

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A

MONDAY, 24 SEPTEMBER 2018 AT 09:30 HOURS
IN ELLEN PINSENT ROOM, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM, B1 1BB

Please note a short break will be taken approximately 90 minutes from the start of the meeting and a 30 minute break will be taken at 1300 hours.

A G E N D A

1 NOTICE OF RECORDING

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

2 DECLARATIONS OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

3 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3 - 12

4 MINUTES - PUBLIC

To note the public part of the Minutes of the meeting held on 19 July 2018.

To note the public part of the Minutes of the meeting held on 3 September 2018.

13 - 42

5 LICENSING ACT 2003 PREMISES LICENCE (GRANT) - BIRMINGHAM CATHEDRAL, CATHEDRAL SQUARE, COLMORE ROW, BIRMINGHAM, B3 2QB

Report of the Acting Director of Regulation & Enforcement.
N.B. Application scheduled to be heard at 09:30am.

6 **LICENSING ACT 2003 (TEMPORARY EVENT NOTICE) - THE MONASTERY, 173-175 HIGH STREET, DERITEND, BIRMINGHAM, B12 0LD**

Report of the Acting Director of Regulation & Enforcement.
N.B. Application scheduled to be heard at 11:00am.

7 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

7A **LICENSING ACT 2003 (TEMPORARY EVENT NOTICE) - 30-34 RIVER STREET, DIGBETH, BIRMINGHAM, B5 5SA**

Report of the Acting Director of Regulation & Enforcement.
N.B. Application scheduled to be heard at 12.00noon.

8 **EXCLUSION OF THE PUBLIC**

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

Exempt Paragraph 3

PRIVATE AGENDA

1 **MINUTES - PRIVATE**

To note the Private part of the Minutes of the meeting held on 19 July 2018 and to confirm and sign the Minutes as a whole.

To note the Private part of the Minutes of the meeting held on 3 September 2018 and to confirm and sign the Minutes as a whole.

2 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

BIRMINGHAM CITY COUNCIL

LICENSING SUB – COMMITTEE A 19 JULY 2018

**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD
ON THURSDAY, 19 JULY 2018 AT 1000 HOURS, IN THE ELLEN PINSENT
ROOM, COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM.**

PRESENT: - Councillor Barbara Dring in the Chair;

Councillors Martin Straker Welds and Bob Beauchamp.

ALSO PRESENT

David Kennedy – Licensing Section
John B Murphy – Legal Services
Phil Wright – Committee Services

NOTICE OF RECORDING

1/190718 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

DECLARATIONS OF INTERESTS

2/190718 Members were reminded that they must declare all relevant pecuniary and non pecuniary interests relating to any items of business to be discussed at this meeting. If a pecuniary interest was declared a Member must not speak or take part in that agenda item. Any declarations would be recorded in the minutes of the meeting.

No declarations of interest were made.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/190718 There were no Nominee members.

MINUTES

4/190718 That the Minutes of the last meeting held on 11 April 2018 were confirmed and signed by the Chair.

**LICENSING ACT 2003 PREMISES LICENCE (REVIEW) – ARABIAN NITES,
PART OF 52-68 BISSELL STREET, DIGBETH, BIRMINGHAM, B5 7HP**

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

(See document No. 1)

The following persons attended the meeting.

On behalf of West Midlands Police

Mr J Rankin – Barrister acting on behalf of West Midlands Police
PC Rohomon – West Midlands Police

The Chair made introductions and outlined the procedure to be followed. She enquired whether there were any preliminary points that need to be raised. The Sub-Committee was advised that West Midlands Police wished to rely on some photographs which had been redacted from the documentation. It was requested that that part of the meeting be held in private.

The Sub-Committee was also advised that an unsolicited email had been received from Sarah Clover, Barrister, indicating that it would be wrong in law for the Authority to review the licence as it had been surrendered and therefore could not be revoked. It was highlighted that Ms Clover had not indicated that she had been instructed by the Premises Licence Holder or that it had formally disclosed to West Midlands Police. The Sub-Committee were further advised that it was normal practice for the Authority to continue to review the licence as it could be reinstated after 28 days of surrender. West Midlands Police confirmed that the review should continue.

At 1008 hours the meeting was adjourned to allow members to consider the preliminary points and all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdrew from the meeting.

At 1010 the meeting reconvened and everyone re-entered the meeting.

The Chair indicated that the Sub-Committee had noted the contents of the email which was not a formal submission and did not wish to make any further comment. The meeting would continue. The Sub-Committee was agreeable for West Midlands Police to present some of their evidence in private.

David Kennedy, Licensing Section, made introductory comments relating to the report and indicated that there was a further option available to the Sub-Committee which was to remove the Designated Premises Supervisor. He added that the Authority had been advised that the wording on the Closure Order was inaccurate in that the grounds on which the Closure Order had been made should only refer to 'use of the premises has been associated with the occurrence of disorder or serious nuisance to members of the public'.

On behalf of West Midlands Police Mr Rankin made the following points:

- a) The error on the Closure Order did not distract from the fact that the Sub-Committee should be reviewing the Licence as the Court had undertaken their duty to inform the Authority of the closure.
- b) The application for a Closure Order was made by West Midlands Police following a shooting at the premises on 26 May 2018. A firearm was discharged from the basement area of the premises up the stairwell. As a result an innocent bystander was injured when the bullet hit a zip on his jeans and he also received an injury to his chest.
- c) The victim self-presented himself at Heartlands Hospital who advised the police. Having spoken to him the police were able to confirm that an incident had taken place at the premises.
- d) On the 29 May 2018 the police applied for a Closure Order at the Magistrates Court. During the hearing the operator of the premises, Mr A Alawi showed footage from CCTV cameras via an app on his mobile phone that showed the premises apparently closed on 26 May 2018 at the time of the incident. Whilst the footage showed that the premises closed and in darkness the evidence from first responding police officers indicated that members of the public had been leaving the premises.
- e) Towards the end of the hearing on 29 May a mystery witness appeared at court pertaining to be the victim. As he was not let in to the court he sent a note through to the court which the barrister representing Arabian Nites read out. The note indicated that the original injured person was not in fact injured and he wished to withdraw his statement. The court did not grant a Closure Order.
- f) PC Rohomon then investigated the incident relating to mystery witness and having been told by security that the person attending Court on the 29 May was an Asian male aged about 16 with no discernable accent he knew it was not the same as the original victim who was 25, of Afro-Caribbean descent and had a strong Jamaican accent. .
- g) The police reapplied for a Closure Order on 3 July 2018 which was successful as the police were able confirm that the premises were open and that the victim was not the person who had come to court previously. The police however had had difficulty obtaining the correct CCTV footage as the equipment had been removed.
- h) At the hearing on 3 July 2018 the police referred to photographs taken from the CCTV footage which were redacted in the documentation before the Sub-Committee.

Mr Rankin therefore requested that the meeting go in to private so that he may make reference to the photographs.

EXCLUSION OF THE PUBLIC

At 1025 hours it was-

5/190718

RESOLVED:-

That in accordance with Regulation 14 of the Licensing Act 2003 (Hearing) Regulations 2005, the public be excluded from the hearing due to the sensitive nature of the evidence to be presented.

Arabian Nites, Part of 52-68 Bissell Street, Digbeth, Birmingham, B5 7HP

At this stage in the meeting having considered some evidence in private the public were readmitted to the meeting.

Mr Rankin continued to present the case for West Midlands Police by making the following points:-

- i) On the 31 May 2018 West Midlands Police sought to recover the CCTV footage of the night of the incident but were delayed at the door despite them having a warrant. Access to the premises was denied by the landlord, Mr Rafiq, who claimed that it was up to the owner to let the police in. It became apparent that the police were being deliberately prevented from gaining entry and a forced entry was made. The three hard drives to the CCTV equipment were missing and officers present were of the opinion that they been removed hastily. At Court on 3 July the premises brought an electrician to explain that he had removed the equipment and that there was nothing suspicious about it. When asked when the equipment had been returned it was explained it was 20 minutes after police had left. Again this was a deliberate attempt to obstruct the police.
- j) The police were able to show that an large party type of event had taken place at the premises and access had possibly been obtained via the premises known as Arthouse. Whether the owner of Arabian Nites was aware or not, the Landlord of the whole building had lost control of it use.
- k) It was not the first time an alleged shooting had taken place at the premises which was causing a public nuisance. West Midlands Police were seeking the revocation of the licence.

Responding to questions from Members of the Sub-Committee Mr Rankin and PC Rohomon made the following points:-

- a) The difficulty of in obtaining CCTV footage was a comprehensive break of condition and why a warrant was needed. It prevented the police on the night of the incident from having evidence that anything had happened. It was only later that because of the strange happening at the first court hearing that police were able to eventually obtain the footage.

- b) The premises had attempted to prevent the closure by suggesting the premises were closed at the time of the incident and by possibly getting someone to turn up at court pretending to be the victim.
- c) The premises had claimed that some of the previous issues had been as a result of them being a victim of a racketeering operation but would never make a formal statement to allow the police to investigate.
- d) The premises licence was held by QR Holdings Ltd, Mr Rafiq was the landlord of the whole building and Mr A Alawi leased that part of the building's ground floor and basement known as Arabian Nites.
- e) When the police were trying to retrieve CCTV footage Mr Rafiq was dealing with officers face to face in the building but would not allow access to Arabian Nites.

Mr Rankin indicated that he did not wish to sum up as he believed the case spoke for itself.

At 1058 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1215 hours all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

6/190718

RESOLVED:-

That, having reviewed the premises licence held under the Licensing Act 2003 by QR Holdings Ltd, in respect of Arabian Nites, Part of 52-68 Bissell Street, Digbeth, Birmingham, B5 7HP, in accordance with Section 80 of the Anti-Social Behaviour, Crime and Policing Act, 2014, this Sub-Committee hereby determines

That the licence be revoked, in order to promote the prevention of crime and disorder and public safety objective(s) in the Act:

The Sub-Committee's reasons for revoking the licence are due to concerns by West Midlands Police in relation to:

On 19 July 2018, the Committee noted that the Premise Licence holder was not represented at the hearing. An unsolicited email was received by BCC from a barrister at 1655 hours on 18 July 2018, purportedly on behalf of the Premise Licence holder. The Committee noted that the email did not state that the barrister was instructed on behalf of Premises Licence holder.

The Committee was mindful of the 4 statutory Licensing Act 2003 objectives, and in particular, objective (1) the prevention of crime and disorder and objective (2) public safety. The Committee was also mindful of the Revised Guidance issued under section 182 of the Licensing Act 2003, issued April 2018. The Guidance states at para 11.20 that the Committee

should establish the cause of the concerns that the representations identify. The Committee also noted that the Guidance at para 11.27 recommends that criminal activity that may arise in connection with the licensed premises should be treated particularly seriously.

In the absence of any representations by the Licensed Premises holder, the West Midlands Police offered evidence in public, and after representations, further evidence to the Committee in private.

The Committee heard that following the discharge of a firearm in the Licensed Premises on 26 May 2018, a member of the public received an injury from a ricocheted bullet. The Police attended quickly but needed to return later to secure CCTV evidence. The Police encountered such difficulties that they eventually had to return to the Licensed Premises and force entry with a Search Warrant. The Police were unable to recover the CCTV from the relevant time, from the Licensed Premises owing to it having been removed from the Licensed Premises. The conditions of the licence required the Licensee to make available the CCTV images to the police in such an instance. The Police eventually secured a Closure Order at the Birmingham Magistrates' Court on 3 July 2018.

Having heard the above evidence, which the Licensed Premises holder did not challenge, and taking into account the statutory Licensing Objectives together with the Guidance, the decision of the Committee is to revoke the licence.

The Sub-Committee gave consideration as to whether it could modify the conditions of the licence, remove the Designated Premises Supervisor or suspend the licence for a specified period of not more than 3 months, but was not satisfied given the evidence submitted, part of which was heard with the public excluded from the hearing following a request from West Midlands Police, in accordance with Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 that the licensing objectives would be properly promoted following any such determination.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the written and oral representations made at the Hearing by West Midlands Police and the legal representative as a result of the issue of the Closure Order made by the Magistrates' Court.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision. The determination of the Sub-Committee does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the appeal is disposed of.

Under Section 168(7) the premises must remain closed (but the licence otherwise in force) until the relevant time. The relevant time is the end of the period given

for appealing against the decision, of if the decision is appealed against, the time the appeal is disposed of.

7/110418 **OTHER URGENT BUSINESS**

There were no matters of urgent business.

BIRMINGHAM CITY COUNCIL

LICENSING SUB - COMMITTEE A - 3 SEPTEMBER 2018

**MINUTES OF A MEETING OF
LICENSING SUB-COMMITTEE A HELD
ON MONDAY 3 SEPTEMBER 2018
AT 0930 HOURS IN ELLEN PINSENT ROOM,
COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Nagina Kauser in the Chair;

Councillors Martin Straker Welds and Bob Beauchamp

ALSO PRESENT:

Emma Rohomon – Licensing Section
Joanne Swampillai – Legal Services
Katy Poole – Committee Services.

NOTICE OF RECORDING

- 1/030918 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

DECLARATIONS OF INTERESTS

- 2/030918 Members were reminded that they must declare all relevant pecuniary and non-pecuniary interests arising from any business discussed at the meeting. If a disclosable pecuniary interest are declared a Member must not speak or take part in that agenda item. Any declarations to be recorded in the minutes of meeting.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/030918 Apologies were submitted on behalf of Councillor Dring and Councillor Kauser was the nominee Member.

4/030918 **MINUTES**

That the public part of the Minutes of meeting held on 9 July 2018 were noted.
That the public part of the Minutes of meeting held on 16 July 2018 were noted.

That the Minutes of the meeting held on 23 July 2018 were circulated, and confirmed and signed by the Chairman.

That the Minutes of the meeting held on 6 August 2018 were circulated, and confirmed and signed by the Chairman.

5/030918 **ANY OTHER URGENT BUSINESS**

There were no matters of urgent business.

EXCLUSION OF THE PUBLIC

6/030918 **RESOLVED:**

That in view of the nature of the business to be transacted, which includes exempt information of the category indicated, the public be now excluded from the meeting:-
(Paragraphs 3 & 4)

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Monday 24th September 2018
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Birmingham Cathedral, Cathedral Square, Colmore Row, Birmingham, B3 2QB
Ward affected:	Ladywood
Contact Officer:	Shaid Yasser, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:
<p>To consider a relevant representation that has been made in respect of an application for a time-limited Premises Licence to operate from 15th November 2018 to 23rd December 2018 and seeks to permit the Sale of Alcohol (for consumption on the premises) to operate from 10:00am until 09:00pm (Monday to Sunday).</p> <p>Premises to remain open to the public from 10:00am until 09:00pm (Monday to Sunday).</p>

2. Recommendation:
<p>To consider the representation that has been made and to determine the application.</p>

3. Brief Summary of Report:
<p>An application for a Premises Licence was received on 30th July 2018, in respect of Birmingham Cathedral, Cathedral Square, Colmore Row, Birmingham, B3 2QB.</p> <p>A representation has been received from other persons.</p>

4. Compliance Issues:
4.1 Consistency with relevant Council Policies, Plans or Strategies:
<p>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:

Bronson Samuel Dobson and Sarah Kate Dobson applied on 30th July 2018 for the grant of a Premises Licence for Birmingham Cathedral, Cathedral Square, Colmore Row, Birmingham, B3 2QB.

A representation has been received from other persons, see Appendix 1.

The application is attached at Appendix 2.

Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 3.

Site Location Plans at Appendix 4.

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 representation as detailed in Appendix 1
Application Form, Appendix 2
Conditions agreed with West Midlands Police, Appendix 3
Site Location Plans, Appendix 4

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

From:
Sent: 24 August 2018 14:23
To: Licensing
Subject: Application for a Premises Licence to Cover the Cathedral Grounds - Response from Colmore Business District
Attachments: Letter re Premises Licence.docx

Dear Sir/Madam

Please find attached a response from Colmore Business District to the application for a premises licence to cover the cathedral grounds.

If you require any further information please contact

I would be grateful if you could acknowledge receipt of this email.

Kind regards

Chair
Colmore Business District



Birmingham City Council
Council House
Birmingham
B1 1BB

24 August 2018

Dear Sir/Madam

I write to you in relation to the application for a Premises license, submitted by Bronson and Sarah Dobson. This application relates to the premises described below, for which a notification, in line with The Licensing Act 2003, is currently being displayed:

Cathedral Square
Colmore Row
Birmingham
B3 2QB

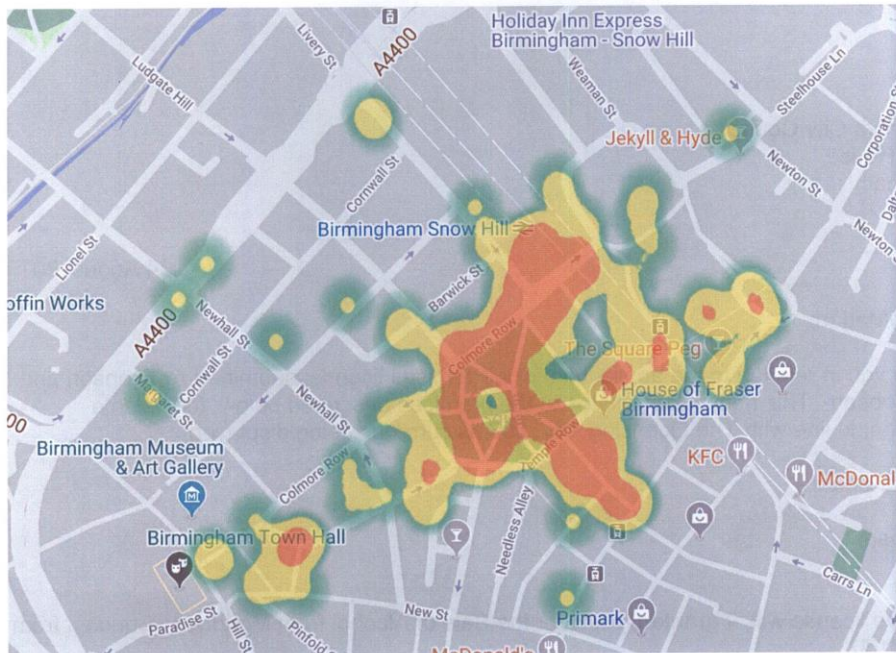
The above license will, if granted, allow for the Sale of Alcohol from Monday to Sunday, from 1000 – 2100.

Colmore Business District is writing to make representations, in line with S.18(6) of The Licensing Act 2003, that relate to the licensing objectives set out in S.4(2) of The Licensing Act 2003, specifically the objectives relating to the prevention of crime and disorder (S.4(2)(a)) and the prevention of public nuisance (S.4(2)(c)).

Colmore Business District is a Business Improvement District (BID), as defined by the Business Improvement Districts (England) Regulations 2004. BID's are democratically elected bodies that deliver projects and services to local businesses and act as a key strategic voice for their members. Colmore Business District is the BID that covers the Colmore Row area of Birmingham City Centre. It represents over 550 businesses, ranging from small, local businesses to large international corporate organisations, across a range of sectors. It is in this capacity that we write to you.

The area that will be covered by the premises license application is one that has been known for some time as an area of high volumes of anti-social behavior. Since 2014, Colmore Business District has operated an Ambassador Service that acts as a monitoring service in the area. In 2016, due to the significant rise in anti-social behavior, this service expanded to include a dedicated Security Officer which, due to demand, has now become two full time posts, with a view to expanding this service further in the coming months. In total, local businesses, via Colmore Business District already invest £100k per year in order to provide an adequate response to anti-social behavior. This is in addition to what is provided by Birmingham City Council and West Midlands Police.

In the period from 01 April 2014 (when we started recording) to 31 March 2018, we have recorded 2,745 incidents of anti-social behavior such as drinking, begging, substance abuse and drug dealing in Colmore Business District. Of those, 1,354 (49%) took place in the proposed licensed area. In July 2018, we recorded 58 incidents. The Heat Map below shows the spread of those 58 incidents. You will note the focus on the Cathedral and the surrounding area.



