

Report to:	Licensing Sub Committee A
Report of:	Assistant Director of Regulation & Enforcement
Date of Meeting:	Monday 22nd July 2019
Subject:	Licensing Act 2003 Temporary Event Notice
Premises:	Friends Car Wash, Park Road, Birmingham, B18 5ST
Ward affected:	Soho & Jewellery Quarter
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer 0121 303 9896 licensing@birmingham.gov.uk

1. Purpose of report:

To consider the objections to the Temporary Event Notice (TEN), which seeks to permit the provision of regulated entertainment and the provision of late night refreshment on 18th August 2019, to operate from 11:00am until 11:59pm.

2. Recommendation:

To consider the objection notices made by West Midlands Police and Environmental Health.

3. Brief Summary of Report:

A Temporary Event Notice was received on 11th July 2019 in respect of Friends Car Wash, Park Road, Birmingham, B18 5ST.

An objection notice has been received from West Midlands Police and Environmental Health.

4. Compliance Issues:

When carrying out its licensing functions, a licensing authority must have regard to the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.

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.

<p>5. Relevant background/chronology of key events:</p> <p>Hopeton Hamilton submitted on 11th July 2019 a Temporary Event Notice in respect of Friends Car Wash, Park Road, Birmingham, B18 5ST.</p> <p>The Temporary Event Notice is attached at Appendix 1.</p> <p>An objection notice has been received from West Midlands Police, see Appendix 2.</p> <p>An objection notice has been received from Environmental Health, see Appendix 3.</p> <p>Site location plans are attached, see Appendix 4.</p> <p>Under the licensing system of TENs, no actual permission is required to carry out a licensable activity on a temporary basis. An applicant must merely give notice of his intentions to operate a licensable activity to the licensing authority.</p> <p>However, the police or local authority exercising environmental health functions may intervene to prevent such an event taking place or agree a modification of the proposed arrangements, and their intervention may in some cases result in the licensing authority imposing conditions on a TEN.</p> <p>Where a TEN is submitted, the licensing authority must consider the objection(s) at a hearing before a counter notice, or a notice including a statement of conditions can be issued.</p> <p>Conditions may only be applied if the TEN is in connection with licensable activities at licensed premises. It must be noted a Premises Licence is not currently in force for Friends Car Wash, Park Road, Birmingham, B18 5ST.</p> <p>When giving a TEN, consideration should be given to the following four licensing objectives:</p> <ol style="list-style-type: none"> 1. The prevention of crime and disorder 2. Public safety 3. The prevention of public nuisance; and 4. The protection of children from harm
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<p>6. List of background documents:</p> <p>Temporary Event Notice is attached at Appendix 1.</p> <p>Objection Notice from West Midlands Police, attached at Appendix 2.</p> <p>Objection Notice from Environmental Health, attached at Appendix 3.</p> <p>Site location plans, Appendix 4.</p>

<p>7. Options available</p> <p>To issue the TEN</p> <p>To issue a Counter Notice</p>



Birmingham
Temporary Event Notice
Licensing Act 2003

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

* required information

Section 1 of 9

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

Jaaymedia Events

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

Hopeton

* Family name

Hamilton

* 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:

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

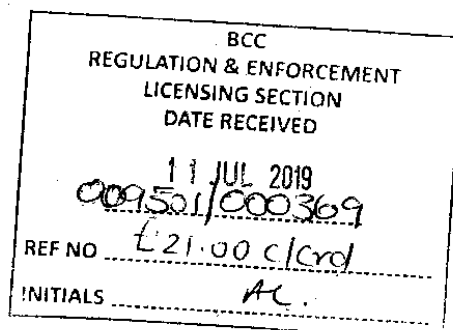
☒ Applying as an individual

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

11.7.19

Patricia

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Your Address

Address official correspondence should be sent to.

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text"/>

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APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

☐ Yes

☒ No

* Your date of birth

<input type="text"/>	<input type="text"/>	<input type="text"/>
dd	mm	yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence 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	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

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Additional 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

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THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

* Does the premises have an address?

☒ Yes

☐ No

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

Friends Car Wash

* Street

Park Road

District

* City or town

Birmingham

County or administrative area

* Postcode

B18 5ST

* Country

United Kingdom

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☒ Neither

☐ Premises licence

☐ Club premises certificate

Location Details

* Provide further details about the location of the event

Its a hand car wash which is situated on Park road B18 5ST. The event will comprise of the premises location and the front of the premises also which is also situated on Park Road B18 5ST.

