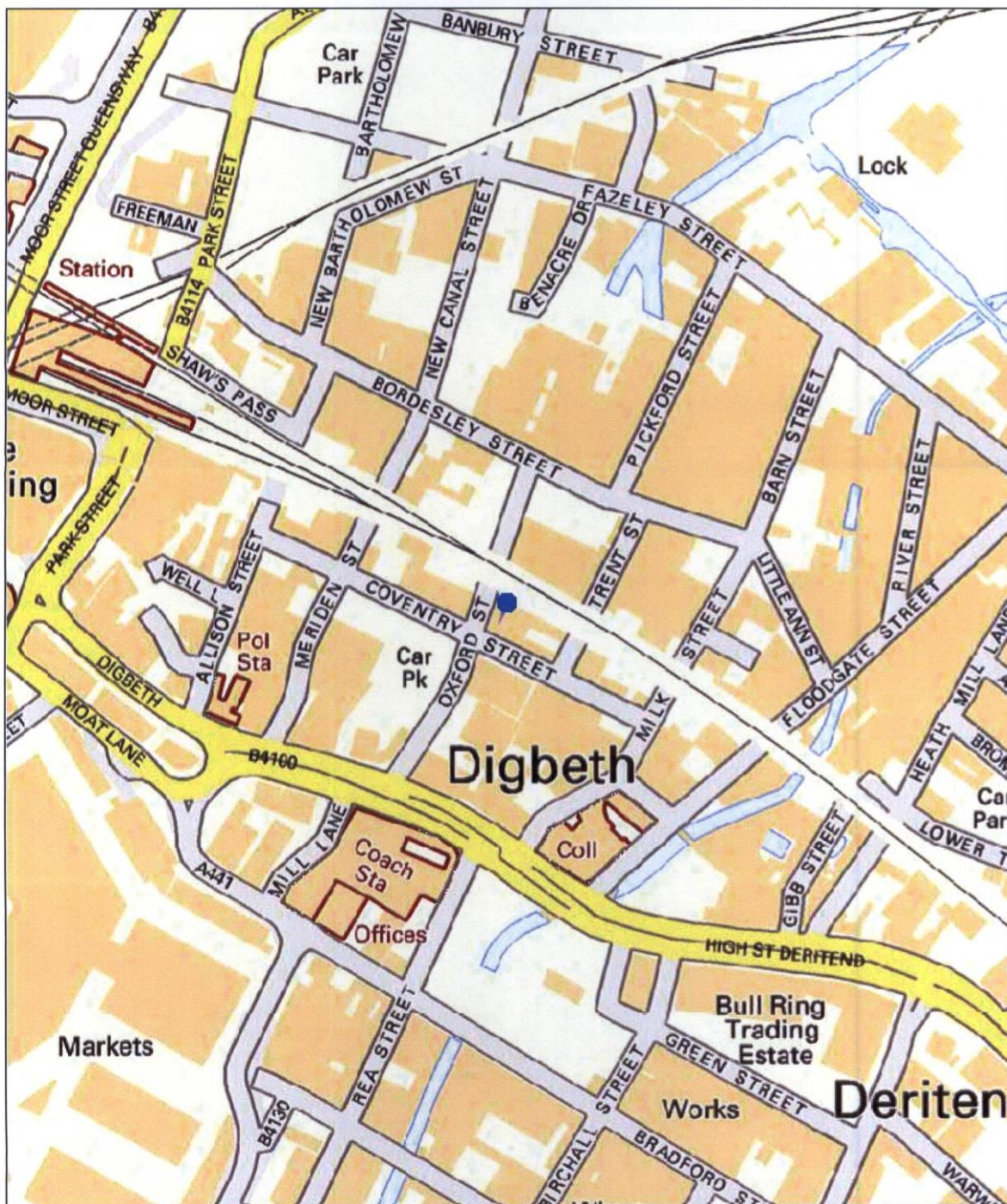
3e) Committee conditions to promote the protection of children from harm

N/A

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Annex 4 – Plans

The plan of the premises with reference number **98947-4159/3** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please call the Licensing Section on 0121 303 9896 to book an appointment.