These figures do not include the unrecorded intelligence that we observe that involves low levels of street drinking and substance abuse that, whilst observed, do not have an actionable outcome for our team.

We are concerned that the addition of a market that includes and promotes the consumption of alcohol is not an appropriate activity for a space that already has significant issues relating to alcohol consumption. We do not feel that the regulated sale and consumption of alcohol will reduce the unregulated use of alcohol. We understand that only part of the grounds will be licensed and that the security measures will be installed to cover those licensed parts. As a result, those who already use the grounds will simply go elsewhere in the grounds not covered by security. The alternative is that the security presence and the market will simply push this activity to other parts of the District, which will result in additional pressures on Birmingham City Council, West Midlands Police and the Security Service provided by local businesses through their front of house and our service, in which they invest.

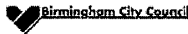
We are also concerned that some of the elements of Organised Crime, who traditionally target the Frankfurt Christmas Market will be drawn to a less well policed target, such as the proposed event in the Cathedral Grounds. At a time when West Midlands Police resources will already be stretched, as they are each year at this busy period, there will not be adequate resource to manage this risk. As it is hoped that local businesses will also be patrons of this event, we are, again, concerned about the wellbeing of those who attend and may be at risk of crimes such as organised pick-pocketing.

Overall, we are concerned that this event will bring more antisocial behavior, crime and nuisance to the licensed area and its surroundings, without providing sufficient resource to mitigate this. We note that the event proposal includes a low level of guarding throughout its operation, however, this will merely protect the licensed area and is likely to displace this activity into other areas.

We would be grateful if these points could be considered in the process of determining the application. Whilst we are in full support of the Cathedral Grounds being used to provide experiences that engage and entertain the local community, we must also balance this against the impact that this is likely to have on that community.

Should you need any additional information, please do not hesitate to contact _____ at the Colmore BID Office _____ who will be able to respond.

Chair of Colmore Business District



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 21

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 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

* Family name

* E-mail

Main telephone number

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.

Applicant Business

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

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

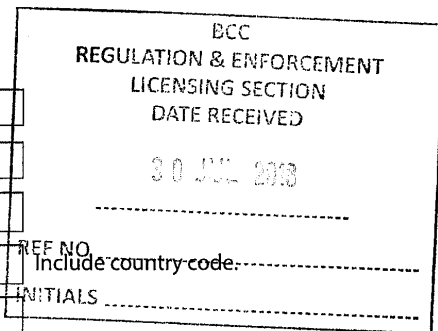
Note: completing the Applicant Business section is optional in this form.

Business name

VAT number

Legal status

If your business is registered, use its registered name.
 Put "none" if you are not registered for VAT.



Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

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

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

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

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21	
APPLICATION DETAILS	
In what capacity are you applying for the premises licence?	
<input type="checkbox"/> An individual or individuals <input type="checkbox"/> A limited company / limited liability partnership <input checked="" type="checkbox"/> A partnership (other than limited liability) <input type="checkbox"/> An unincorporated association <input type="checkbox"/> Other (for example a statutory corporation) <input type="checkbox"/> A recognised club <input type="checkbox"/> A charity <input type="checkbox"/> The proprietor of an educational establishment <input type="checkbox"/> A health service body <input type="checkbox"/> A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales <input type="checkbox"/> 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 <input type="checkbox"/> The chief officer of police of a police force in England and Wales	
Confirm The Following	
<input checked="" type="checkbox"/> I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities <input type="checkbox"/> I am making the application pursuant to a statutory function <input type="checkbox"/> I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative	
Section 4 of 21	
NON INDIVIDUAL APPLICANTS	
Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.	
Non Individual Applicant's Name	
Name	<input type="text" value="Bronson Samuel Dobson"/>
Details	
Registered number (where applicable)	<input type="text"/>
Description of applicant (for example partnership, company, unincorporated association etc)	

Continued from previous page...

Partnership

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

partnership

Continued from previous page...

Address

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"/>

Contact Details

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

Remove this applicant

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? 15 / 11 / 2018
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end 23 / 12 / 2018
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.

The premises in question is the outdoor space in the Cathedral square at St Philips Cathedral in Birmingham City Centre. The outdoor area is usually used as a park with members of the public accessing it daily. The area is surrounded by businesses such as bars, restaurants and office buildings.
For this event we plan to hold a Christmas themed festive market in the Cathedral Square as shown on the map submitted from 15th November 2018 - 23rd December 2018. We plan to have some of the stalls selling festive alcoholic drinks such as mulled wine and liquor hot chocolates however it will be primarily a family friendly event open and accessible to all

Continued from previous page...
members of the public. Festive food will also be available and seating areas will be provided. Along with the food and drink outlets there will be a variety of craft and gift stalls. Lighting will be used to light the Cathedral Square and highlight key features of the Cathedral in order to create a festive atmosphere.
If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend <input type="text"/>
Section 6 of 21
PROVISION OF PLAYS
See guidance on regulated entertainment
Will you be providing plays?
<input type="radio"/> Yes <input checked="" type="radio"/> No
Section 7 of 21
PROVISION OF FILMS
See guidance on regulated entertainment
Will you be providing films?
<input type="radio"/> Yes <input checked="" type="radio"/> No
Section 8 of 21
PROVISION OF INDOOR SPORTING EVENTS
See guidance on regulated entertainment
Will you be providing indoor sporting events?
<input type="radio"/> Yes <input checked="" type="radio"/> No
Section 9 of 21
PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS
See guidance on regulated entertainment
Will you be providing boxing or wrestling entertainments?
<input type="radio"/> Yes <input checked="" type="radio"/> No
Section 10 of 21
PROVISION OF LIVE MUSIC
See guidance on regulated entertainment
Will you be providing live music?
<input type="radio"/> Yes <input checked="" type="radio"/> No
Section 11 of 21
PROVISION OF RECORDED MUSIC
See guidance on regulated entertainment
Will you be providing recorded music?
<input type="radio"/> Yes <input checked="" type="radio"/> No
Section 12 of 21

Continued from previous page...

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes

☒ No

Section 13 of 21

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

See guidance on regulated entertainment

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

☐ Yes

☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

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 10:00

End 21:00

Start

End

SUNDAY

Start 10:00

End 21:00

Start

End

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.

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.

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

Name

First name

Bronson Samuel

Family name

Dobson

Date of birth

/ /
dd mm yyyy

Continued from previous page...

Enter the contact's address

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" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

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 21

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.

<input type="text"/>

Section 17 of 21

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.

Continued from previous page...

TUESDAY

Start 10:00

End 21:00

Start

End

WEDNESDAY

Start 10:00

End 21:00

Start

End

THURSDAY

Start 10:00

End 21:00

Start

End

FRIDAY

Start 10:00

End 21:00

Start

End

SATURDAY

Start 10:00

End 21:00

Start

End

SUNDAY

Start 10:00

End 21:00

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

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.

Section 18 of 21

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)

Continued from previous page...

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

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP: Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

- a/ no selling of alcohol to underage people
- b/ no drunk and disorderly behavior on the premises area
- c/ vigilance in preventing the use and sale of illegal drugs at the retail area
- d/ no violent and anti-social behaviour
- e/ no any harm to children

Operating Schedule providing the hours of operation and licensable activities during those hours. - Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale - Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers. CCTV system installed with recording option available.

As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

CCTV System installed & security onsite to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted. Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed. Not selling of alcohol to drunk or intoxicated customers. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises. Prevention and vigilance in illegal drug use at the retail unit area. Staff will be well trained in asking customers to use premises in an orderly and respectful manner.

c) Public safety

Internal and external lighting fixed to promote the public safety objective. Well trained staff adherence to environmental health requirements. Training and implementation of underage ID checks. A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation. All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, electrical, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents. The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents. Customers will be asked not to stand around loudly talking in the street outside the premises. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises. Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents. Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.

Continued from previous page...

Well trained staff about requirement for persons' identification, age establishment etc. All the details provided in Training Record Book available the retail unit. Log Book will be kept upon the premises all the time. Nothing belong existing Health & Safety requirements.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

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 <https://www.tax.service.gov.uk/business-rates-find/search>

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 (£)

100.00

DECLARATION

1

Continued from previous page...

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE

* ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15).

1 THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

☒ 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

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/premises-licence/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.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY	
Applicant reference number	<input type="text" value="BirminghamCathedral"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next >	

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Appendix 3

From: [\[mailto:licensing@nsw.gov.au\]](#) - behalf of Licensing
Sent: 29 August 2018 13:03
To: [\[mailto:licensing@nsw.gov.au\]](#)
Subject: FW: Licence application

From: Abdool Rohomon
Sent: Friday, August 24, 2018 2:51 PM
To: Licensing
Cc:
Subject: FW: Licence application

Dear Licensing,

Please see below email trail, you will see that West Midlands Police have proposed 4 conditions to be imposed on the premise licence, these have been agreed with the applicant as per below.

If these conditions are imposed on the licence then West Midlands Police do not object to the granting of this application. If you could confirm this it would be appreciated

regards

Abs Rohomon

**PC 4075 Rohomon
BW Licensing
Police headquarters
Lloyd House**

From:
Sent: 24 August 2018 14:47
To: Abdool Rohomon
Subject: Re: Licence application

Hi Abs,

Yes that's fine, we are happy with the terms of the licence.

Apologies for the delay, we are currently at a festival and the signal is terrible.

If you need anything else just let me know.

Regards,

Bron Dobson
Event Catering Services

On 24 Aug 2018, at 13:33, Abdool Rohomon wrote:

Thanks Bron,

I appreciate you have done so far and that the process is continuing, it is the wording of the conditions that we wish to be imposed on the licence that we need agreement to. So if you are happy to have the conditions imposed could you indicate as such in a reply email and I can forward to the local authority who will then impose it on the premise licence

This is why I need a response today as it is the last date for reps

regards

Abs Rohomon

**PC 4075 Rohomon
BW Licensing
Police headquarters
Lloyd House**

From:
Sent: 24 August 2018 13:09
To: Abdool Rohomon
Subject: Re: Licence application

Dear Abs

Many thanks for your response in regards to our licence application.
I can these actions already form part of our plans and so am happy to have these conditions imposed on the licence.

We have already had our first SAG meeting in July and are just waiting on the date for the second meeting to be agreed by all parties involved.

The SAG group have already set some conditions of operation particularly in regards to security and we will ensure that any conditions set by the SAG and submitted to us in writing prior to the event will be incorporated into the event manual.
We have already submitted the first version of the event manual to the SAG and this will be updated after each SAG meeting, with the final version submitted no later than 14 days prior to the event.

We are already taking advice from the SAG with regards to layout and infrastructure and this does form part of the event manual and will be updated throughout the process until all details are finalised.

I trust that our agreement to these conditions and that we have already been proactive in having these conditions in place means that there will be no need for an objection to be placed.

I will also forward the latest event manual, which is always being updated, should you require anything further please don't hesitate to let me know.

Kind Regards

Bron Dobson

On 24 Aug 2018, at 11:03, Abdool Rohomon wrote:

Dear Mr Bronson,

Apologises for the delay on this one, in terms of your licence application for Cathedral Square, West Midlands Police would require the following conditions being imposed on your premise licence to ensure the promotion of the licensing objectives

- The premise licence holder will hold Safety Advisory Group meetings (SAGS). The Sags invitees to include all relevant authorities defined within the Licensing act 2003, BCC City Centre management, highways, and any other body that could be impacted by the event
- The Sag will set conditions of operation, which will be sent in writing to the premise licence holder before the event opens
- The premise licence holder will submit the final version of the event manual no later than 14 days before the event is due to start. This will be submitted to all attendees of the SAG meetings
- The plan of the infrastructure and layout will be in agreement with the SAG and form part of the event manual

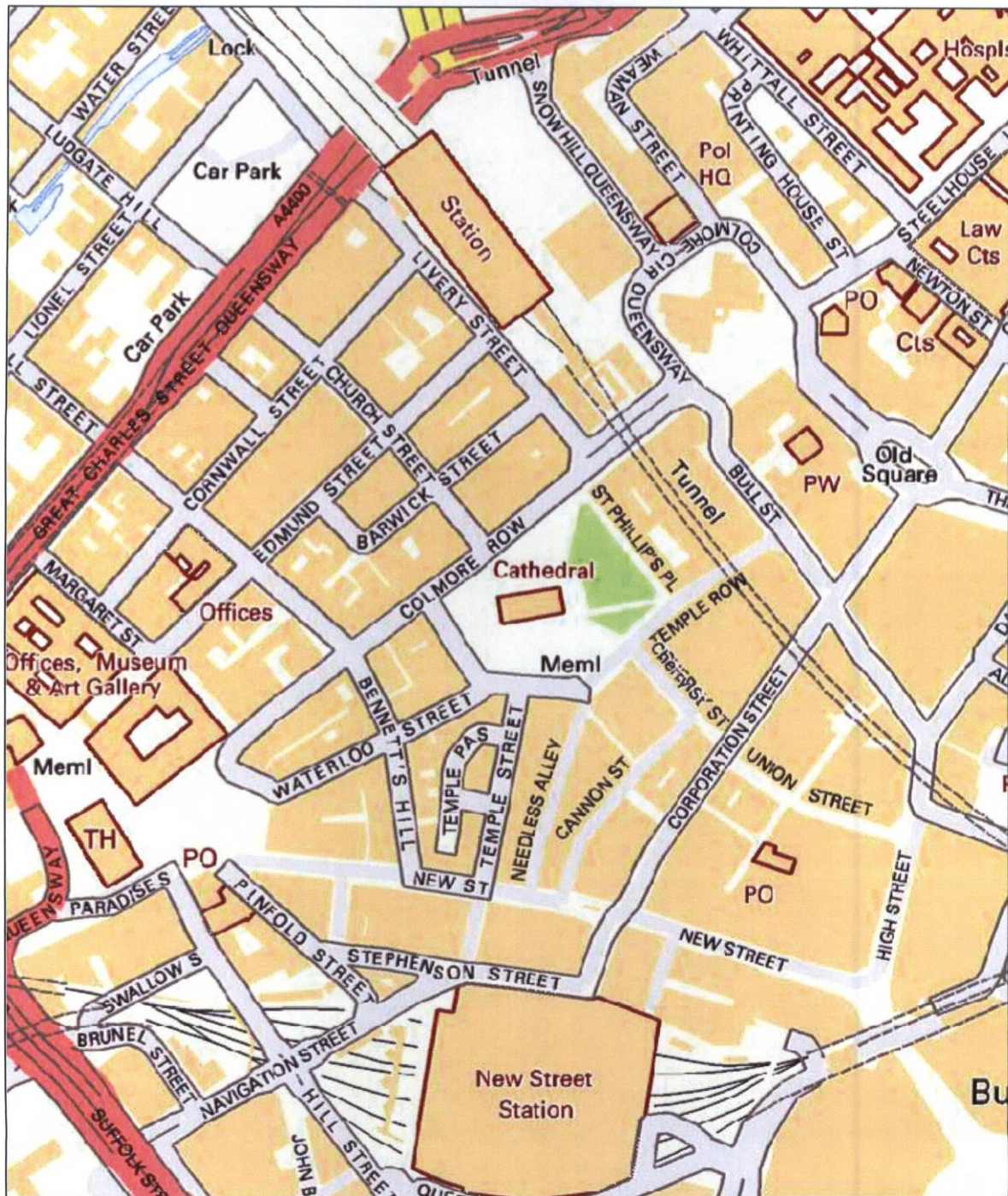
The last rep dates for this application fall on bank Holiday Monday, if you can respond to these by 3pm today then great if not I will have to lodge a holding objection, subject to these conditions being agreed

I am most of the day playing catch up as been off for a while on leave, feel free to call the landline if you have any questions

regards

Abs Rohomon

**PC 4075 Rohomon
BW Licensing
Police headquarters
Lloyd House**



Birmingham City Council

Map Created By:

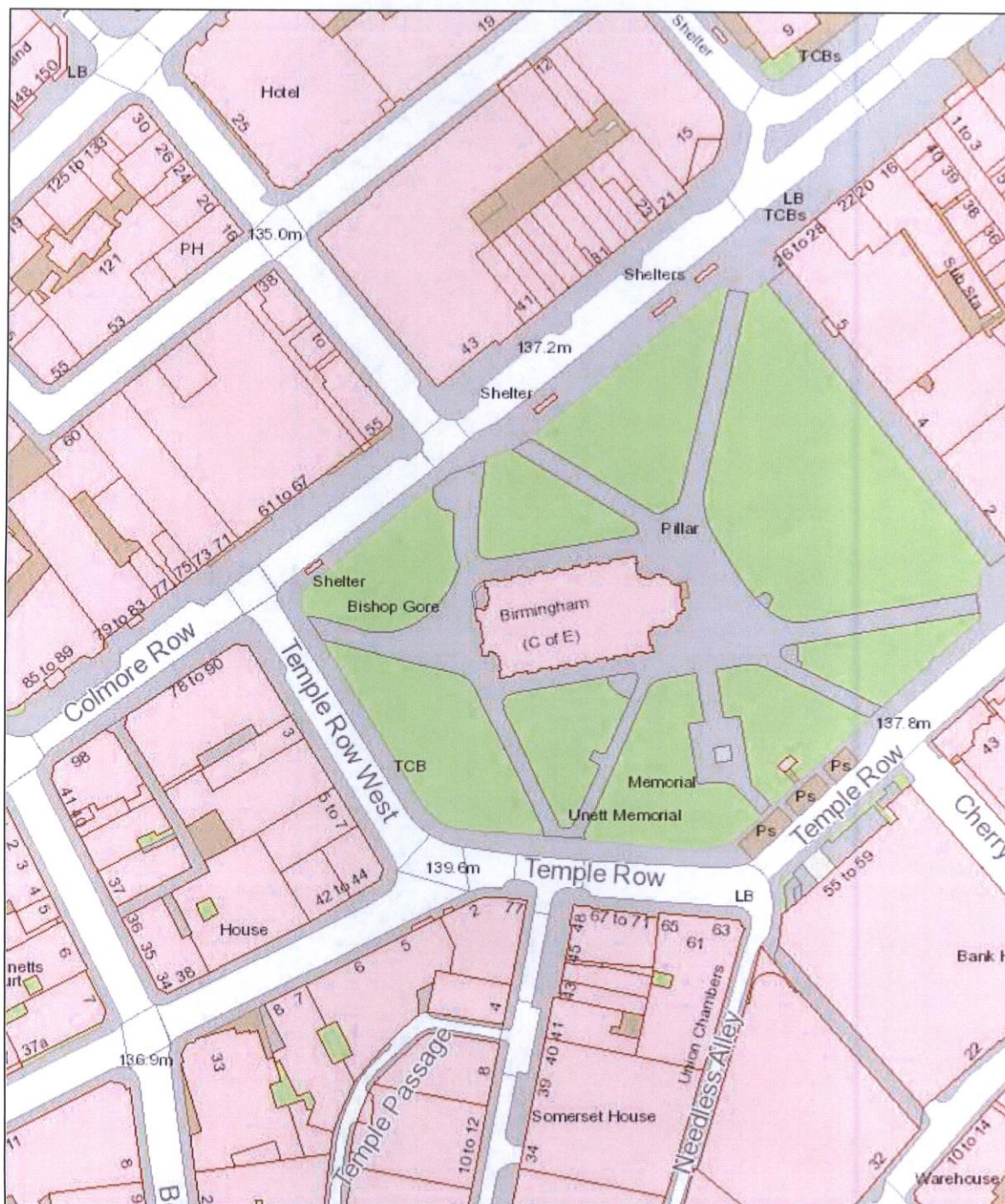
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Date of Map Creation: 29/08/2018



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Report to:	Licensing Sub Committee A
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Monday 24th September 2018
Subject:	Licensing Act 2003 Temporary Event Notice
Premises:	The Monastery, 173-175 High Street, Deritend, Birmingham, B12 0LD
Ward affected:	Bordesely and Highgate
Contact Officer:	Shaid Yasser, Senior Licensing Officer 0121 303 9896 licensing@birmingham.gov.uk