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

I intend to block Park road entrance from Factory Road/Benson Road Roundabout and the other end on park road and

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divert on Musgrave Road. At the two entrances have Licensed Security which will not allow cars unless emergency vehicles to travel through for the safety of both adults and children. There will also be stewards that will work around that will ensure attendees comply with the regulations in-scripted on this notice. On the road itself there will be stalls that people will sell food or drinks from which will be regulated by ensuring they have Health & Safety Certification, Food Hygiene and Food handling Certification. The size of space that will be allocated for the stalls will be 4x3. Each stall that is providing food will need to ensure they have the relevant fire prevention equipment at all times.

Describe the nature of the premises below (see also guidance on completing the form, note 4)

It is a hand car wash that provides the services of washing cars and repairing tires to the consumer.

Describe the nature of the event below (see also guidance on completing the form, note 5)

It is a charity fundraising event to help raise funds to support the work that Christian aid is doing in Asia, America, Europe and Africa. We will be selling food, Having entertainment such as soft play and bouncy castles for kids, Face painting, soft drinks and listening to music. It will be open to the community with a CAP capacity within the complex of 300. The objective is to raise as much money as possible to help continue the charity work being done.

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LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises
(see also guidance on completing the form, note 6):

- ☐ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☒ The provision of regulated entertainment
- ☒ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

(See also guidance on completing the form, note 7).

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

(See also guidance on completing the form, note 8).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 9)

Event start date

18 / 08 / 2019
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

18 / 08 / 2019
dd mm yyyy

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State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

Sunday at 11:00 - Sunday at 23:59

(see also guidance on completing the form, note 10)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

300

Note that the maximum number of people cannot exceed 499.

(see also guidance on completing the form, note 11)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

(see also guidance on completing the form, note 12):

- ☐ On the premises only
☒ Off the premises only
☐ Both

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RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 13)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

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PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 14)

Do you currently hold a valid personal licence? ☐ Yes ☒ No

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PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 15)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? ☐ Yes ☒ No

Continued from previous page...

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

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ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 16)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes ☒ No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes ☒ No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

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CONDITION (See also guidance on completing the form, note 18)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

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.

This formality requires a fixed fee of £21

DECLARATION (See also guidance on completing the form, note 19)

- * THE INFORMATION CONTAINED IN THIS FORM IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT IT IS AN OFFENCE:
- * (I) TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS TEMPORARY EVENT NOTICE AND THAT A PERSON IS LIABLE ON SUMMARY CONVICTION FOR SUCH AN OFFENCE TO A FINE OF ANY AMOUNT; AND
- * (II) TO PERMIT AN UNAUTHORISED LICENSABLE ACTIVITY TO BE CARRIED ON AT ANY PLACE AND THAT A PERSON IS
- * LIABLE ON SUMMARY CONVICTION FOR ANY SUCH OFFENCE TO A FINE OF ANY AMOUNT, OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING SIX (6) MONTHS, OR TO BOTH.

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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

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

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

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From: bw licensing
Sent: 15 July 2019 13:10
To: Licensing
Subject: FW: RE - TENS APPLICATION - FRIENDS CAR WASH - Park Road Birmingham B18 5ST
Attachments: Friends Carwash - 827895-Amended TEN.pdf

Licensing,

As below, West Midlands Police have yet to receive the risk assessment for this event and having spoken to highways the applicant has not sort permissions to close any of the roads stated in their application.

West Midlands Police are not convinced that the licensing objectives, the prevention of crime and disorder and public nuisance will be promoted and therefore make representation to the issue of this temporary event notice.

Regards

PC 1978 Walker
 Birmingham Police Central Licensing Team
 Birmingham Partnerships
 Lloyd House

From: bw licensing
Sent: 12 July 2019 08:27
To: 'Jaaymedia
Subject: FW: RE - TENS APPLICATION - FRIENDS CAR WASH - Park Road Birmingham B18 5ST

Good Morning,

With regards to this event application, West Midlands Police are requesting the following so as to ensure all the licensing objectives are promoted –

- Full risk assessment, to include (as a minimum) –
 1. Number of SIA staff on duty and company.
 2. Medical plan.
 3. Dispersal plan
 4. Entry and egress policy.
 5. Search, drugs and weapon policy.
 6. Noise pollution assessment (for residence).
 7. How you will control numbers.
 8. Vulnerability policy.
 9. Toilet provisions.
 10. Health and safety assessments from all venders at the event.
 11. Emergency evacuations plans.

-
- Written confirmation/permission to close to close all roads you intend to use from Birmingham City Council Highways?
 - How will you control traffic, for residence and other bussineses in the area?
 - Where will people park that attend in their cars.
 - Are you allowing people to bring their own alcohol and if so, how will you monitor?