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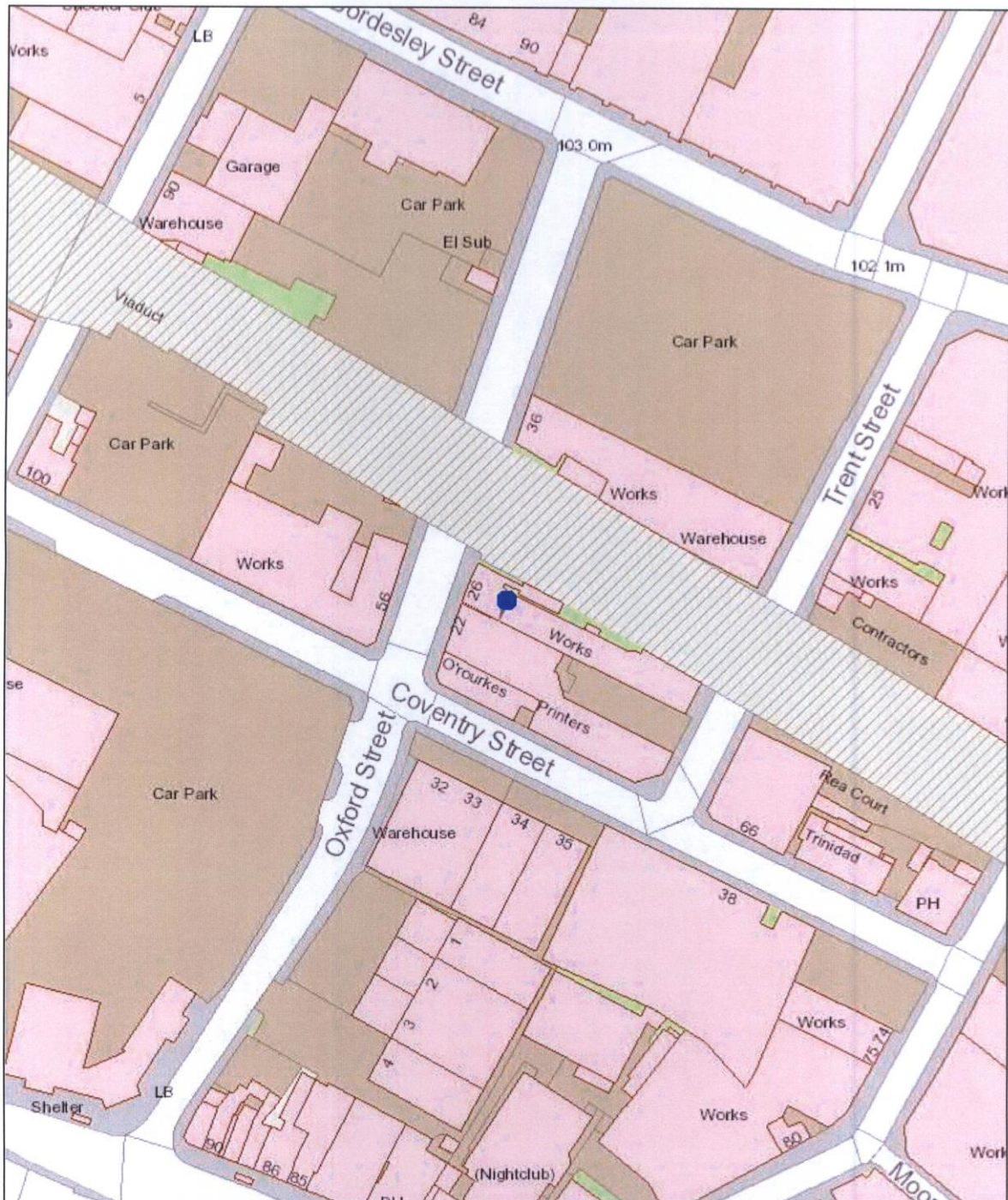
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Notes



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