1. Purpose of report:
<p>To consider the objections to the Temporary Event Notice (TEN), which seeks to permit the sale of alcohol (for consumption both on and off the premises), the provision of regulated entertainment and the provision of late night refreshment on Sunday 30th September 2018 to operate as follows:</p> <p>Ground Floor - 00:00midnight to 04:30am 1st Floor - 05:00am to 10:30am 2nd Floor - 00:00midnight to 04:45am</p>

2. Recommendation:
To consider the objection notice's made by West Midlands Police and Environmental Health.

3. Brief Summary of Report:
<p>A Temporary Event Notice was received on 13th September 2018 in respect of The Monastery, 173-175 High Street, Deritend, Birmingham, B12 0LD.</p> <p>An objection notice has been received from West Midlands Police and Environmental Health.</p>

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>Mr Hitesh Chauhan submitted on 13th September 2018 a Temporary Event Notice in respect of The Monastery, 173-175 High Street, Deritend, Birmingham, B12 0LD.</p> <p>The Temporary Event Notice is attached, see Appendix 1.</p> <p>An objection notice and supporting documents have 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>The current premises licence is attached at Appendix 4.</p> <p>Site location plans are attached, see Appendix 5.</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>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 <p>If the TEN is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN if it considers that this is appropriate for the promotion of the licensing objectives.</p>

<p>6. List of background documents:</p> <p>Temporary Event Notice, attached at Appendix 1.</p> <p>Objection Notice and Supporting Documents from West Midlands Police, attached at Appendix 2</p> <p>Objection Notice from Environmental Health, attached at Appendix 3.</p> <p>Premises Licence, attached at Appendix 4.</p> <p>Site location plans, Appendix 5.</p>
--

<p>7. Options available</p> <p>Allow the proposed temporary licensable activities as stated in the TEN</p> <p>Impose conditions on a TEN to promote the licensing objectives</p> <p>Refuse the proposed temporary licensable activities as stated in the TEN</p>

Appendix 1



Birmingham City Council, Licensing Section, P.O. Box 17013, Birmingham. B6 9ES

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

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

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	CHAUHAN		
Forenames	HITESH		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day	Month	Year
4. Your place of birth			
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
Post town		Postcode	
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
Post town		Postcode	
9. Alternative contact details (if applicable)			
Telephone numbers:			
Daytime			
Evening (optional)			

REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED 13 SEP 2018	
REF NO	SB00761241
INITIALS	000568

£21

[Signature]

Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please 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) (Please read note 2)	
173-175 HIGH STREET DERITEND BIRMINGHAM B12 0LD	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	4584
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
THE MONASTERY GROUND FLOOR 1 ST FLOOR 2 ND FLOOR	
Please describe the nature of the event below. (Please read note 5)	
CLUB NIGHT INDUSTRY AFTER PARTY POLLUTION RELATED CONDITIONS WILL BE TRANSFERRED ONTO THIS TENS	

3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
30.09.2018		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
GROUND FLOOR 00:00 – 04:30 2 nd FLOOR 00:00 – 04:45 1 st FLOOR 05:00 – 10:30		
Please 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. (Please read note 10)		390
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)	On the premises only	<input type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input checked="" type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12) N/A
--

4. Personal licence holders (Please read note 13)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	BIRMINGHAM	
Licence number	17092	
Date of issue	10/10/2005	
Date of expiry	N/A	
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 14 and tick the boxes that apply to you)		
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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>

If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	29	
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 b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 15 and tick the boxes that apply to you)		
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
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 b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
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 b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 16)	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 17)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 18)	
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 or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; 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 not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	13 th September 2018
Name of Person signing	HITESH CHAUHAN

For completion by the licensing authority

10. Acknowledgement (Please read note 19)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

NOTES

General

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (15 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 15 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine not exceeding level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been

unlawfully imported (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed “premises user”. Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- 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 a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance; and
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

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

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 12

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 (“the 1982 Act”) as *any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)*. Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment – see note 6 above). A temporary event notice may be given for this purpose.

Note 13

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 14

As stated under Note 13, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1st January to 31st December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year. However, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an “associate”.

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24

hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user. Note 15 below sets out the definition of an "associate".

Note 15

An "associate" of the proposed premises user is:

- (a) the spouse or civil partner of that person;
- (b) a child, parent, grandchild, grandparent, brother or sister of that person;
- (c) an agent or employee of that person; or
- (d) the spouse or civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person's husband or wife is to be treated as that person's spouse.

Note 16

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

Note 17

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 18

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 19

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations amend the Licensing Act 2003 (Permitted Temporary Activities) (Notices) Regulations 2005 (“the 2005 Regulations”). Their purpose is to prescribe the form of a temporary event notice to replace the notice prescribed in the 2005 Regulations. The form of temporary event notice now requires the premises user to provide information about the intended use of premises for the provision of relevant entertainment (within the meaning of paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982).

An impact assessment has not been produced for this instrument as no impact on businesses, charities, voluntary bodies or the public sector is foreseen

Appendix 2

From: bw licensing <[redacted]>
Sent: 14 September 2018 11:30
To: [redacted], Licensing; [redacted]
Subject: FW: TENS application
Attachments: Ten 30.09.18.docx

Hi all,

West Midlands Police wish to make representation to the grant of this TEN as the police believe the licensing objective the prevention of crime and disorder will not be promoted.

The venue currently has a licence for the 1st floor which has both operating and committee conditions in place, if the grant of this TEN was made it would undermine these conditions as they were put in place to promote all the licensing objectives.

Also on safety ground, there is a committee condition in place the states that the use of both the ground floor and the second floor is not allowed.

Regards

Deano

PC 1978 Deano Walker
Birmingham Police Central Licensing Team
Birmingham Partnerships
Lloyd House
Federation Health & Safety Lead.



Supporting Statement

Statement of **Deano Walker**Age if under 18 **0'18** (if over 18 insert 'over 18').Occupation **Police Constable**

This statement (consisting of **Three** page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature _____

Date: **17th September 2018**

I am PC 1978 Deano Walker of the West Midlands Police stationed at Police Headquarters, Lloyd House and I currently hold the post of a policing Licensing Officer for all the Birmingham City Council wards.

I make this statement in reference to a venue in Birmingham know as Monastery, 173-175 High Street, Birmingham, B12 0LD regarding a temporary event notice submitted 30th September 2018.

History -

The Monastery is a three story building built over 100 years ago and is situated at the top end of Digbeth High Street beneath one of the main railway lines into Birmingham. Due to the age of the building it has over the years come into a poor state of repair which will require some major investment to meet modern standards.



Signature _____

Name _____

Continuation of Statement – PC Deano Walker

A premises licence was applied for in April 2016, when the licence was granted Licensing Sub Committee C resolved on 22nd June 2016 to grant this premises licence subject to removal of the ground and second floors of the building from the scope of the licence, modification of the hours for the provision of licensable activities, opening hours and the imposition of other conditions.

The licence that was granted by the committee was only for the first floor.

Key hours granted by the committee were –

- Sunday to Thursday – All licensable activity to finish at 0200hrs.
- Friday & Saturday – All licensable activity to finish at 0500hrs.

Key conditions imposed by the committee –

- Area of the Premises Covered under the Licence: The licensed premises will be restricted to the First Floor within the Plan submitted with the premises application. The Ground floor and Second floor as set out within the submitted application WILL NOT be used for any licensable activities.
- Risk Assessments for all events MUST be disclosed to West Midlands Police at least 28 days before any event, unless in the opinion of the West Midlands Police, Licensing Section, the premises hold a regular or recurring event for which there is already a robust Risk Assessment in place. West Midlands Police, Licensing Section may exercise a power of veto for any proposed event, where they are of the opinion that any of the licensing objectives have been or are likely to be breached

The full conditions imposed by the licensing committee were to enable the licence holder to promote the licensing objectives set out in the licensing act. These can be found in Ref-DW1.

Recent Events –

During 2018 the venue has submitted 12 temporary event notices which have taken place either on the ground, first or second floor or on some occasion's events have taken place on a mixture of all three floors. During the summer months the venue owners have held events in the railway arches at the rear of the building.

At the time some of these event were granted West Midlands Police Licensing were unaware of the condition imposed on the premises by the Licensing Committee regarding the first and ground floor .Also the notification period that the premises are obliged to give the police.

The reason for this scheduled hearing is that the applicant has applied for temporary event notice which will see the venue use the ground floor, 1st floor and 2nd floor for an event that will run from midnight until 1030am on the 30th September 2018, Ref-DW2.

Signature

Signature Witnessed By

Continuation of Statement – PC Deano Walker

The Representation -

West Midlands Police believe that the applicant is using this temporary event notice to circumvent the operating and committee conditions set on the premises licence.

In granting the original premises licence the licensing committee deemed it appropriate that the -

1. Ground floor and second floor as set out within the submitted application WILL NOT be used for any licensable activities –
 -
 - West Midlands Police believe that this condition was imposed due to safety concerns the committee had for the building. By granting this temporary event notice this would undermine the licensing objective of public safety and allow the premises to circumvent their premises conditions.
2. Risk Assessments for all events MUST be disclosed to West Midlands Police at least 28 days before any event, unless in the opinion of the West Midlands Police, Licensing Section, the premises hold a regular or recurring event for which there is already a robust Risk Assessment in place. West Midlands Police, Licensing Section may exercise a power of veto for any proposed event, where they are of the opinion that any of the licensing objectives have been or are likely to be breached –
 - Due to the nature of this event and the length of time licensable activity applied for West Midlands Police would always request the full 28 days' notice of the event to properly assess the risk assessment submitted with a potential to meet with the applicant. By granting this temporary event notice this would undermine the licensing objectives of public safety and crime & disorder, again allowing the premises to circumvent their premises conditions.

West Midlands Police believe that the operating conditions along with the committee's conditions were put in place to promote the licensing objectives and if this event was granted this event would undermine all of these conditions and are requesting that the temporary event is not granted.

Signature _____

Signature Witnessed By _____

REF-DWI


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Public Register: Licence Report**Table of Contents**

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1. Licence

Summary of the licence certificate.

Application Reference	107514
Licence Holder Name	The Strand (2015)Limited
Registered Company Number	09916890
Licence Number	4584
Time Limited Start Date	N/A
Time Limited End Date	N/A
Issue Number	2
Issue Date	03/09/2018
Grant Date	28/10/2016
Granted By	SHAIID YASSER
Status	Current
Representation Start Date	07/08/2018
Representation End Date	21/08/2018

2. Current Designated Premises Supervisor

A DPS is required wherever there is a licenced activity for the sale of alcohol for consumption on or off the premises.

Status	Assigned
Name	Mr Hitesh Chauhan
Licence Number	1709
Issuing Authority	Birmingham
Start Date	29/04/2016

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3. Premises Details

Details of the premises, the licensed activities and hours of operation.

Premises Name	The Monastery
Premises Type	NIGHTCLUB
Premises Address	173-175 Digbeth High Street (First Floor ONLY), Deritend, Birmingham, B12 0LD
Ward Name	NECHELLS

3.1 Licensable Activities

A list of activities for which this premises is licensed.

Code	Description
A	Plays
B	Films
C	Indoor sporting events
E	Live music
F	Recorded music
G	Performances of dance
L	Late night refreshment
M1	Sale of alcohol by retail (on the premises)

3.2 Activity Times

The times of day during which the activities listed in 3.1 are permitted. Where the start time is later than the end time, the period of activity spans mid-night. Where the start time is equal to the end time, the period licensed is 24 hours.

Days	Start Time	End Time	Licensed Activity Codes
Sunday - Thursday	10:00	02:00	A, B, C, E, F, G, M1
	23:00	02:00	L
Friday & Saturday	10:00	05:00	A, B, C, E, F, G, M1
	23:00	05:00	L
Non Standard Hours in respect of Statutory Bank Holidays & New Year's Eve	10:00	05:00	A, B, C, E, F, G, M1
	23:00	05:00	L

3.3 Operating Hours

The hours of operation of the premises during the day. Where the start time is later than the end time, the period of operation spans mid-night. Where the start time is equal to the end time, the period of allowed operation is 24 hours.

Days	Start Time	End Time
Sunday - Thursday	10:00	02:00
Friday & Saturday	10:00	05:00
Non Standard Hours in respect of Statutory Bank Holidays & New Year's Eve	10:00	05:0000

4. Conditions

4.1 Mandatory Conditions

Mandatory conditions attached to the licence.

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Objective	Condition
N/A	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 .
N/A	Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
N/A	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).
N/A	The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
N/A	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 .
N/A	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.
N/A	(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

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Objective	Condition
	personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
N/A	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.
N/A	Each individual assigned to carrying out a security activity must be licensed by the Security Industry Agency.

4.2 Operating Conditions

Operating conditions attached to the licence and classified by objective:

General

General conditions consistent with the operating schedule.

Crime

Conditions consistent with, and to promote the prevention of crime and disorder.

Safety

Conditions consistent with, and to promote public safety.

Nuisance

Conditions consistent with, and to promote the prevention of public nuisance.

Child

Conditions consistent with, and to promote the protection of children from harm.

Objective	Condition
GENERAL	The provision of regulated entertainment shall take place indoors only
GENERAL	Adult Entertainment is not permitted on the premises.
CRIME	The Designated Premises Supervisor or another qualified person will train any staff at the premises on the basic laws of selling alcohol and on compliance with the conditions on the Premises Licence and a log of this training will be maintained. The training log can be inspected by any Responsible Authority on request.
CRIME	The Premises Licence Holder shall ensure that a CCTV system is to be installed at the premises to the specification agreed with the Licensing Department at Steelhouse Lane Police Station. CCTV is to be operational whilst the premises are open and be recording continually. The recordings are to be kept for minimum of 28 days. The CCTV images to be made available to any responsible authority immediately on request.
CRIME	The Premises Licence Holder will maintain an operational policy incorporating risk assessments to cover all events held at the premises and this policy must be submitted to WMP each time there is an amendment made to the policy and the PL holder must consider all best practice advice from any Responsible Authority in amending or updating the policy. The policy will cover at a minimum:- SIA door security needs and deployment and responsibilities; CCTV; drugs policy; incident handling; public nuisance avoidance.
CRIME	

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Objective	Condition
	An incident register of all occurrences and ejections from the premises will be maintained at the premises and any details of public order offences will be recorded. The register will be produced and made available for inspection upon request by a Responsible Authority.
CRIME	The DPS will actively participate in any local Pub Watch scheme.
CRIME	The premises licence holder is to prepare a risk assessment for door security requirements to the reasonable satisfaction of West Midlands Police and the requirements identified are binding upon this premises licence.
CRIME	The DPS or nominated person shall keep, and maintain a register of door supervisors, in which shall be recorded at the start of each period of duty the date, name, Door Supervisors SIA registration number, commencement and finishing time of duty.
CRIME	The DPS shall produce the register and the verification of Door Supervisors identities, upon request, at all reasonable times to any Police Officer or to any Authorised Officer of the City Council.
CRIME	All on duty security/ door supervisors must wear high visibility jackets whilst attending the door and must wear high visibility arm bands within the premises itself.
SAFETY	No enforceable conditions identified from operating schedule.
NUISANCE	The Premises Licence holder shall ensure sound tests will be undertaken to ensure Regulated Entertainment is not causing Public Nuisance to any party.
CHILD	All alcohol sale refusals will be noted in a refusals register which can be inspected by a Responsible Authority on request.
CHILD	A challenge 25 policy will be operated by the premises with notices informing customers of the policy being displayed sufficiently within the premises so the policy is sufficiently publicised with at least one displayed behind each Bar. Staff must be trained on this policy. The staff will be regularly reminded/ trained to enforce the challenge 25 policy.
CHILD	Acceptable ID will only be a Passport, Photo Driving Licence, or a recognised proof of age card.

4.3 Committee Conditions

Conditions attached to the licence after a hearing by the licensing authority and classified by objective:

General

General conditions consistent with the operating schedule.

Crime

Conditions consistent with, and to promote the prevention of crime and disorder.

Safety

Conditions consistent with, and to promote public safety.

Nuisance

Conditions consistent with, and to promote the prevention of public nuisance.

Child

Conditions consistent with, and to promote the protection of children from harm.

Objective	Condition
GENERAL	Licensing Sub Committee C resolved on 22nd June 2016 to grant this premises licence subject to removal of the ground and second floors of the building from the scope of the licence, modification of the hours for the provision of licensable activities, opening hours and the imposition of other conditions as detailed under the appropriate objective below.
GENERAL	Modification of hours - Supply of Alcohol and regulated entertainment: The hours for the supply of alcohol and provision of regulated entertainment shall apply as follows: Sunday to Thursday : 10:00 hours to 02:00 hours Friday & Saturday: 10:00 hours to 05:00 hours Non Standard Hours in respect of Statutory Bank Holidays and New Year's Eve: 10:00 hours to 05:00 hours
GENERAL	Modification of hours - Late night refreshment: The hours for the provision of late night refreshment shall apply as follows: Sunday to Thursday: 23:00 hours to 02:00 hours Friday & Saturday: 23:00 hours to 05:00 hours Non

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Objective	Condition
	Standard Hours in respect of Statutory Bank Holidays and New Year's Eve: 23:00 hours to 05:00 hours
GENERAL	Modification of Opening hours: The premises to remain open to the public as follows: Sunday to Thursday: 10:00 hours to 02:00 hours Friday & Saturday: 10:00 hours to 05:00 hours Non Standard Hours in respect of Statutory Bank Holidays and New Year's Eve: 10:00 hours to 05:00 hours
GENERAL	Area of the Premises Covered under the Licence: The licensed premises will be restricted to the First Floor within the Plan submitted with the premises application. The Ground floor and Second floor as set out within the submitted application WILL NOT be used for any licensable activities.
GENERAL	Policies and Procedures: BEFORE the premises undertake any licensable activities, the premises licence holder will undertake a thorough review of ALL the premises' policies and procedures, particularly those that relate to the deployment of security personnel, incident handling, health and safety of patrons, staff, and other users of the building where the premises are located, fire safety and risk assessments of all types of events the premises intend to hold, as well as training for all staff on the promotion of the four licensing objectives. [It is a matter for the Premises Licence as to who should be engaged to carry out this review for or on behalf of the licence holder, but this should be an appropriately qualified person or organisation that has relevant experience within this field having regard to obligations set out above.] All evidence relating to the review should be retained and made available to West Midlands Police, Licensing Section, and any other Responsible Authority upon request within 48 hours. Risk Assessments for all events MUST be disclosed to West Midlands Police at least 28 days before any event, unless in the opinion of the West Midlands Police, Licensing Section, the premises hold a regular or recurring event for which there is already a robust Risk Assessment in place. West Midlands Police, Licensing Section may exercise a power of veto for any proposed event, where they are of the opinion that any of the licensing objectives have been or are likely to be breached
CRIME	N/A
SAFETY	N/A
NUISANCE	Noise limiter: The premises licence holder must consult with Environmental Health of Birmingham City Council to establish the need for a noise limiter at the premises. If in the opinion of Environmental Health, a limiter is required, this must be calibrated at a level set by Environmental Health, Birmingham City Council.
NUISANCE	Other conditions if offered or agreed by applicant: The condition agreed with Environmental Health of Birmingham City Council prior to the hearing is amended as follows: The First floor area will not be used for Regulated Entertainment until such time as adequate mitigation measures are undertaken to a standard agreed by Birmingham City Council Environmental Health so as not to cause a public nuisance.
CHILD	N/A

5. Licence History

The history of variation and transfer applications since the initial application for grant or conversion.

Reference	Applicant Name	Application Type	Application Date	Status	Representation Dates	Variation Reason
<u>95819</u>	Soundscape Bars and Clubs Limited	New Application	29/04/2016	Transferred		

6. Designated Premises Supervisor History

A list of all Designated Premises Supervisors that have been responsible for sale of alcohol from the premises.

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No Information available

7. Events

Other significant events recorded for this licence.