Due to time restraints set out in the licensing act, can I please ask for all the above information by 2pm on Monday the 15th July 2019.

Regards

PC 1978 Walker
Birmingham Police Central Licensing Team
Birmingham Partnerships
Lloyd House

From: Paul R Samms
Sent: 15 July 2019 16:34
To: Licensing Online; Pollution Team; bw licensing
Cc: Jaaymedia
Subject: RE: RE - TENS APPLICATION - FRIENDS CAR WASH - Park Road Birmingham B18 5ST

All,

The applicant has submitted a TEN for an event that will involve closure of a road until 12 midnight.

The applicant has not:

1. Risk assessed the potential impact of intrusive noise on the surrounding residents.

Or

2. Produced a dispersal plan.

As a representative of Environmental Health I object to the above TEN for the event at FRIENDS CAR WASH - Park Road Birmingham B18 5ST on grounds of likely public nuisance.

Regards,

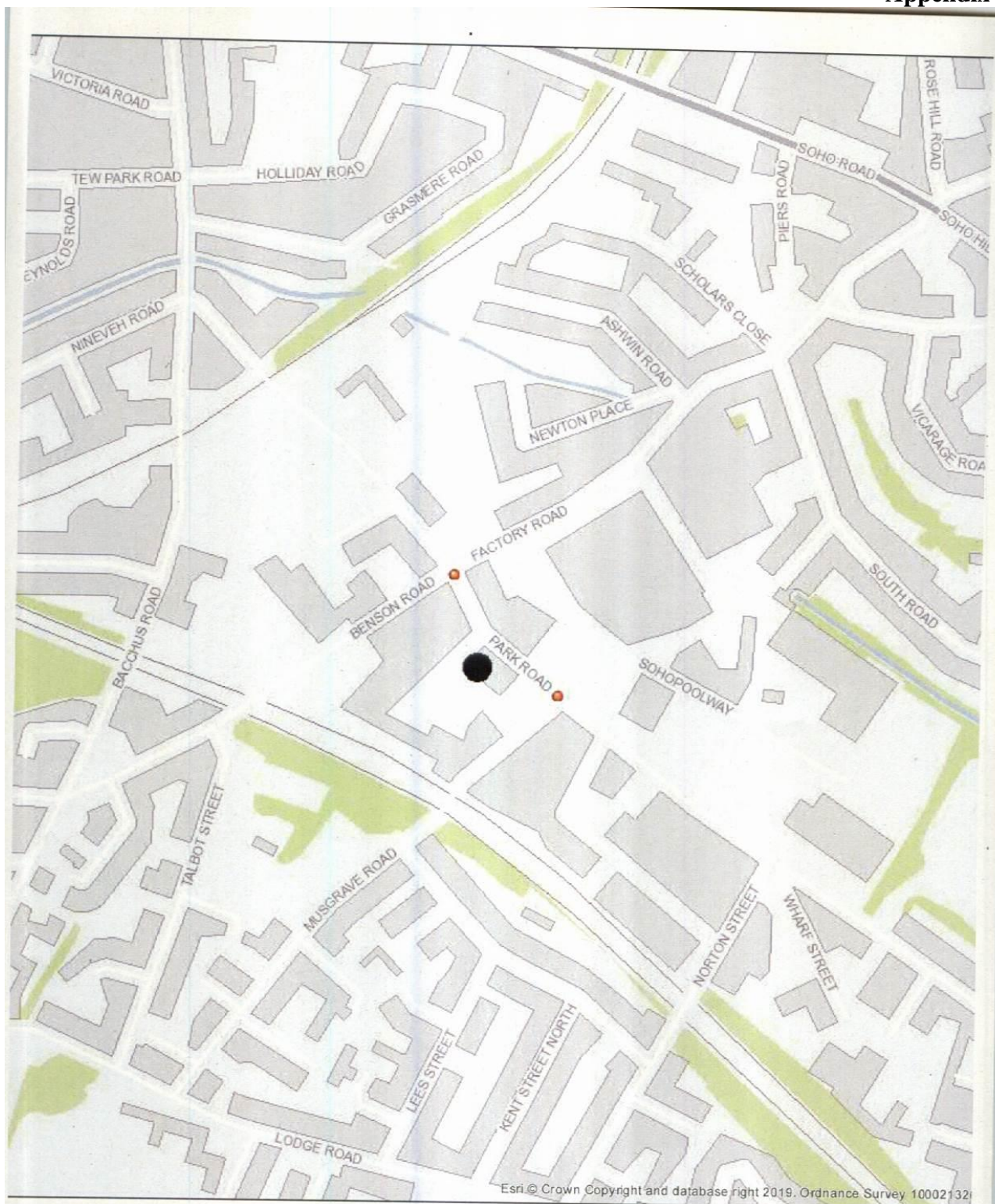
Paul Samms
Environmental Protection Officer