Date	Reference	Event Name
03/09/2018	107514	Issue
03/09/2018	107514	Licence Approval
03/09/2018	107514	Licensable Activities Added/Changed
03/09/2018	107514	Licensable Activities Added/Changed
03/09/2018	107514	Licensable Activities Added/Changed
03/09/2018	107514	Licensable Activities Added/Changed
03/09/2018	107514	Licensable Activities Added/Changed
03/09/2018	107514	Licensable Activities Added/Changed
03/09/2018	107514	Licensable Activities Added/Changed
03/09/2018	107514	Licensable Activities Added/Changed
03/09/2018	107514	Licensable Activities Added/Changed
07/08/2018	107514	Application Received (Transfer)
31/10/2016	95819	Issue
28/10/2016	95819	Licence Approval
28/10/2016	95819	Committee Decision
28/10/2016	95819	Licensable Activities Added/Changed
28/10/2016	95819	Licensable Activities Added/Changed
28/10/2016	95819	Licensable Activities Added/Changed
28/10/2016	95819	Licensable Activities Added/Changed
28/10/2016	95819	Licensable Activities Added/Changed
28/10/2016	95819	Licensable Activities Added/Changed
28/10/2016	95819	Licensable Activities Added/Changed
28/10/2016	95819	Licensable Activities Added/Changed
28/10/2016	95819	Licensable Activities Added/Changed
29/04/2016	95819	Licensable Activities Added/Changed
29/04/2016	95819	Licensable Activities Added/Changed
29/04/2016	95819	Licensable Activities Added/Changed
29/04/2016	95819	Licensable Activities Added/Changed
29/04/2016	95819	Licensable Activities Added/Changed
29/04/2016	95819	Licensable Activities Added/Changed
29/04/2016	95819	Licensable Activities Added/Changed
29/04/2016	95819	Licensable Activities Added/Changed
29/04/2016	95819	Licensable Activities Added/Changed
29/04/2016	95819	Licensable Activities Added/Changed
29/04/2016	95819	Application Received (New Application)

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 Tel: 0121 303 9896
 Email: licensing@birmingham.gov.uk

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Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

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

1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	CHAUHAN		
Forenames	HITESH		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day	Month
			Year
4. Your place of birth		BIRMINGHAM	
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
Post town		Postcode	
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
Post town		Postcode	
9. Alternative contact details (if applicable)			
Telephone numbers:			
Daytime			
Evening (optional)			

Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

<p>Please 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) (Please read note 2)</p>	
<p>173-175 HIGH STREET DERITEND BIRMINGHAM B12 0LD</p>	
<p>Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.</p>	
Premises licence number	4584
Club premises certificate number	
<p>If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)</p>	
<p>Please describe the nature of the premises below. (Please read note 4)</p>	
<p>THE MONASTERY GROUND FLOOR 1ST FLOOR 2ND FLOOR</p>	
<p>Please describe the nature of the event below. (Please read note 5)</p>	
<p>CLUB NIGHT INDUSTRY AFTER PARTY POLLUTION RELATED CONDITIONS WILL BE TRANSFERRED ONTO THIS TENS</p>	

<p>Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)</p>	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
30.09.2018		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
GROUND FLOOR 00:00 – 04:30 2 nd FLOOR 00:00 – 04:45 1 st FLOOR 05:00 – 10:30		
Please 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. (Please read note 10)		390
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)	On the premises only	<input type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input checked="" type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12) N/A
--

Do you currently hold a valid personal licence? (Please tick)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.			
Issuing licensing authority	BIRMINGHAM		
Licence number	17092		
Date of issue	10/10/2005		
Date of expiry	N/A		
Any further relevant details			

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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>
---	--	--------------------------------

If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	29	
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 b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
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 b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
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 b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

Condition (Please)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

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 or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; 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 not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	13 th September 2018
Name of Person signing	HITESH CHAUHAN

For completion by the licensing authority

I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

NOTES

General

In these notes, a person who gives a temporary event notice is called a "premises user".

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (15 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 15 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine not exceeding level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been

unlawfully imported (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed "premises user". Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, "premises" means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- 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 a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance; and
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

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

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 12

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act") as *any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)*. Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment – see note 6 above). A temporary event notice may be given for this purpose.

Note 13

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 14

As stated under Note 13, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1st January to 31st December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year. However, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24

hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user. Note 15 below sets out the definition of an “associate”.

Note 15

An “associate” of the proposed premises user is:

- (a) the spouse or civil partner of that person;
- (b) a child, parent, grandchild, grandparent, brother or sister of that person;
- (c) an agent or employee of that person; or
- (d) the spouse or civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

Note 16

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

Note 17

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 18

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 19

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations amend the Licensing Act 2003 (Permitted Temporary Activities) (Notices) Regulations 2005 (“the 2005 Regulations”). Their purpose is to prescribe the form of a temporary event notice to replace the notice prescribed in the 2005 Regulations. The form of temporary event notice now requires the premises user to provide information about the intended use of premises for the provision of relevant entertainment (within the meaning of paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982).

An impact assessment has not been produced for this instrument as no impact on businesses, charities, voluntary bodies or the public sector is foreseen

Appendix 3

From: Martin Key on behalf of Pollution Team
Sent: 17 September 2018 23:21
To: Licensing
Cc:
Subject: RE: TENS application

Hi

On behalf of the Pollution Team at Birmingham City Council (a responsible authority) I wish to object to the granting of this TEN application for the Monastery, 173-175 Digbeth High Street, Deritend, Birmingham, B12 0LD on 30th September 2018 between 00:00 – 04:30 for the ground floor, 00:00 – 04:45 for the second floor and 05:00 – 10:30 on the first floor on the basis of the prevention of public nuisance. The application refers to a premises licence which covers only part of the building and refers to pollution related conditions being transferred but this is very vague and in addition many of the conditions attached relate to all four licensing objectives including prevention of public nuisance. The conditions which should be attached to any TEN are as follows:-

- There is also a paradox in application of two of The provision of regulated entertainment shall take place indoors only
- The Premises Licence holder shall ensure sound tests will be undertaken to ensure Regulated Entertainment is not causing Public Nuisance to any party.
- The premises licence holder must consult with Environmental Health of Birmingham City Council to establish the need for a noise limiter at the premises. If in the opinion of Environmental Health, a limiter is required, this must be calibrated at a level set by Environmental Health, Birmingham City Council.
- The First floor area will not be used for Regulated Entertainment until such time as adequate mitigation measures are undertaken to a standard agreed by Birmingham City Council Environmental Health so as not to cause a public nuisance.

the conditions below as these clearly would not permit activity on the ground and second floor of the building:-

- Area of the Premises Covered under the Licence: The licensed premises will be restricted to the First Floor within the Plan submitted with the premises application. The Ground floor and Second floor as set out within the submitted application WILL NOT be used for any licensable activities
- Licensing Sub Committee C resolved on 22nd June 2016 to grant this premises licence subject to removal of the ground and second floors of the building from the scope of the licence, modification of the hours for the provision of licensable activities, opening hours and the imposition of other conditions as detailed under the appropriate objective below.


Best Regards

Martin Key on behalf of Pollution Team
Environmental Protection Officer

Environmental Health | Regulation & Enforcement Division

 www.birmingham.gov.uk/eh | Facebook: ehbbham | Twitter: @ehbbham

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 Please consider the environment before printing this email

BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003

PREMISES LICENCE

Premises Licence Number:

4584 / 2

Part 1 - Premises details:

Postal address of premises, or if none, ordnance survey map reference or description

The Monastery
173-175 Digbeth High Street (First Floor ONLY)
Deritend

Post town:

Birmingham

Post Code:

B12 0LD

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
E	Live music
F	Recorded music
G	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

Sunday - Thursday	10:00	-	02:00	A ,B ,C ,E ,F ,G ,M1
	23:00	-	02:00	L
Friday & Saturday	10:00	-	05:00	A ,B ,C ,E ,F ,G ,M1
	23:00	-	05:00	L
Non Standard Hours in respect of Statutory	10:00	-	05:00	A ,B ,C ,E ,F ,G ,M1
Bank Holidays & New Year's Eve	23:00	-	05:00	L

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The opening hours of the premises

Sunday - Thursday	10:00	-	02:00
Friday & Saturday	10:00	-	05:00
Non Standard Hours in respect of Statutory	10:00	-	05:00
Bank Holidays & New Year's Eve			

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 The Strand (2015)Limited Onyx House 12 Phoenix Business Park Avenue Close	
Post town: Birmingham	Post Code: B7 4NU
Telephone Number: Not Specified	
Email -	

Registered number of holder for example company number or charity number (where applicable) 09916890
--

Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Mr Hitesh Chauhan	
Post town:	Post Code:
Telephone Number: Not Specified	

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 1709	Issuing Authority BIRMINGHAM CITY COUNCIL

Dated 03/09/2018

SHAID YASSER
Senior Licensing Officer
For Director of Regulation and Enforcement

BIRMINGHAM CITY COUNCIL

Annex 1 – Mandatory Conditions

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

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

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

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

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

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

(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 provision of regulated entertainment shall take place indoors only

Adult Entertainment is not permitted on the premises.

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

The Designated Premises Supervisor or another qualified person will train any staff at the premises on the basic laws of selling alcohol and on compliance with the conditions on the Premises Licence and a log of this training will be maintained. The training log can be inspected by any Responsible Authority on request.

The Premises Licence Holder shall ensure that a CCTV system is to be installed at the premises to the specification agreed with the Licensing Department at Steelhouse Lane Police Station. CCTV is to be operational whilst the premises are open and be recording continually. The recordings are to be kept for minimum of 28 days. The CCTV images to be made available to any responsible authority immediately on request.

The Premises Licence Holder will maintain an operational policy incorporating risk assessments to cover all events held at the premises and this policy must be submitted to WMP each time there is an amendment made to the policy and the PL holder must consider all best practice advice from any Responsible Authority in amending or updating the policy. The policy will cover at a minimum:- SIA door security needs and deployment and responsibilities; CCTV; drugs policy; incident handling; public nuisance avoidance.

An incident register of all occurrences and ejections from the premises will be maintained at the premises and any details of public order offences will be recorded. The register will be produced and made available for inspection upon request by a Responsible Authority.

The DPS will actively participate in any local Pub Watch scheme.

The premises licence holder is to prepare a risk assessment for door security requirements to the reasonable satisfaction of West Midlands Police and the requirements identified are binding upon this premises licence.

The DPS or nominated person shall keep, and maintain a register of door supervisors, in which shall be recorded at the start of each period of duty the date, name, Door Supervisors SIA registration number, commencement and finishing time of duty.

The DPS shall produce the register and the verification of Door Supervisors identities, upon request, at all reasonable times to any Police Officer or to any Authorised Officer of the City Council.

All on duty security/ door supervisors must wear high visibility jackets whilst attending the door and must wear high visibility arm bands within the premises itself.

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

No enforceable conditions identified from operating schedule.

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

The Premises Licence holder shall ensure sound tests will be undertaken to ensure Regulated Entertainment is not causing Public Nuisance to any party.

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

All alcohol sale refusals will be noted in a refusals register which can be inspected by a Responsible Authority on request.

A challenge 25 policy will be operated by the premises with notices informing customers of the policy being displayed sufficiently within the premises so the policy is sufficiently publicised with at least one displayed behind each Bar. Staff must be trained on this policy. The staff will be regularly reminded/ trained to enforce the challenge 25 policy.

Acceptable ID will only be a Passport, Photo Driving Licence, or a recognised proof of age card.

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Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

Licensing Sub Committee C resolved on 22nd June 2016 to grant this premises licence subject to removal of the ground and second floors of the building from the scope of the licence, modification of the hours for the provision of licensable activities, opening hours and the imposition of other conditions as detailed under the appropriate objective below.

Modification of hours – Supply of Alcohol and regulated entertainment:

The hours for the supply of alcohol and provision of regulated entertainment shall apply as follows:

Sunday to Thursday : 10:00 hours to 02:00 hours

Friday & Saturday: 10:00 hours to 05:00 hours

Non Standard Hours in respect of Statutory Bank Holidays and New Year's Eve: 10:00 hours to 05:00 hours

Modification of hours – Late night refreshment:

The hours for the provision of late night refreshment shall apply as follows:

Sunday to Thursday: 23:00 hours to 02:00 hours

Friday & Saturday: 23:00 hours to 05:00 hours

Non Standard Hours in respect of Statutory Bank Holidays and New Year's Eve: 23:00 hours to 05:00 hours

Modification of Opening hours:

The premises to remain open to the public as follows:

Sunday to Thursday: 10:00 hours to 02:00 hours

Friday & Saturday: 10:00 hours to 05:00 hours

Non Standard Hours in respect of Statutory Bank Holidays and New Year's Eve: 10:00 hours to 05:00 hours

Area of the Premises Covered under the Licence:

The licensed premises will be restricted to the First Floor within the Plan submitted with the premises application.

The Ground floor and Second floor as set out within the submitted application WILL NOT be used for any licensable activities.

Policies and Procedures:

BEFORE the premises undertake any licensable activities, the premises licence holder will undertake a thorough review of ALL the premises' policies and procedures, particularly those that relate to the deployment of security personnel, incident handling, health and safety of patrons, staff, and other users of the building where the premises are located, fire safety and risk assessments of all types of events the premises intend to hold, as well as training for all staff on the promotion of the four licensing objectives. [It is a matter for the Premises Licence as to who should be engaged to carry out this review for or on behalf of the licence holder, but this should be an appropriately qualified person or organisation that has relevant

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experience within this field having regard to obligations set out above.]

All evidence relating to the review should be retained and made available to West Midlands Police, Licensing Section, and any other Responsible Authority upon request within 48 hours.

Risk Assessments for all events MUST be disclosed to West Midlands Police at least 28 days before any event, unless in the opinion of the West Midlands Police, Licensing Section, the premises hold a regular or recurring event for which there is already a robust Risk Assessment in place.

West Midlands Police, Licensing Section may exercise a power of veto for any proposed event, where they are of the opinion that any of the licensing objectives have been or are likely to be breached

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

Noise limiter:

The premises licence holder must consult with Environmental Health of Birmingham City Council to establish the need for a noise limiter at the premises. If in the opinion of Environmental Health, a limiter is required, this must be calibrated at a level set by Environmental Health, Birmingham City Council.

Other conditions if offered or agreed by applicant:

The condition agreed with Environmental Health of Birmingham City Council prior to the hearing is amended as follows:

The First floor area will not be used for Regulated Entertainment until such time as adequate mitigation measures are undertaken to a standard agreed by Birmingham City Council Environmental Health so as not to cause a public nuisance.

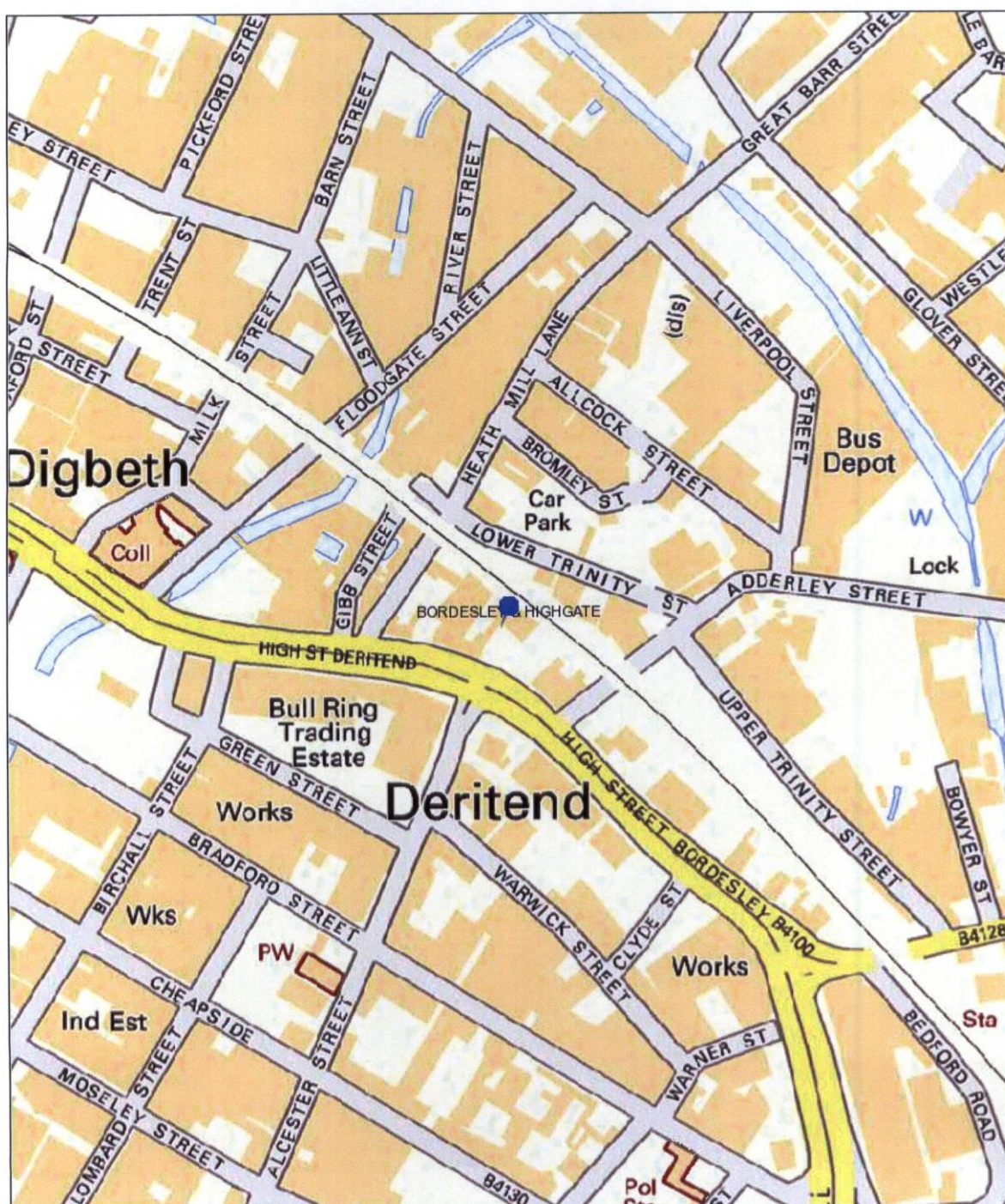
3e) Committee conditions to promote the protection of children from harm

N/A

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Annex 4 – Plans

The plan of the premises with reference number **107514-4584/2** 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.



Birmingham City Council Map Created By:

Date of Map Creation: 14/09/2018

Notes

2

Scale:

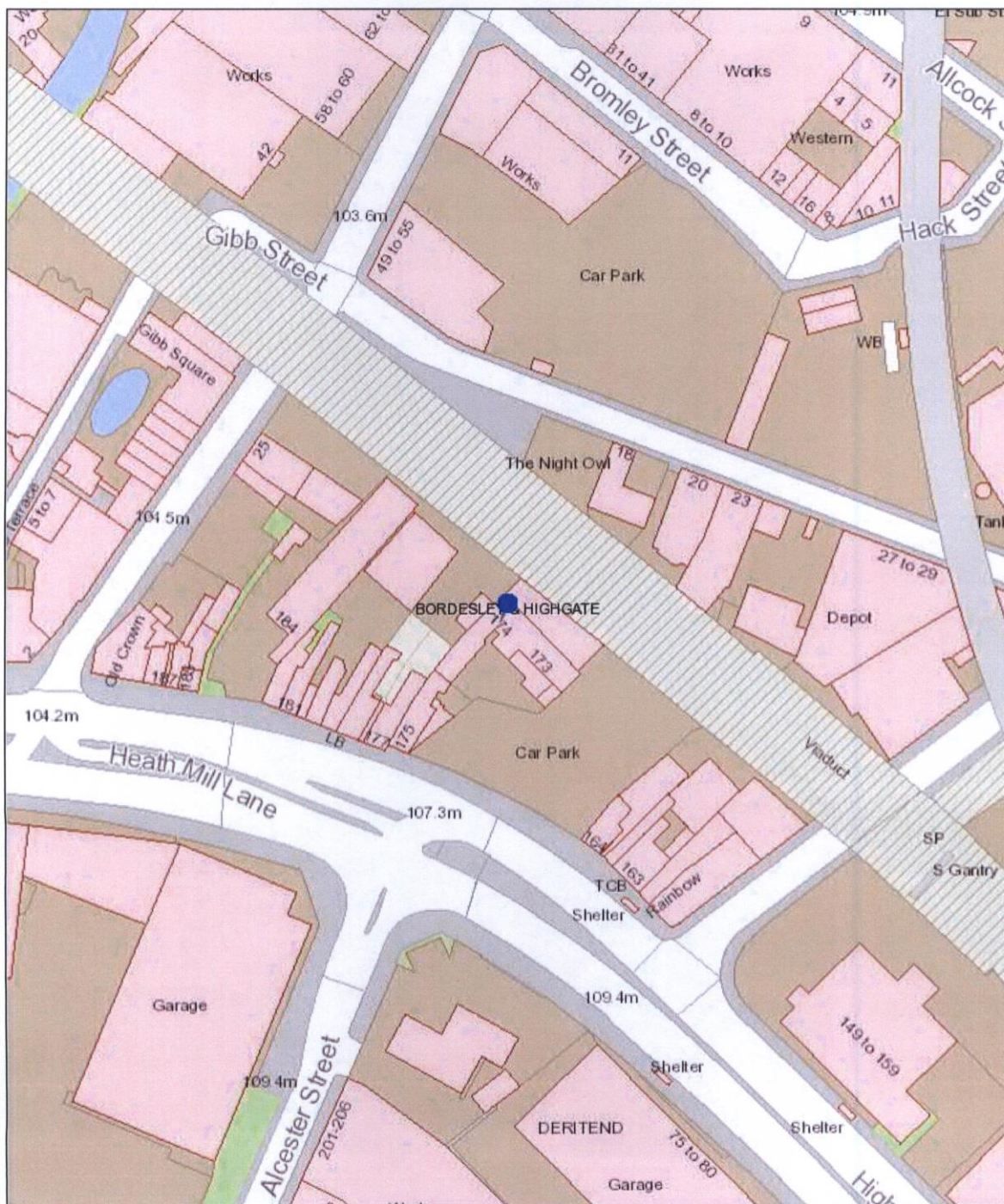
1:4,000

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Scale:
1:1,250

Report to:	Licensing Sub Committee A
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Monday 24th September 2018
Subject:	Licensing Act 2003 Temporary Event Notice
Premises:	30-34 River Street, Digbeth, Birmingham, B5 5SA
Ward affected:	Bordesely and Highgate
Contact Officer:	Shaid Yasser, 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 sale of alcohol (for consumption on the premises only) and the provision of regulated entertainment on Saturday 29 th September 2018 to operate from 22:00pm to 05:00am (the following day).

2. Recommendation:
To consider the objection notice's made by West Midlands Police and Environmental Health.

3. Brief Summary of Report:
A Temporary Event Notice was received on 14 th September 2018 in respect of 30-34 River Street, Digbeth, Birmingham, B5 5SA.
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>Mr Justin Clifford Woolley submitted on 14th September 2018 a Temporary Event Notice in respect of 30-34 River Street, Digbeth, Birmingham, B5 5SA.</p> <p>The Temporary Event Notice including supporting documents are attached at Appendix 1.</p> <p>An objection notice and supporting documents have 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 30-34 River Street, Digbeth, Birmingham, B5 5SA.</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

<p>6. List of background documents:</p> <p>Temporary Event Notice and Supporting Documents, attached at Appendix 1</p> <p>Objection Notice and Supporting Documents 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>

Appendix 1



Birmingham City Council, Licensing Section, P.O. Box 17013, Birmingham. B6 9ES

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

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

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	WOOLLEY		
Forenames	JUSTIN CLIFFORD		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day	Month
4. Your place of birth			
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
Post town		Postcode	
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
Post town		Postcode	
9. Alternative contact details (if applicable)			
Telephone numbers:			
Daytime			
Evening (optional)			

Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please 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) (Please read note 2)	
30-34 River street Digbeth Birmingham B5 5SA	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
Former Events Centre	
Please describe the nature of the event below. (Please read note 5)	
Club Night	

3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)	

29.09.2018 – 30.09.18		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
22:00 – 05:00		
Please 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. (Please read note 10)		450
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

<p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12)</p> <p>N/A</p>

4. Personal licence holders (Please read note 13)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	BIRMINGHAM	
Licence number	10851/1	
Date of issue	N/A	
Date of expiry		
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 14 and tick the boxes that apply to you)		
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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>

If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	2	
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 b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

<p>Business colleagues (Please read out loud to your business colleagues)</p>		
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
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 b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
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 b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

<p>Check that you have ticked the appropriate boxes</p>	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 17)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 18)	
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 or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; 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 not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	14 th September 2018
Name of Person signing	JUSTIN CLIFFORD WOOLLEY

For completion by the licensing authority

10. Acknowledgement (Please read note 19)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

NOTES

General

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);

- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (15 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 15 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine not exceeding level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed “premises user”. Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with

a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- 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 a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance; and
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

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

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a

premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 12

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 (“the 1982 Act”) as *any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)*. Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment – see note 6 above). A temporary event notice may be given for this purpose.

Note 13

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 14

As stated under Note 13, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1st January to 31st December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year. However, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an “associate”.

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business

involves carrying on licensable activities) count as if they had been given by the premises user. Note 15 below sets out the definition of an “associate”.

Note 15

An “associate” of the proposed premises user is:

- (a) the spouse or civil partner of that person;
- (b) a child, parent, grandchild, grandparent, brother or sister of that person;
- (c) an agent or employee of that person; or
- (d) the spouse or civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

Note 16

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

Note 17

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 18

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 19

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations amend the Licensing Act 2003 (Permitted Temporary Activities) (Notices) Regulations 2005 (“the 2005 Regulations”). Their purpose is to prescribe the form of a temporary event notice to replace the notice prescribed in the 2005 Regulations. The form of temporary event notice now requires the premises user to provide information about the intended use of premises for the provision of relevant entertainment (within the meaning of paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982).

An impact assessment has not been produced for this instrument as no impact on businesses, charities, voluntary bodies or the public sector is foreseen

REFLECT

@ RIVER STREET

**Event Survey & Risk Assessment,
Security Assessment**

Saturday 29th September 2018

Brief Summary and background

This Event Survey and Risk Assessment must be completed prior to any alcohol related event being considered.

It has been prepared to ensure all alcohol related events are managed in a controlled and responsible manner.

EVENT, scheduled for the 29th September 2018 at 30-34 River Street Birmingham B5 5SA. This event will open 3 rooms of music and opening 2 bars.

DJ's/acts on the night (headline only) are:

Arena 1 – Devine, Bradley turner, totem Collective, rich rose, paddy (closes at 5)

Arena 2 – dan Wright, will and Haider, burgo, jack Coe, Marco (closes at 4)

Arena 3 - tatman, adraq, Fragmnts, KSG b2b JT (closes at 3)

There is adequate seating in all 3 Arenas

Reflect are expecting approximately 450 guests.

Elite Birmingham Security Ltd are covering the security for this event and will be providing approximately 7 SIA Door Supervisors.

All door supervisors will be in hi-vis jackets, and all patrons will be searched.

The entrance and exit will be River Street, and the smoking area will be at the River Street Entrance and will be securely cornered off from the main street.

Inside the building Fire exits will be manned by SIA to control point and a visible presence will be apparent in each room throughout the event by patrolling SIA.

The target audience for this event would be a cross section of people ranging from 18 to 23 (predominately aged 18+ and will consist mainly of people coming to dance and create a party atmosphere.

Operating times 10pm – 5 am
Doors will be open from 10pm

Over 18

Stringent age checks and searches at the door

Usage: River Street

Emergency Numbers

City Hospital		0121 554 3801
Dudley Road		
B18 1PC	EMERGENCY	999
Police		999
Fire		999

Event Profile

NAME OF EVENT	Reflect
DATE OF EVENT	Saturday 29 th September
TYPE OF MUSIC	House, Bass
Dress Code	N/A
ANTICIPATED NUMBERS	450
OPENING TIMES	10pm
CLOSING TIMES	5am
ADMISSION	£10 on the door
TICKETS	£5+ bf

General Safety

General site safety:

The safety of all contractors, staff and the public is of paramount importance. It is imperative that all contractors assess the risks to themselves and others due to the nature of their work in relation to this particular site.

It is our aim to set out a clear plan for all phases of this event and to communicate them effectively. There will also be first aid kits at every bar/room and a first aider.

Security Safety

It is required that all contractors Artists provide their mobile telephone numbers in advance of the event and carry their phones whenever possible.

Site Access:

To gain access to the site it is expected that contractors will use River Street main shutters, this entrance is to be used **ONLY FOR LOADING or UNLOADING**

The following guidelines must be adhered to at all times:

1. Exercise extreme caution.

Car Parking

There is a public car park at the corner of River street to the site in, which is chargeable, but should be used by all vehicles after unloading equipment, also there is parking outside of River Street but this is limited so car parks around the site are advised.

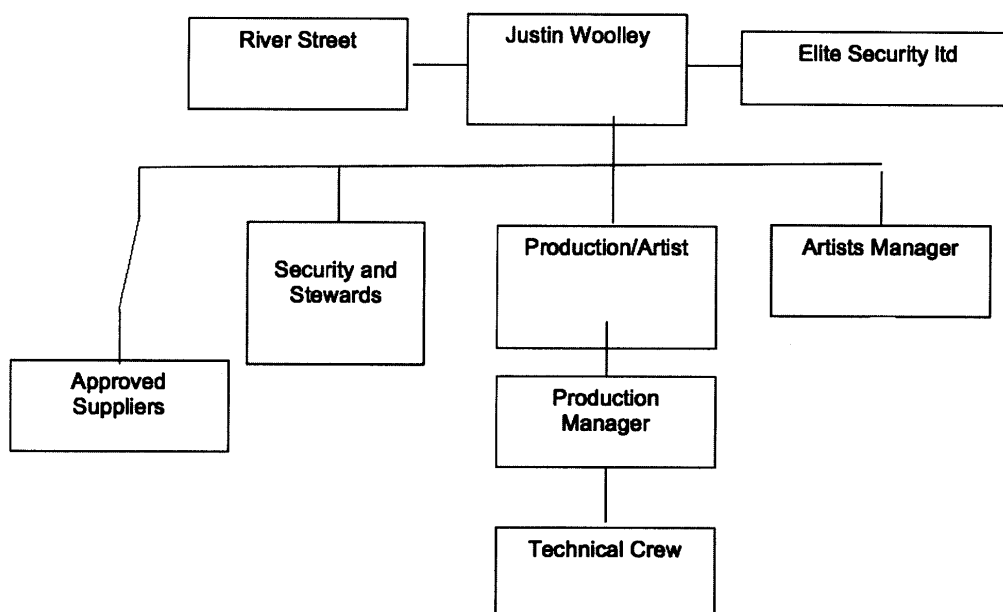
Control of noise levels during the event:

To ensure that the noise levels can be kept under control no live/playback music will be allowed outside specific sound check windows, which will be on Saturday 29th September after 6pm.

This will allow the Event Director to maintain control ensuring that no noise nuisance occurs.

Volume control is easily accessible by the Safety Officer and The Event Directors. Technical crew familiar with noise levels and control will supervise all DJ's. /Performers throughout the whole night, also ear plugs will be readily available for performers AND customers.

Management structure



Outline of responsibilities

Event Director's – Justin Woolley, Dominic Gerencser

The Event Director is directly in charge of this event and all the various departments, particularly those that include safety provision e.g. SIA, Marshalls, Security, First Aid, Public, Fire Precautions, and static objects. The Event Director will delegate some of these responsibilities to key personnel.

- To co-ordinate, the arrival of all entertainment on the day of the event.
- Be responsible for any refuse related to the event and cleaning of the immediate area at the end of the event day
- Will keep clear and accurate log of who is on site and for what purpose.
- Will be a central point of contact for all personnel
- Ensure that all staff comply with working regulations
- All parties are to be aware of the emergency evacuation procedure and the part they play.
- Ensure all entertainments are contracted and contracts are properly fulfilled.
- Explain any part of the licence conditions that will affect their performance.

Safety Officer's (Justin Woolley, Dominic Gerencser)

The safety officer's will oversee the entry of all guests to the site liaising with the security should any situation arise. The Safety Officer's will respond/attend to all security issues, injury reports, communicated either verbally or by radio by any security/staff member. It is the safety officer's responsibility to monitor and report to the Event Director on any situation that might compromise safety.

- Ensure that all incidents are recorded i.e. Security, Health & Safety.
- Register any complaints that may occur.
- Monitor pressure points of demand.
- Co-ordinate timing schedule of all building schedule on show/event day
- To brief the staff on all aspects/Health & Safety issues for this event
- The safety and welfare of all associated staff
- Supervise sub co-ordinators in the execution of their duties
- Ensure good communication with other areas and respond promptly in the case of an emergency.
- To communicate problems to the event director quickly and efficiently.
- All parties are to be aware of the emergency evacuation procedure and the role they play in event of an evacuation situation.

- To co-ordinate the arrival of all suppliers on the day of the event.
- Ensure all suppliers are contracted and contracts are properly fulfilled.

PROMOTERS RESPONSABILITIES

- Promote the event only to over 18s
- Promote only to responsible members of the public
- To make sure there is no breach of the licensing act.

Production/Artist Liaison

Audio Group

- Ensure all technical requirements are met.
- Act liaison between all suppliers and events director.
- Co-ordinate timing schedule of all entertainment.
- Act liaison between all entertainment's and agents
- To communicate problems to the event director quickly and efficiently relating to artists
- Communicate all technical requirements to Production manager
- To ensure that all equipment carries a relevant safety certificate and to report any queries to the events director immediately
- Ensure that the evacuation/fire procedures are communicated to the production crew.
- Correct usage of cut off music switch to be used in all rooms.

All Staff

All event staff and suppliers will report directly through the command structure

Key Tasks

- Clear rubbish related to their respective work areas during AND after the event.
- Report any potential hazards/ or Health & Safety issues that arise to the Safety Officer(s) immediately.

Security:

Head of Security –

Elite Security Ltd will be supplying security for the event. They are both experienced and very efficient regarding this style of event. The number of security personnel provided can be broken down into;

Zone 1: Front Door

3 SIA Security which will include x 2 Search Operatives this team and early refusal policy pre queue

Zone 2: Room 1

1 SIA Security operative

Zone 3: Room 2

1 SIA Security Operative

Zone 4: Room 3

1 SIA Security Operative

Zone 5: Roaming Ops cover for whole venue

1 x Security Operative

Total operatives 7

The primary purpose of the security team is to ensure that everybody can enjoy himself or herself in a safe environment without fear or possibility of abuse or violence and all security team will be briefed on duties AND expected numbers/audience type BEFORE the event.

The head of Security is responsible for communicating and applying the following remit:

1. To control that safe entry and exit of all guests.
2. To ensure that the atmosphere remains congenial.
3. Cater for the well being of any guests in distress.
4. Eject any person found/suspected to be breaking the law.
5. To facilitate the evacuation of the area in the event of an emergency.
6. To make sure suitable risk assessment have been carried out in relation to the event.
7. To ensure that all staff are competent and trained to the required level especially in the procedures to be followed in the event of an emergency.
8. To co-ordinate all Security Officers.
9. Ensure all relevant aspects of English Law are adhered to and the licensing act 2003.

Stage audio systems

Audio Group

Sound & Noise Control

The Event Director, Safety Officer and Premises Licence holder will all have access to the volume control should it be required.

No members of staff will be permitted to spend prolonged periods exposed to high levels of noise. Their line manager will ensure that they are rotated on a regular basis. Ear plugs will be provided for all staff if requested.

Refuse Collection:

Licensed waste carriers will be responsible in the collection of waste. We propose to site the following to deal with refuse on the event footprint: -

Wheelie bins (already in the venues)

Staffing Levels (concessions to supply)

All staff will be briefed before commencing their shift. The brief will include a site tour, location of fire fighting equipment, evacuation procedures and responsibilities (including fire exits), outline of duties/timings, and site rules.

First Aid

Security is first aid trained. Any injuries will be evaluated by qualified staff and reported in the accident book.

- Any serious injury will be reported to the Safety Officer immediately.
- In event of extremely high number of casualties further assistance will be sought from the West Midlands Ambulance service.
- All incidents and apparent injury or illness will be relayed in the first instance to Paramedics.
- Water will be available at no cost if required for a medical reason from the First Aid area.

Fire Exits:

The Venue is equipped with Fire Exit Emergency Lighting.

Venue fire risk assessment is available upon request.

Fire Risk Assessment: River Street

Emergency Procedures and Contingency Planning:

Emergency access routes:

The primary access route for emergency
30-34 River Street
Birmingham
B5 5SA

Evacuation Procedures:

It is our intention in the case of an evacuation to use the following procedures:

BOMB

If you see a suspect package, secure the immediate area and contact your supervisor or inform control direct, using the

- code 1 Fire
- code 2 Bomb

- code 3 Fight

DO NOT USE THE RADIOS AS IT COULD TRIGGER THE PACKAGE.

The security director/safety office will make an immediate assessment of the situation. If the situation warrants it an evacuation procedure will be implemented and the Police/Fire service will be informed.

Hot Characteristics

If you discover (or are called to) an unattended item or object that appears out of place, **WITHOUT TOUCHING THE ITEM OR OBJECT**, consider the following **HOT** characteristics when attempting to confirm its status:

- H** has the item been **hidden**? Has any attempt been made to conceal it from view or place it where accidental discovery is unlikely? Innocent items are not usually hidden deliberately. Explosive devices, because of the consequences of the device being found before it functions, are not usually left in the open.
- O** is the item **obviously** suspicious? Does it look like a bomb? (Does it have wiring; circuitry; a power supply or something that may be explosive attached to it? Has it been found after a suspicious event?) Does it look like any of the items you have seen during training or security briefings?
- T** is the item **typical** of what you might reasonably expect to find in the given location? For example, lost property is often found in locations where people congregate or wait before moving away to a new location.

Having conducted the initial '**HOT**' assessment above, Officers should (where possible) make enquiries with members of the public close by e.g. "Did anyone see anyone with this item?", "Did it appear unduly heavy or was it being treated as fragile?" Where the item or object cannot be entirely assessed as innocently abandoned, officers should refer the situation to a supervising officer.

River Street Fire Control

See attached

Designated Personnel are:-

- (1) Justin Wooley
- (2) Dominic Gerencser

The Emergency services RV Point
30-34 River street
Birmingham
B5 5SA

Security should devise a list of short listed call signs to assist all stewards

Security Officer and Stewards duties:

- Keep clear and accurate records detailing any incident that any member of security are involved in.
- All staff must familiarise themselves with the lay out of the site. (Including fire assembly points and first aid post).
- All personnel must be fully aware of the role they will play if an emergency evacuation is undertaken. Including fully understanding coded messages and undertaking specific duties.
- All staff must be aware of the chain of command.
- Security must ensure that no overcrowding occurs in areas of the venue that would cause a safety hazard. Especially in gangways and entrances.
- They must direct the audience flow, particularly upon entering and leaving the venue
- Control unruly behaviours and investigating immediately disturbances or incidents.
- Be aware of Health & Safety issues. Such as combustible rubbish accumulating.
- Communicate effectively and efficiently in the event of emergency.
- Security will play a significant part of the safety plan and in particular, the roles they play with regards to evacuation.
- All security personnel come under the direct supervision of the security co-ordinator.
- The security co-ordinator will come under the direct supervision of the safety officer.
- All members of security (wearing high vis jackets and displaying SIA badges) and stewards will be easily identifiable.
- Security will operate within the rules of employment.
- Monitor and detect any use of illegal drugs that may be entering River Street.

Security personnel brief – Entry Conditions:

- Admittance to the site is probable to be via River Street
- The company reserve the right to refuse admission to any person for any reason
- All Staff/Crew will be required to lanyard.

Operational plan:

- member of the security team will ensure that queuing customers are informed searches will be taken
- The arrival of suppliers will be supervised by Safety Officer
- Security will monitor number in/out of using clickers
- All Emergency exits must be manned throughout the event
- ❖ All security staff will have document training in fire fighting, basic first aid, and minimum-security force techniques, identifying potential health & safety issues.