Environmental Protection Unit
Environmental Health
Manor House
40 Moat Lane
Digbeth
Birmingham
B5 5BD

Environmental Health, Regulation & Enforcement, Birmingham City Council, PO BOX 15908, Birmingham, B2 2UD

Website: <http://www.birmingham.gov.uk/eh>
Facebook: <http://www.facebook.com/ehbham>
Twitter: <http://www.twitter.com/ehbham>
Flickr: <http://www.flickr.com/photos/envhbham>

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Birmingham
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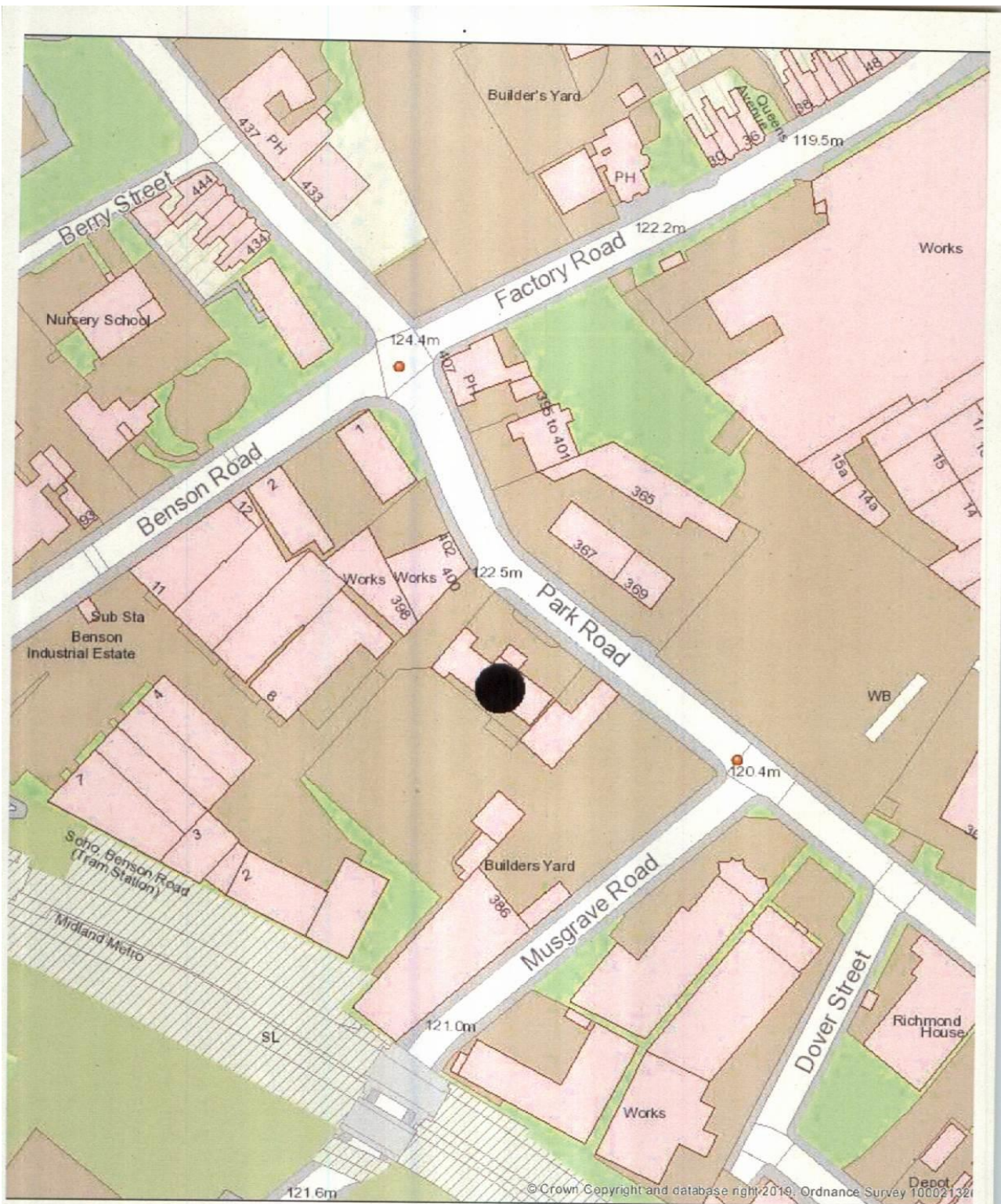
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City Council

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