Duties of the Response Team

The main function of the response team is quickly as possible at the request of the Safety Officer or their fellow colleagues in the event of an incident occurring with which the security officers present are unable to cope alone. All such incidents must be documented and reported to the Head of Security immediately. In the event of an evacuation situation occurring the response team will report their location to the Security Control Point and assist in the direction of guests to the nearest evacuation point.

NB All accident books will be maintained by the Safety Officer to provide an accurate account of all treatment/injuries sustained on site.

Public Unrest/Assault

Function: The Security team will be given positions and rotated on a regular basis. They will maintain a constant vigil of the entire site. If they see an incident-taking place, (e.g. an assault) they will respond to the accident and call on the radio using the codeword 3

The code word 1 = Fire
The codeword 2= Bomb
The codeword 3= Fight

Any user to summon immediately security staff assistance may use this call sign. The radio user will say for example, if there is an incident in that location. The safety officer will monitor cctv from the control room

Incident Main Arena/Bar

If an incident occurs inside one of these areas then only the personnel inside these areas may respond with one of the security supervisors. The supervisor will stand down all staff that are not required for that incident and return them to their posts. If an individual requires removal from the event, they will be escorted off the site. Any individual who has collapsed or has a compromised consciousness level will be escorted to the First Aid area. They will then be further assessed by the first aider.

ALL CODE CALLS WILL BE NOTED IN THE LOG AS AN INCIDENT.

Safety Officer

Safety Officer will respond to all code call, medical call, and or any other relevant situation. He will assume control of the incident and decide on any appropriate action.

Two Incidents

In the event of a second incident occurring the event director will respond to the scene and assume the roll of the Safety Officer.

Site Risk Assessments

This assessment is designed to assess the risk to the following personnel attending or working on the event:-

- 1) Employees of the company working at the event.
- 2) Contractors working on behalf of the company.
- 3) Performers and their guest's attending the event.
- 4) Members of the public attending the event.

Due to the nature of the events organised by the company, it is the responsibility of all supervisors to ensure that on going assessment takes place during build up, throughout the duration of the event and during de-rig time following the event. Any changes resulting in the escalation of either the severity rating or the probability rating of an identified hazard is to be reported to the Health and Safety Manager or Event Manager immediately. Any injuries will be evaluated by qualified staff and reported in the accident book.

- Any serious injury will be reported to the Safety Officer immediately.
- In event of extremely high number of casualties further assistance will be sought from the West Midlands Ambulance service.
- All incidents and apparent injury or illness will be relayed in the first instance to first aider.
- Water will be available at no cost if required for a medical reason from the First Aid area.

Traffic Management Plan:

The anticipated footfall arriving via: -

(1) *Bus*

Many Bus routes have drop off points on top end of Digbeth High Street that is a short distance for River Street

(2) *Car*

All promotional material will suggest that there is no car parking, however for attendees who choose to use the existing car parking facilities, there are substantial facilities nearby:

Pay and Display Car Park – Fazeley Street

Surrounding areas with reduced traffic restrictions

Disabled Attendees can use on street parking on River Street

(3) *Foot*

We anticipate most footfalls to be Bourne in the city centre and entering the site via River Street

(4) Taxi

Taxi companies will be informed taxis will be allowed to park and wait for customers.

The Main Entrance will be River Street.

Communications:

Copies of this document will be supplied to all parties involved in the management of the event and they will requested to consider the final arrangements in order to identify any shortfalls, problems areas or amendments that may need to be made.

Each manager will be required to ensure that all of the people under his control are aware of their responsibilities and understand the Emergency Action Plans and their role in them.

A final briefing prior to the commencement of the event will be held and all managers must attend and thereon Heads of Security to brief its entire staff.

Event Communication

Sia badged door supervisors will have radio communication

The administration point and assistant director will have access to all radio links to accurately monitor and log all incidents.

The following people will have radios and mobile phones:

Event Directors Justin/ Dominic /Bar Managers Safety Officers operate on :Channel 1
Security,: Channel 2
Stock Control: Channel 3

Complaints will be handled by Second City Holdings Ltd at first and will then be filtered via the command structure

Routes of communication

Administration Point - Mobile phone and contact with both production and security elements via radio link

Toilets - Contacted verbally via a steward

All Stages - Two-channel radios one channel designated for security purposes the other for bar/event management communication. Radio via Administration for Security and Health & Safety only. All other communication will be done by direct contact.

Security - Verbal contact via areas supervisor who is in radio contact with Security Co-ordinator.

First Aid Point - One Radio at control point.

- Radio traffic will be kept to a minimum to avoid confusion and unnecessary communication.
- Sound system will be used to communicate coded messages.

Disabled access via River Street

RV Point for staff is River Street

EVENT SURVEY

Details of event taking place at venue.	
• EVENT – DJs & Pa`s	
• Full Search	Search Policy?
• Hi-Viz Jackets	Uniform
• YES	Radios
Total Number Expected	
• 450	
Responsibilities	

<ul style="list-style-type: none"> • Door Supervisors, Venue Management, Fire Marshall
Door Staff procedures in Fire Drill:
<ul style="list-style-type: none"> • To evacuate venue by nearest exit point
Where is First Aid equipment kept?
<ul style="list-style-type: none"> • First Aid Room located on Front door, Ticket office and in every Bar
Location of Cash machine
<ul style="list-style-type: none"> • N/A
Car Parking Availability
<ul style="list-style-type: none"> • No designated Car Park at Venue
Number Of Entrances/Exits and there locations
<ul style="list-style-type: none"> • There are 3 Emergency Exits
Safety Checks to be carried out by Door Staff

<ul style="list-style-type: none"> • All Fire Doors to be unlocked at start of night and locked end of night • Ensure exits are not blocked • Check Toilets
<p>Additional Duties</p> <ul style="list-style-type: none"> • Incidents reported to manager • Incident book to be filled in • In event of Fire evacuate via nearest exit <p>Disabled access points</p> <ul style="list-style-type: none"> • Access Point at Main Entrance • Toilets on Ground floor
<p>Door Staff Possessions</p> <ul style="list-style-type: none"> • To be kept in Cloak Room

RISK ASSESSMENT

RISK: CROWD CONTROL – DISORDLEY QUEING

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures in Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
CROWD CONTROL	Outside the Event	Customers are at risk from obstructing or interfering with other people using the highway.	Medium	Medium	Control Barriers should be put in place to keep the crowd in a orderly queue. Early refusal, by security identifying undesirables from entering the queue to lower risks of conflict due to persons being allowed to queue then refused when they get to the front.	Door Supervisors will be put in place to keep crowd in place. Early refusal, by security identifying undesirables from entering the queue to lower risks of conflict due to persons being allowed to queue then refused when they get to the front.
MONITORING AND SUPERVISION OF QUEUE	Outside the Event	Without monitoring and supervision of queue the crowd could potentially move out of line in turn any incident may occur	Low	Medium	Door Supervisors to put in place and monitor queue	Door Supervisors to control

GUEST LIST	Outside the Event	Guest List will create another queue and slow up entry for ticket/cash customers	Low	Low	Preferably no guest list or there is entry before 1am	Door Supervisor to monitor and control
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RISK: UNDERAGE

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures in Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
Under Age Drinking	All Event	Breach of License	Low	High	Challenge 25	Entry be refused

RISK: WEAPONS AND DRUGS – SEARCHING

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures in Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
SEARCH POLICY	All Event	Searching to be done to prevent anyone getting into the venue with drugs or weapons	Medium	High	Search policy to be a condition of entry including promoters/artists. Adequate number of door staff required to facilitate same gender searches. Metal Detector and hand held wand to be used also	If any drugs or weapons or drugs found on customers etc. they will be confiscated and the customer refused entry. Dealing quantities will be handed over to the police and detained
REFUSAL OF ADMISSION	All Event	Refusal of admission for anyone attempting to gain entry whilst in possession of weapons/drugs	Low	Medium	Notices to be placed no search no entry on promotional material	Confiscation of weapon/drug detained for arrival of Police
SAFE RETENTION OF DRUGS/WEAPONS SEIZED	All Event	Drugs/weapons seized must not be left lying around but must be logged and placed in a safe environment until handed over to the Police	Low	High	Special bags are provided for the drugs to be stored in and logged. Any weapons found will be handed over to the management.	Door Supervisor to control

RISK: DRUNKENESS

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures in Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
DRUNKENESS OF CLIENTELE	All Event	Excess Drunkenness of clientele means that they are at greater risk of slipping, tripping and falling. May be more aggressive, also drunk persons trying to get in.	Medium	High	All Door Supervisors will keep in check on clientele to ensure that they are not drinking to excess.	Drunk awareness policy adopted.

RISK: DRUG DEALING IN THE VENUE

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures in Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
DEALING IN ANY DARK, REMOTE OR POTENTIAL AREA OF THE VENUE	All Event	Any quite areas within the building may attract Drug Dealers who may be dealing	Medium	High	Any remote areas to be well lit. Any areas of the venue that are not used on that particular event will be closed off and manned by Door Supervisors	Door Supervisors will detain dealers and call the Police.
PERSONS SUSPECTED OF DEALING IN OR IN POSSESSION OF CONTROLLED DRUGS	All Event	Dealers may deal to someone who may have an adverse reaction/overdose	Medium	High	Clientele could overdose	Door Supervisors to detain and Police to be called.

RISK: THEFT OF PERSONAL PROPERTY

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures in Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
ADEQUATE STAFF	All Event	There are needs to have sufficient Door Supervisors to patrol all areas of the venue to ensure no property is left lying around and also to discourage property being stolen.	Low	Low	Door Supervisors will be positioned in all areas of the venue and will be vigilant at all times. This will hopefully reduce property being stolen and property left lying around.	Property log which will be located in the security folder should be completed with all details.
LOST AND PROPERTY	All Event	All lost and found property details should be recorded on a log sheet so that property may be returned to the rightful owner if found or handed in.	Low	Low	Door Supervisors will be positioned in all areas of the venue and will be vigilant at all times. This will hopefully reduce property being stolen and property being left lying around. Cloak Room for a nominal charge will be utilised. Lockers are provided for staff	Property log which will be located within the control room

RISK: CUSTOMERS LEAVING THE PREMISES

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures in Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
CUSTOMERS LEAVING THE VENUE	Outside the Event	Customers leaving the venue should be monitored and supervised to ensure they leave in an orderly manner and do not in any way obstruct or interfere with other people.	Low	Low	Door supervisors are also based outside at all times.	Door Supervisors will control or Police will be called if problems arise.
LATE NIGHT TRANSPORT LINKS	Outside the Event	Customers leaving the venue require taxis to be on hand, for safety reasons and also to discourage customers hanging around outside the venue after event has finished as this is when fights etc can occur	Low	Low	Taxi marshal will be in place	Another Taxi company will be brought in.

RISK: GENERAL SAFETY

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures in Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
ANY AREAS WHICH BECOME OVER CROWDED	All Event	Customers may get panic attacks or faint and it would be difficult for First Aiders or Emergency Services to get to the problem to sort it out	Medium	Medium	Each area within the venue is controlled by clickers to prevent overcrowding. Once area is reached no more customers are allowed in that area of that venue.	Door Supervisors will go to area to disperse the customers and move to other areas.
SECURITY STAFF IDENTIFIABLE	All Event	Customers do not know who to speak to if there is a problem because Door Supervisors will not stand out from the crowd	Low	Low	All Door Supervisors will wear Hi-Viz Jackets	Door Supervisors will be sent home to get there Hi-Viz jackets
GLASS BOTTLES/GLASSES	All Event	Glass bottles/glasses if dropped they could shatter and cause harm or they could also be used as a weapon.	Low	Low	Cleaning staff duties will be to collect bottles and broken glass	Ensure all bottles/glasses are removed from customers/venue

Additional Points

- Full search
- Challenge 25
- Barriers for crowd control
- Refusal of semi drunk & drunk customers
- Zero tolerance to drugs
- First aid room

This Events survey and Risk Assessment document has been prepared by Justin Woolley and Billy Chauhan and in consultation with Elite Security Ltd, West Midlands Police will be made aware of this event.

Signed Print.....Organisation.....

Signed Print.....Organisation.....

Signed Print.....Organisation.....

Appendix 2

From: bw licensing
Sent: 19 September 2018 11:17
To: Licensing; Pollution Team
Cc:
Subject: FW: TENS Application
Attachments: TENS 29.09.18.docx

Licensing,

West Midlands Police formally make representation to this event being granted.

West Midlands Police requested from the applicant a full fire and building risk assessment but as of today have not received this. The police have previous knowledge of this location and have concerns for the public safety in the building and believe it is unsafe to hold an event of any type.

For the above reason we request that this tempoary event notice is not granted.

Regards

Deano

PC 1978 Deano Walker
Birmingham Police Central Licensing Team
Birmingham Partnerships
Lloyd House
Federation Health & Safety Lead.



Supporting Statement

Statement of **Deano Walker**
 Age if under 18 **0'18** (if over 18 insert 'over 18'). Occupation **Police Constable**

This statement (consisting of **Four** page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature _____

Date: **20th September 2018**

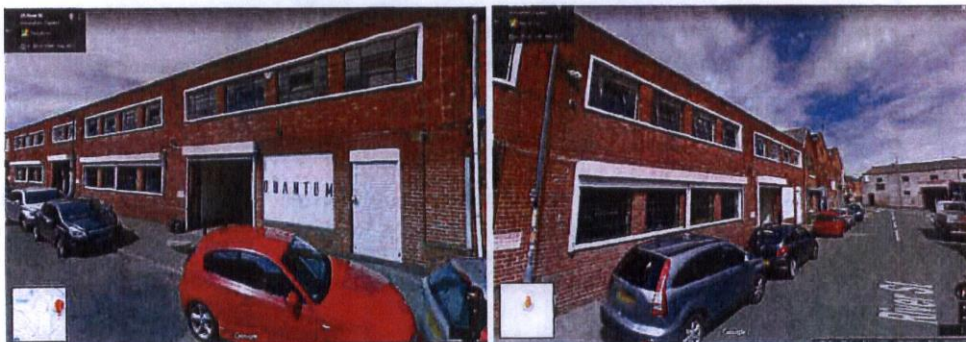
I am PC 1978 Deano Walker of the West Midlands Police stationed at Police Headquarters, Lloyd House and I currently hold the post of a policing Licensing Officer for all the Birmingham City Council wards.

I make this statement in reference to a venue in Birmingham at 30-34 River Street, Digbeth, B5 5SA regarding a temporary event notice submitted 30th September 2018.

History -

The premises are an old warehouse situated in the middle of Digbeth. Due to the age of the building it has over the years come into a poor state of repair which will require some major investment to meet modern standards.

West Midlands Police Licensing has knowledge of the building over the past 12 months. The location came to police notice when past occupiers also applied for temporary events notices (TENS) which caused a visit by our department. On attending licensing found the building in disrepair, the glass roof was unsafe, there were no safety certificate for any of the utilities into the building, no fire certificate, no CCTV and it was believed by the police not to have sufficient fire exits to hold such events. West Midlands Police apposed the TENS and the events did not go ahead.



Signature _____

Name

Deano Walker 1978

Continuation of Statement – PC Deano Walker**The Temporary Event Notice –**

- West Midlands Police Licensing received the application on Friday the 14th September 2018.
- On Monday the 17th September we requested an independent safety and fire risk assessment with a plan of the building.
- This was sent through by the applicant the following day with a fire risk assessment on Wednesday the 19th.

West Midlands Police have assessed both the event and fire risk assessment and have concerns for the following –

Event Survey & Risk Assessment (REF - DW1) –

1. Page 2 – Arena 1, 2 & 3 –
 - There is no mention on how they control the numbers of attendees between each room and there is no capacity for each room as per the plan supplied in the fire risk assessment.
2. Page 11 –
 - There is no mention of what the staffing levels are.
 - Water supplied for medical reasons only, the licensing act states that where alcohol is supplied then free tap water will be made available on request.
 - Emergency lighting, when was it last tested?
3. Page 12 – Bomb & fire evacuation, where are the assembly points?
4. Page 15 –
 - Personnel aware of their role – There is no mention of if and how they will be briefed.
 - Security must ensure no overcrowding – What is the capacity of the venue and each individual room, how will they control movement between rooms to ensure capacity is not exceeded.
 - Control of unruly behaviour – can not be performed by stewards, only SIA.
 - Rule of security employment – what are their rules?
 - How will stewards be identifiable.
 - How does the applicant propose to deal with retention and disposal of drugs?
5. Page 16 –
 - Response Team – Not shown on management structure or security numbers.
6. Page 17 –
 - CCTV room – There is no plan of the CCTV on the site and there is no technical specification of the CCTV system.
 - "If an incident occurs inside one of the main areas then only personnel inside the area may respond" – Police have concerns with this policy, what happens if staff inside the area are outnumbered and what are the response team for?
 - Ejection and safeguarding policy – What is the policy?
7. Page 18 –
 - Second incident, event director to respond – The event director should be there to coordinate all incidents and should not be responding and is he SIA registered.

Signature

Signature Witnessed By

Continuation of Statement – PC Deano Walker

8. Page 22 –
 - Radio channels – Event director is on a different channel, how will he be made aware of incidents within the premises from the security team?
9. Page 25 –
 - States there are three emergency exits, from the plan provided I can only see two.
10. Page 30 –
 - Retention/disposal of weapons and drugs – more detail required especially around the “safe environment” described.
 - Drug searching – Believe this is inadequate, should consider drug dog.
11. Page 34 –
 - Taxi marshalls – How many, how they identified and where will they be positioned?

Fire Risk Assessment (REF - DW2) –

1. Front page –
 - No date of assessment.
 - No name of assessor.
2. Page 4 –
 - Point 2.6 – Where is the evidence this has been done?
 - Point 3.2 – Where is the evidence this has been carried out?
3. Page 5 –
 - Point 4.1 – Fire fighting equipment has not been shown on the plan?
 - Points 4.2 to 4.4 – There has been no evidence that any of this has been carried out.
4. Page 6 –
 - Point 5.1 – Fire evacuation, there is no capacity for the whole venue, each room so how can the applicant confirm an evacuation can be done safely?
 - Point 5.3 – Fire doors opening direction – The assessor state that all fire escapes open in direction of travel. The plan supplied shows the final exit doors opening inwards?
5. Page 7 –
 - Points 6.1 to 6.5 – No evidence has been supplied that this has been carried out.

Building Plan – (REF – DW3) –

- The plan does not indicate sufficient fire exits.
- Does not indicate CCTV.
- Does not show fire fighting equipment.

Signature _____

Signature Witnessed By _____

Continuation of Statement – PC Deano Walker

There is no detail through out the fire risk assessment that states the capacity of the building and each room individually. The plan supplied shows one double fire exit with the final exit doors opening inwards which West Midlands Police are concerned that it may only give the whole building a capacity of 60 persons. West Midlands Police would recommend that the applicant seek a qualified person to assess the capacity of the building.

West Midlands Police have serious concerns that the fire risk assessment has been completed by the applicant of the TEN and would like to question what qualification they have to do this assessment correctly.

West Midlands Police have great concerns with this TEN being granted with so many outstanding issues we don't believe the the licensing objectives the prevention of crime and disorder along with public safety will be promoted.

In the time scale before this event takes place we don't believe that any reassurances the applicant gives to the committee can be carried out due to the amount of time and investment needed. Due to the premises not having a current licence there are no conditions transferable to be placed on the event notice and any risk assessments also cannot be a condition on grant.

West Midlands Police are requesting that this temporary event notice is not granted as we believe that the licensing objectives the prevention of crime and disorder along with public safety will not be promoted.

Signature _____

Signature Witnessed By _____

REF DW 1

REFLECT

@ RIVER STREET

Event Survey & Risk Assessment,

Security Assessment

Saturday 29th September 2018

Brief Summary and background

This Event Survey and Risk Assessment must be completed prior to any alcohol related event being considered.

It has been prepared to ensure all alcohol related events are managed in a controlled and responsible manner.

EVENT, scheduled for the 29th September 2018 at 30-34 River Street Birmingham B5 5SA. This event will open 3 rooms of music and opening 2 bars.
DJ's/acts on the night (headline only) are:

Arena 1 – Devine, Bradley turner, totem Collective, rich rose, paddy (closes at 5)

Arena 2 – dan Wright, will and Haider, burgo, jack Coe, Marco (closes at 4)

Arena 3 - tatman, adraq, Fragmnts, KSG b2b JT (closes at 3)

There is adequate seating in all 3 Arenas

Reflect are expecting approximately 450 guests.

Elite Birmingham Security Ltd are covering the security for this event and will be providing approximately 7 SIA Door Supervisors.

All door supervisors will be in hi-vis jackets, and all patrons will be searched.

The entrance and exit will be River Street, and the smoking area will be at the River Street Entrance and will be securely cornered off from the main street.

Inside the building Fire exits will be manned by SIA to control point and a visible presence will be apparent in each room throughout the event by patrolling SIA.

The target audience for this event would be a cross section of people ranging from 18 to 23 (predominately aged 18+ and will consist mainly of people coming to dance and create a party atmosphere.

Operating times 10pm – 5 am
Doors will be open from 10pm

Over 18

Stringent age checks and searches at the door

Usage: River Street

Emergency Numbers

City Hospital		0121 554 3801
<i>Dudley Road</i>		
<i>B18 1PC</i>	EMERGENCY	999
Police		999
Fire		999

Event Profile

NAME OF EVENT	Reflect
DATE OF EVENT	Saturday 29 th September
TYPE OF MUSIC	House, Bass
Dress Code	N/A
ANTICIPATED NUMBERS	450
OPENING TIMES	10pm
CLOSING TIMES	5am
ADMISSION	£10 on the door
TICKETS	£5+ bf

General Safety

General site safety:

The safety of all contractors, staff and the public is of paramount importance. It is imperative that all contractors assess the risks to themselves and others due to the nature of their work in relation to this particular site.

It is our aim to set out a clear plan for all phases of this event and to communicate them effectively. There will also be first aid kits at every bar/room and a first aider.

Security Safety

It is required that all contractors Artists provide their mobile telephone numbers in advance of the event and carry their phones whenever possible.

Site Access:

To gain access to the site it is expected that contractors will use River Street main shutters, this entrance is to be used **ONLY FOR LOADING or UNLOADING**

The following guidelines must be adhered to at all times:

1. Exercise extreme caution.

Car Parking

There is a public car park at the corner of River street to the site in, which is chargeable, but should be used by all vehicles after unloading equipment, also there is parking outside of River Street but this is limited so car parks around the site are advised.

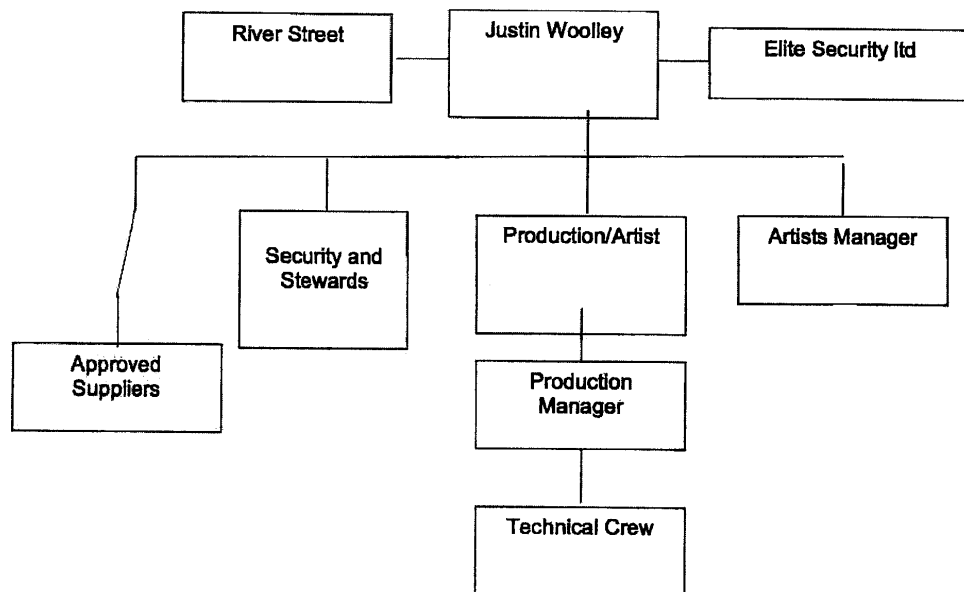
Control of noise levels during the event:

To ensure that the noise levels can be kept under control no live/playback music will be allowed outside specific sound check windows, which will be on Saturday 29th September after 6pm.

This will allow the Event Director to maintain control ensuring that no noise nuisance occurs.

Volume control is easily accessible by the Safety Officer and The Event Directors. Technical crew familiar with noise levels and control will supervise all DJ's. /Performers throughout the whole night, also ear plugs will be readily available for performers AND customers.

Management structure



Outline of responsibilities

Event Director's – Justin Woolley, Dominic Gerencser

The Event Director is directly in charge of this event and all the various departments, particularly those that include safety provision e.g. SIA, Marshalls, Security, First Aid, Public, Fire Precautions, and static objects. The Event Director will delegate some of these responsibilities to key personnel.

- To co-ordinate, the arrival of all entertainment on the day of the event.
- Be responsible for any refuse related to the event and cleaning of the immediate area at the end of the event day
- Will keep clear and accurate log of who is on site and for what purpose.
- Will be a central point of contact for all personnel
- Ensure that all staff comply with working regulations
- All parties are to be aware of the emergency evacuation procedure and the part they play.
- Ensure all entertainments are contracted and contracts are properly fulfilled.
- Explain any part of the licence conditions that will affect their performance.

Safety Officer's (Justin Woolley, Dominic Gerencser)

The safety officer's will oversee the entry of all guests to the site liaising with the security should any situation arise. The Safety Officer's will respond/attend to all security issues, injury reports, communicated either verbally or by radio by any security/staff member. It is the safety officer's responsibility to monitor and report to the Event Director on any situation that might compromise safety.

- Ensure that all incidents are recorded i.e. Security, Health & Safety.
- Register any complaints that may occur.
- Monitor pressure points of demand.
- Co-ordinate timing schedule of all building schedule on show/event day
- To brief the staff on all aspects/Health & Safety issues for this event
- The safety and welfare of all associated staff
- Supervise sub co-ordinators in the execution of their duties
- Ensure good communication with other areas and respond promptly in the case of an emergency.
- To communicate problems to the event director quickly and efficiently.
- All parties are to be aware of the emergency evacuation procedure and the role they play in event of an evacuation situation.

- To co-ordinate the arrival of all suppliers on the day of the event.
- Ensure all suppliers are contracted and contracts are properly fulfilled.

PROMOTERS RESPONSABILITIES

- Promote the event only to over 18s
- Promote only to responsible members of the public
- To make sure there is no breach of the licensing act.

Production/Artist Liaison

Audio Group

- Ensure all technical requirements are met.
- Act liaison between all suppliers and events director.
- Co-ordinate timing schedule of all entertainment.
- Act liaison between all entertainment's and agents
- To communicate problems to the event director quickly and efficiently relating to artists
- Communicate all technical requirements to Production manager
- To ensure that all equipment carries a relevant safety certificate and to report any queries to the events director immediately
- Ensure that the evacuation/fire procedures are communicated to the production crew.
- Correct usage of cut off music switch to be used in all rooms.

All Staff

All event staff and suppliers will report directly through the command structure

Key Tasks

- Clear rubbish related to their respective work areas during AND after the event.
- Report any potential hazards/ or Health & Safety issues that arise to the Safety Officer(s) immediately.

Security:

Head of Security –

Elite Security Ltd will be supplying security for the event. They are both experienced and very efficient regarding this style of event. The number of security personnel provided can be broken down into;

Zone 1: Front Door

3 SIA Security which will include x 2 Search Operatives this team and early refusal policy pre queue

Zone 2: Room 1

1 SIA Security operative

Zone 3: Room 2

1 SIA Security Operative

Zone 4: Room 3

1 SIA Security Operative

Zone 5: Roaming Ops cover for whole venue

1 x Security Operative

Total operatives 7

The primary purpose of the security team is to ensure that everybody can enjoy himself or herself in a safe environment without fear or possibility of abuse or violence and all security team will be briefed on duties AND expected numbers/audience type BEFORE the event.

The head of Security is responsible for communicating and applying the following remit:

1. To control that safe entry and exit of all guests.
2. To ensure that the atmosphere remains congenial.
3. Cater for the well being of any guests in distress.
4. Eject any person found/suspected to be breaking the law.
5. To facilitate the evacuation of the area in the event of an emergency.
6. To make sure suitable risk assessment have been carried out in relation to the event.
7. To ensure that all staff are competent and trained to the required level especially in the procedures to be followed in the event of an emergency.
8. To co-ordinate all Security Officers.
9. Ensure all relevant aspects of English Law are adhered to and the licensing act 2003.

Stage audio systems

Audio Group

Sound & Noise Control

The Event Director, Safety Officer and Premises Licence holder will all have access to the volume control should it be required.

No members of staff will be permitted to spend prolonged periods exposed to high levels of noise. Their line manager will ensure that they are rotated on a regular basis. Ear plugs will be provided for all staff if requested.

Refuse Collection:

Licensed waste carriers will be responsible in the collection of waste. We propose to site the following to deal with refuse on the event footprint: -

Wheelie bins (already in the venues)

Staffing Levels (concessions to supply)

All staff will be briefed before commencing their shift. The brief will include a site tour, location of fire fighting equipment, evacuation procedures and responsibilities (including fire exits), outline of duties/timings, and site rules.

First Aid

Security is first aid trained. Any injuries will be evaluated by qualified staff and reported in the accident book.

- Any serious injury will be reported to the Safety Officer immediately.
- In event of extremely high number of casualties further assistance will be sought from the West Midlands Ambulance service.
- All incidents and apparent injury or illness will be relayed in the first instance to Paramedics.
- Water will be available at no cost if required for a medical reason from the First Aid area.

Fire Exits:

The Venue is equipped with Fire Exit Emergency Lighting.

Venue fire risk assessment is available upon request.

Fire Risk Assessment: River Street

Emergency Procedures and Contingency Planning:

Emergency access routes:

The primary access route for emergency
30-34 River Street
Birmingham
B5 5SA

Evacuation Procedures:

It is our intention in the case of an evacuation to use the following procedures:

BOMB

If you see a suspect package, secure the immediate area and contact your supervisor or inform control direct, using the

- code 1 Fire
- code 2 Bomb

- code 3 Fight

DO NOT USE THE RADIOS AS IT COULD TRIGGER THE PACKAGE.

The security director/safety office will make an immediate assessment of the situation. If the situation warrants it an evacuation procedure will be implemented and the Police/Fire service will be informed.

Hot Characteristics

If you discover (or are called to) an unattended item or object that appears out of place, **WITHOUT TOUCHING THE ITEM OR OBJECT**, consider the following **HOT** characteristics when attempting to confirm its status:

- H** has the item been **hidden**? Has any attempt been made to conceal it from view or place it where accidental discovery is unlikely? Innocent items are not usually hidden deliberately. Explosive devices, because of the consequences of the device being found before it functions, are not usually left in the open.
- O** is the item **obviously** suspicious? Does it look like a bomb? (Does it have wiring; circuitry; a power supply or something that may be explosive attached to it? Has it been found after a suspicious event?) Does it look like any of the items you have seen during training or security briefings?
- T** is the item **typical** of what you might reasonably expect to find in the given location? For example, lost property is often found in locations where people congregate or wait before moving away to a new location.

Having conducted the initial '**HOT**' assessment above, Officers should (where possible) make enquiries with members of the public close by e.g. "Did anyone see anyone with this item?", "Did it appear unduly heavy or was it being treated as fragile?" Where the item or object cannot be entirely assessed as innocently abandoned, officers should refer the situation to a supervising officer.

River Street Fire Control

See attached

Designated Personnel are:-

- (1) Justin Wooley
- (2) Dominic Gerencser

The Emergency services RV Point
30-34 River street
Birmingham
B5 5SA

Security should devise a list of short listed call signs to assist all stewards

Security Officer and Stewards duties:

- Keep clear and accurate records detailing any incident that any member of security are involved in.
- All staff must familiarise themselves with the lay out of the site. (Including fire assembly points and first aid post).
- All personnel must be fully aware of the role they will play if an emergency evacuation is undertaken. Including fully understanding coded messages and undertaking specific duties.
- All staff must be aware of the chain of command.
- Security must ensure that no overcrowding occurs in areas of the venue that would cause a safety hazard. Especially in gangways and entrances.
- They must direct the audience flow, particularly upon entering and leaving the venue
- Control unruly behaviours and investigating immediately disturbances or incidents.
- Be aware of Health & Safety issues. Such as combustible rubbish accumulating.
- Communicate effectively and efficiently in the event of emergency.
- Security will play a significant part of the safety plan and in particular, the roles they play with regards to evacuation.
- All security personnel come under the direct supervision of the security co-ordinator.
- The security co-ordinator will come under the direct supervision of the safety officer.
- All members of security (wearing high vis jackets and displaying SIA badges) and stewards will be easily identifiable.
- Security will operate within the rules of employment.
- Monitor and detect any use of illegal drugs that may be entering River Street.

Security personnel brief – Entry Conditions:

- Admittance to the site is probable to be via River Street
- The company reserve the right to refuse admission to any person for any reason
- All Staff/Crew will be required to lanyard.

Operational plan:

- member of the security team will ensure that queuing customers are informed searches will be taken
- The arrival of suppliers will be supervised by Safety Officer
- Security will monitor number in/out of using clickers
- All Emergency exits must be manned throughout the event
- ❖ All security staff will have document training in fire fighting, basic first aid, and minimum-security force techniques, identifying potential health & safety issues.

Duties of the Response Team

The main function of the response team is quickly as possible at the request of the Safety Officer or their fellow colleagues in the event of an incident occurring with which the security officers present are unable to cope alone. All such incidents must be documented and reported to the Head of Security immediately. In the event of an evacuation situation occurring the response team will report their location to the Security Control Point and assist in the direction of guests to the nearest evacuation point.

NB All accident books will be maintained by the Safety Officer to provide an accurate account of all treatment/injuries sustained on site.

Public Unrest/Assault

Function: The Security team will be given positions and rotated on a regular basis. They will maintain a constant vigil of the entire site. If they see an incident-taking place, (e.g. an assault) they will respond to the accident and call on the radio using the codeword 3

The code word 1 = Fire

The codeword 2= Bomb

The codeword 3= Fight

Any user to summon immediately security staff assistance may use this call sign. The radio user will say for example, if there is an incident in that location. The safety officer will monitor cctv from the control room

Incident Main Arena/Bar

If an incident occurs inside one of these areas then only the personnel inside these areas may respond with one of the security supervisors. The supervisor will stand down all staff that are not required for that incident and return them to their posts. If an individual requires removal from the event, they will be escorted off the site. Any individual who has collapsed or has a compromised consciousness level will be escorted to the First Aid area. They will then be further assessed by the first aider.

ALL CODE CALLS WILL BE NOTED IN THE LOG AS AN INCIDENT.

Safety Officer

Safety Officer will respond to all code call, medical call, and or any other relevant situation. He will assume control of the incident and decide on any appropriate action.

Two Incidents

In the event of a second incident occurring the event director will respond to the scene and assume the roll of the Safety Officer.

Site Risk Assessments

This assessment is designed to assess the risk to the following personnel attending or working on the event:-

- 1) Employees of the company working at the event.
- 2) Contractors working on behalf of the company.
- 3) Performers and their guest's attending the event.
- 4) Members of the public attending the event.

Due to the nature of the events organised by the company, it is the responsibility of all supervisors to ensure that on going assessment takes place during build up, throughout the duration of the event and during de-rig time following the event. Any changes resulting in the escalation of either the severity rating or the probability rating of an identified hazard is to be reported to the Health and Safety Manager or Event Manager immediately. Any injuries will be evaluated by qualified staff and reported in the accident book.

- Any serious injury will be reported to the Safety Officer immediately.
- In event of extremely high number of casualties further assistance will be sought from the West Midlands Ambulance service.
- All incidents and apparent injury or illness will be relayed in the first instance to first aider.
- Water will be available at no cost if required for a medical reason from the First Aid area.

Traffic Management Plan:

The anticipated footfall arriving via: -

(1) Bus

Many Bus routes have drop off points on top end of Digbeth High Street that is a short distance for River Street

(2) Car

All promotional material will suggest that there is no car parking, however for attendees who choose to use the existing car parking facilities, there are substantial facilities nearby:

Pay and Display Car Park – Fazeley Street

Surrounding areas with reduced traffic restrictions

Disabled Attendees can use on street parking on River Street

(3) Foot

We anticipate most footfalls to be Bourne in the city centre and entering the site via River Street

(4) Taxi

Taxi companies will be informed taxis will be allowed to park and wait for customers.

The Main Entrance will be River Street.

Communications:

Copies of this document will be supplied to all parties involved in the management of the event and they will requested to consider the final arrangements in order to identify any shortfalls, problems areas or amendments that may need to be made.

Each manager will be required to ensure that all of the people under his control are aware of their responsibilities and understand the Emergency Action Plans and their role in them.

A final briefing prior to the commencement of the event will be held and all managers must attend and thereon Heads of Security to brief its entire staff.

Event Communication

Sia badged door supervisors will have radio communication

The administration point and assistant director will have access to all radio links to accurately monitor and log all incidents.

The following people will have radios and mobile phones:

Event Directors Justin/ Dominic /Bar Managers Safety Officers operate on :Channel 1

Security,: Channel 2

Stock Control: Channel 3

Complaints will be handled by Second City Holdings Ltd at first and will then be filtered via the command structure

Routes of communication

Administration Point - Mobile phone and contact with both production and security elements via radio link

Toilets - Contacted verbally via a steward

All Stages - Two-channel radios one channel designated for security purposes the other for bar/event management communication. Radio via Administration for Security and Health & Safety only. All other communication will be done by direct contact.

Security - Verbal contact via areas supervisor who is in radio contact with Security Co-ordinator.

First Aid Point - One Radio at control point.

- Radio traffic will be kept to a minimum to avoid confusion and unnecessary communication.
- Sound system will be used to communicate coded messages.

Disabled access via River Street

RV Point for staff is River Street

EVENT SURVEY

Details of event taking place at venue.	
• EVENT – DJs & Pa`s	Search Policy?
• Full Search	Uniform
• Hi-Viz Jackets	Radios
• YES	
Total Number Expected	
• 450	Responsibilities

<ul style="list-style-type: none"> • Door Supervisors, Venue Management, Fire Marshall
Door Staff procedures in Fire Drill:
<ul style="list-style-type: none"> • To evacuate venue by nearest exit point Where is First Aid equipment kept?
<ul style="list-style-type: none"> • First Aid Room located on Front door, Ticket office and in every Bar
Location of Cash machine
<ul style="list-style-type: none"> • N/A
Car Parking Availability
<ul style="list-style-type: none"> • No designated Car Park at Venue
Number Of Entrances/Exits and there locations
<ul style="list-style-type: none"> • There are 3 Emergency Exits
Safety Checks to be carried out by Door Staff

<ul style="list-style-type: none"> • All Fire Doors to be unlocked at start of night and locked end of night • Ensure exits are not blocked • Check Toilets
<p>Additional Duties</p> <ul style="list-style-type: none"> • Incidents reported to manager • Incident book to be filled in • In event of Fire evacuate via nearest exit <p>Disabled access points</p> <ul style="list-style-type: none"> • Access Point at Main Entrance • Toilets on Ground floor
<p>Door Staff Possessions</p> <ul style="list-style-type: none"> • To be kept in Cloak Room

RISK ASSESSMENT

RISK: CROWD CONTROL – DISORDLEY QUEING

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures In Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
CROWD CONTROL	Outside the Event	Customers are at risk from obstructing or interfering with other people using the highway.	Medium	Medium	Control Barriers should be put in place to keep the crowd in a orderly queue. Early refusal, by security identifying undesirables from entering the queue to lower risks of conflict due to persons being allowed to queue then refused when they get to the front.	Door Supervisors will be put in place to keep crowd in place. Early refusal, by security identifying undesirables from entering the queue to lower risks of conflict due to persons being allowed to queue then refused when they get to the front.
MONITORING AND SUPERVISION OF QUEUE	Outside the Event	Without monitoring and supervision of queue the crowd could potentially move out of line in turn any incident may occur	Low	Medium	Door Supervisors to put in place and monitor queue	Door Supervisors to control

GUEST LIST	Outside the Event	Guest List will create another queue and slow up entry for ticket/cash customers	Low	Low	Preferably no guest list or there is entry before 1am	Door Supervisor to monitor and control
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RISK: UNDERAGE

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures in Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
Under Age Drinking	All Event	Breach of License	Low	Low High	Challenge 25	Entry be refused

RISK: WEAPONS AND DRUGS – SEARCHING

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures in Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
SEARCH POLICY	All Event	Searching to be done to prevent anyone getting into the venue with drugs or weapons	Medium	High	Search policy to be a condition of entry including promoters/artists. Adequate number of door staff required to facilitate same gender searches. Metal Detector and hand held wand to be used also	If any drugs or weapons or drugs found on customers etc. they will be confiscated and the customer refused entry. Dealing quantities will be handed over to the police and detained
REFUSAL OF ADMISSION	All Event	Refusal of admission for anyone attempting to gain entry whilst in possession of weapons/drugs	Low	Medium	Notices to be placed no search on entry on promotional material	Confiscation of weapon/drug detained for arrival of Police
SAFE RETENTION OF DRUGS/WEAPONS SEIZED	All Event	Drugs/weapons seized must not be left lying around but must be logged and placed in a safe environment until handed over to the Police	Low	High	Special bags are provided for the drugs to be stored in and logged. Any weapons found will be handed over to the management.	Door Supervisor to control

RISK: DRUNKENNESS

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures In Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
DRUNKENNESS OF CLIENTELE	All Event	Excess Drunkenness of clientele means that they are at greater risk of slipping, tripping and falling. May be more aggressive, also drunk persons trying to get in.	Medium	High	All Door Supervisors will keep in check on clientele to ensure that they are not drinking to excess.	Drunken awareness policy adopted.

RISK: DRUG DEALING IN THE VENUE

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures In Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
DEALING IN ANY DARK, REMOTE OR POTENTIAL AREA OF THE VENUE	All Event	Any quite areas within the building may attract Drug Dealers who may be dealing	Medium	High	Any remote areas to be well lit. Any areas of the venue that are not used on that particular event will be closed off and manned by Door Supervisors	Door Supervisors will detain dealers and call the Police.
PERSONS SUSPECTED OF DEALING IN OR IN POSSESSION OF CONTROLLED DRUGS	All Event	Dealers may deal to someone who may have an adverse reaction/overdose	Medium	High	Clientele could overdose	Door Supervisors to detain and Police to be called.

RISK: THEFT OF PERSONAL PROPERTY

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures in Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
ADEQUATE STAFF	All Event	There are needs to have sufficient Door Supervisors to patrol all areas of the venue to ensure no property is left lying around and also to discourage property being stolen.	Low	Low	Door Supervisors will be positioned in all areas of the venue and will be vigilant at all times. This will hopefully reduce property being stolen and property left lying around.	Property log which will be located in the security folder should be completed with all details.
LOST AND PROPERTY	All Event	All lost and found property details should be recorded on a log sheet to so that property may be returned to the rightful owner if found or handed in.	Low	Low	Door Supervisors will be positioned in all areas of the venue and will be vigilant at all times. This will hopefully reduce property being stolen and property being left lying around. Cloak Room for a nominal charge will be utilised. Lockers are provided for staff	Property log which will be located within the control room

RISK: CUSTOMERS LEAVING THE PREMISES

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures in Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
CUSTOMERS LEAVING THE VENUE	Outside the Event	Customers leaving the venue should be monitored and supervised to ensure they leave in an orderly manner and do not in any way obstruct or interfere with other people.	Low	Low	Door supervisors are also based outside at all times.	Door Supervisors will control or Police will be called if problems arise.
LATE NIGHT TRANSPORT LINKS	Outside the Event	Customers leaving the venue require taxis to be on hand, for safety reasons and also to discourage customers hanging around outside the venue after event has finished as this is when fights etc can occur	Low	Low	Taxi marshal will be in place	Another Taxi company will be brought in.

RISK: GENERAL SAFETY

Identify Hazards What are the Potential/ real Hazards	Activity What Part of the Event does the hazard apply to?	Identify Consequences What is the consequence of the hazard?	Possibility How likely is this hazard to occur? High, Medium, Low	Consequence How severe are its implications if it does occur? High, Medium, Low	Identify the Control Measures In Place and steps taken to reduce risks of the hazard happening	Identify Action if Incident Occurs What action will you take if the hazard does occur
ANY AREAS WHICH BECOME OVER CROWDED	All Event	Customers may get panic attacks or faint and it would be difficult for First Aiders or Emergency Services to get to the problem to sort it out	Medium	Medium	Each area within the venue is controlled by clickers to prevent overcrowding. Once capacity for that area is reached no more customers are allowed in that area of that venue.	Door Supervisors will go to area to disperse the customers and move to other areas.
SECURITY STAFF IDENTIFIABLE	All Event	Customers do not know who to speak to if there is a problem because Door Supervisors will not stand out from the crowd	Low	Low	All Door Supervisors will wear Hi-Viz Jackets	Door Supervisors will be sent home to get there Hi-Viz jackets
GLASS BOTTLES/GLASSES	All Event	Glass bottles/glasses if dropped they could shatter and cause harm or they could also be used as a weapon.	Low	Low	Cleaning staff duties will be to collect bottles and broken glass	Ensure all bottles/glasses are removed from customers/venue

Additional Points

- Full search
- Challenge 25
- Barriers for crowd control
- Refusal of semi drunk & drunk customers
- Zero tolerance to drugs
- First aid room

This Events survey and Risk Assessment document has been prepared by Justin Woolley and Billy Chauhan and in consultation with Elite Security Ltd, West Midlands Police will be made aware of this event.

Signed Print.....Organisation.....

Signed **Print.....** **Organisation.....**

Signed **Print.....** **Organisation.....**

REF DW - 2

Fire Risk Assessment
For

30-34 River Street

Date of Assessment

Name of Assessor

Date of Next Review

FIRE RISK ASSESSMENT FORM

Name of Premises:	River Street
Address of Premises:	30-34 River Street Birmingham B5 5SA
Tel. No. of Premises	
Name of Assessor	Justin Clifford Woolley
Date of Assessment:	12 th August 2018
No. of Floors	2
No. of Floors below Ground level (if any)	0
Type of Occupancy: Single Occupier or Multi Occupied premises	Single
Estimated maximum number of people there at any one time	Employees: Service Users / Visitors:
Approximate age of building	1960's
Property Use (i.e. office, residential care, day care etc)	Regulated Entertainment
High risk activities carried out (i.e. cooking, laundering, paint spraying, welding etc)	N/A

River Street is of a brick, stone and concrete construction including concrete stairwells. Fully trained staff in FS and Fire Marshals, to enable early detection, sound alarm and enable a safe evacuation if there is a need in an emergency.
The Fire alarm system is situated on the ground floor. There is surplus firefighting equipment situated around the building and 2 places of safety.

SECTION	QUESTION	YES	NO	WHO MIGHT BE HARMED?	CONTROL WHAT DO WE DO?	MEASURES WHAT MORE CAN WE DO?	ACTION BY WHOM	ACTION BY WHEN
1.1	Are there any highly flammable substances in the workplace, e.g. Paints, thinners, glues flammable chemicals or gases etc,		X					
1.2	Are flammable liquids or gases used or stored in areas without adequate ventilation?		X					
1.3	Are there quantities of combustible material stored displayed or used in the workplace, e.g. paper, cardboard, etc.?		X					
1.4	Are quantities of combustible waste allowed to accumulate in the workplace such as paper, shredded paper etc.?		X	Staff Public	Cleaning Staff throughout the event		JW	Ongoing

SECTION	QUESTION	YES	NO	WHO MIGHT BE HARMED?	CONTROL WHAT DO WE DO?	MEASURES WHAT MORE CAN WE DO?	ACTION BY WHOM	ACTION BY WHEN
1.5	Does the workplace contain foam filled furniture that does not comply with the Furniture and Furnishings Amendment Regs 1988? (See label)?		X					
1.6	Are areas of walls or ceilings covered with combustible linings		X		Bare Walls			
1.7	Are combustible artificial plants or dried foliage used to decorate the workplace?		X					
1.8	Are there additional sources of oxygen stored or used such as, oxygen cylinders/ Compressed air or oxidising chemicals?		X					
1.9	Are aerosol cans used or stored in the premises?		X					
2.1	Does the work activity involve hot work processes		X					

2.2	Does the work activity involve processes such as incinerating or cooking?		X						
2.3	Are there any heaters including portable heaters of a radiant or open flame type?								
2.4	Is smoking permitted? (Risk assess designated smoking area's)	X		Staff Public	Dedicated Smoking areas	Empty rubbish bins regularly	JW	Ongoing	
2.5	Are there combustible materials near light fittings?		X						
2.6	Do you have a system for carrying out visual inspections of electrical equipment and for testing of electric systems and appliances?	X		Staff Public	All appliances MUST BE P.A.T. tested.		JW	Ongoing	

SECTION	QUESTION	YES	NO	WHO MIGHT BE HARMED?	CONTROL WHAT DO WE DO?	MEASURES WHAT MORE CAN WE DO?	ACTION BY WHOM	ACTION BY WHEN
2.7	Do you use extension leads, multi-plug adaptors? Are they used safely?	X		Staff Public	All flexes run in safe places where they will not be damaged	Visually inspect regularly	JW	Ongoing
2.8	Is arson a potential problem?		X	Staff Public	There is a CCTV system covering all exit/entrance doors	Be aware of build-up of combustible material	JW	Ongoing
3.1	Are any staff at increased risk from fire work in remote areas, lone working, sleeping in?		X					
3.2	In the event of a fire, are there people present whose disabilities would put them at a disadvantage when required to evacuate in an emergency?	X		Staff Public	Plans have been made and rehearsed regarding assisting disabled staff and visitors to evacuate the premises?		JW	Ongoing

3.3	Are visitors or members of the public likely to be unfamiliar with the escape routes?	X		Staff Public	Fire Marshall Training		JW	Ongoing
3.4	Do you have a system for controlling contractors or maintenance workers temporarily on site?	X		Staff Public	All contractors are signed in and out		JW	Ongoing
4.1	Are there sufficient fire fighting equipment of an appropriate type for the risk and are they correctly located and clearly visible?	X		Staff Public	There is surplus FFE situated around the building	All serviced according to British standards	JW	Ongoing
4.2	Have sufficient staff been trained in the use of fire fighting equipment?	X			Fire Marshall Training		JW	Ongoing
4.3	In the event of fire, are there suitable arrangements for raising the alarm, including automatic fire detection?	X			The Fire alarm system is situated on the ground floor which has call points on the ground floor.	Serviced and checked as per British Standard	JW	Ongoing
4.4	Are your employees trained on how to operate the fire warning system and the action they should take upon hearing it?	X			Fire Marshall Training		JW	Ongoing due to inherent staff changes

SECTION	QUESTION	YES	NO	WHO MIGHT BE HARMED?	CONTROL WHAT DO WE DO?	MEASURES WHAT MORE CAN WE DO?	ACTION BY WHOM	ACTION BY WHEN
4.5	Are fire routine notices clearly displayed throughout the workplace and is the wording correct and easily understood?	X						
4.6	Do you have an adequate emergency plan?	X			Staff Training		JW	Ongoing
5. FIRE PREVENTION, PROTECTION AND EVACUATION								
5.1	In the event of a fire can everyone safely escape from the premises?	X						
5.2	In the event of fire can everyone turn their back on the fire and evacuate to a place of safety?		X	Staff Public	Any fire should be noticed early on and dealt with by trained staff.	Early intervention prevents a possible small fire becoming larger.	JW	Ongoing
5.3	Do doors on escape routes open in the direction of travel?	X						
5.4	Are door fastenings on exit routes and final exits easily operable?	X						
5.5	Are there any fire resisting doors that require self-closing mechanisms?		X					
5.6	Are all exit routes and exits adequately signed?	X						
5.7	Are all exit routes and exits adequately illuminated where necessary?	X						
5.8	Have all the staff been trained in evacuation procedures?	X		Staff Public	Staff Training		JW	Ongoing
5.9	Is equipment provided to enable persons with mobility problems evacuate e.g. evacuation chairs, protected lifts etc?		X					

SECTION	QUESTION	YES	NO	WHO MIGHT BE HARMED?	CONTROL WHAT DO WE DO?	MEASURES WHAT MORE CAN WE DO?	ACTION BY WHOM	ACTION BY WHEN
6.1	Are door fastenings on all exit doors adequately maintained?	X						
6.2	Do all self - closing and hold - open devices work correctly?	X						
6.3	Is the emergency lighting system regularly tested and serviced?	X			Tested		JW	Ongoing
6.4	Have all fire extinguishers and hose reels been regularly tested and serviced?	X			New Installation		JW	Ongoing
6.5	Has the fire alarm / detection system been regularly tested and serviced?	X			Tested		JW	Ongoing
6.6	If fitted are sprinklers regularly tested and serviced?		X					

Designated/Responsible Person (s)
(This should include Fire Marshall's)

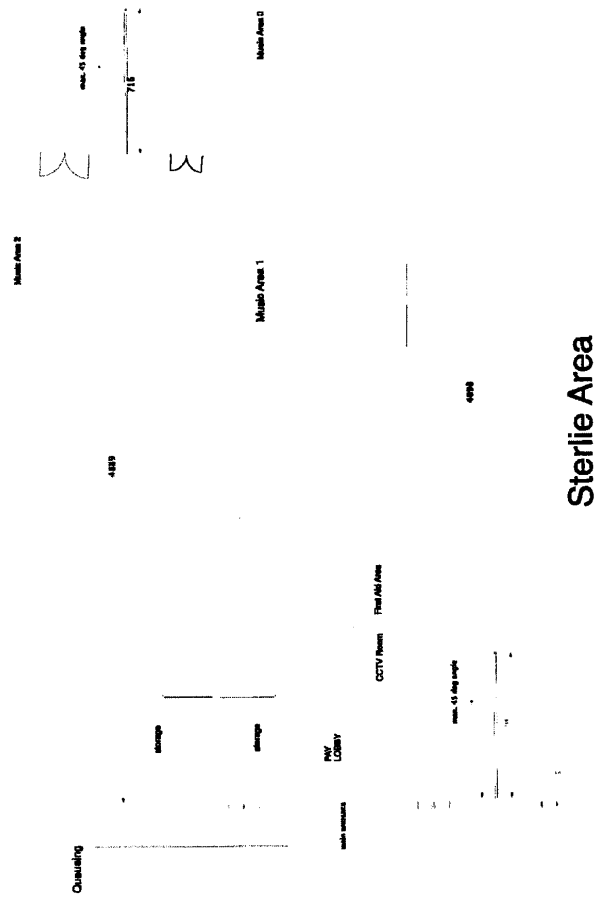
<u>Name</u>	<u>Job Title</u>	<u>Area of Responsibility</u>	<u>Date Appointed</u>

Employee Signature Sheet

I have read the attached risk assessment form(s) and understand what actions have been taken to prevent injury or ill health at work and what I must do to protect myself and others

Name	Date	Name	Date

REF - DW3



GROUND FLOOR PLAN

Sheet No.	Sheet	Scale	Author	Check	Date	Rev	Rev
01	01	1:100	01/01/2014	01/01/2014	01/01/2014	01/01/2014	01/01/2014

Appendix 3

From: Martin Key on behalf of Pollution Team
Sent: 17 September 2018 23:07
To: Licensing
Cc:
Subject: RE: TENS Application

Hi

On behalf of the Pollution Team at Birmingham City Council (a responsible authority) based on the late hours requested, previous history of noise issues at this premises and the lack of any operational controls I wish to object to the granting of this TEN application for 30 – 34 River Street, Digbeth, Birmingham, B5 5SA on 29/30th September 2018 between 22.00 and 05.00 hrs on the basis of the prevention of public nuisance.


Best Regards

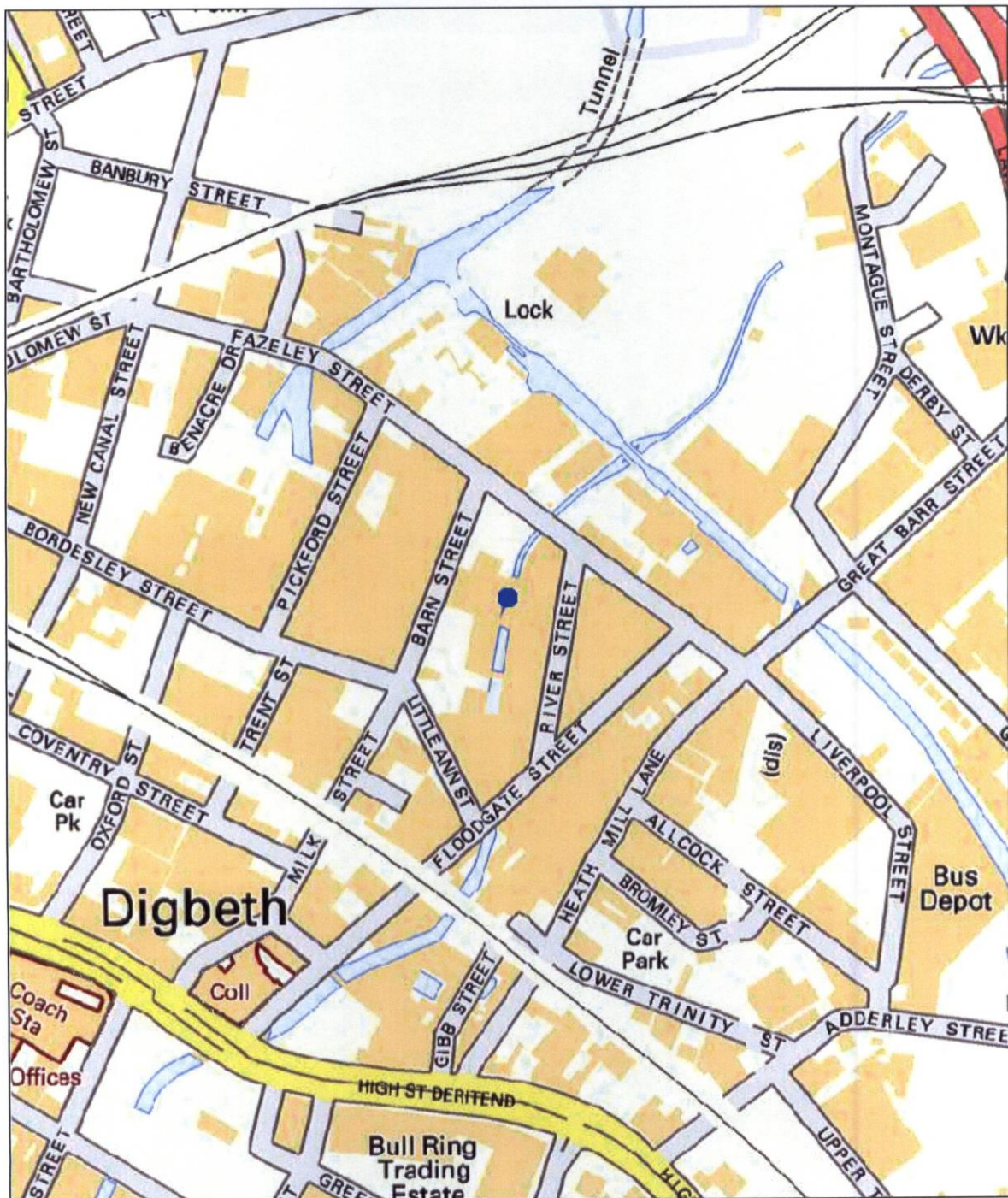
Martin Key on behalf of Pollution Team
Environmental Protection Officer

Environmental Health | Regulation & Enforcement Division

: www.birmingham.gov.uk/eh | Facebook: [ehbham](#) | Twitter: [@ehbham](#)

locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors

 Please consider the environment before printing this email



Birmingham City Council

Map Created By:

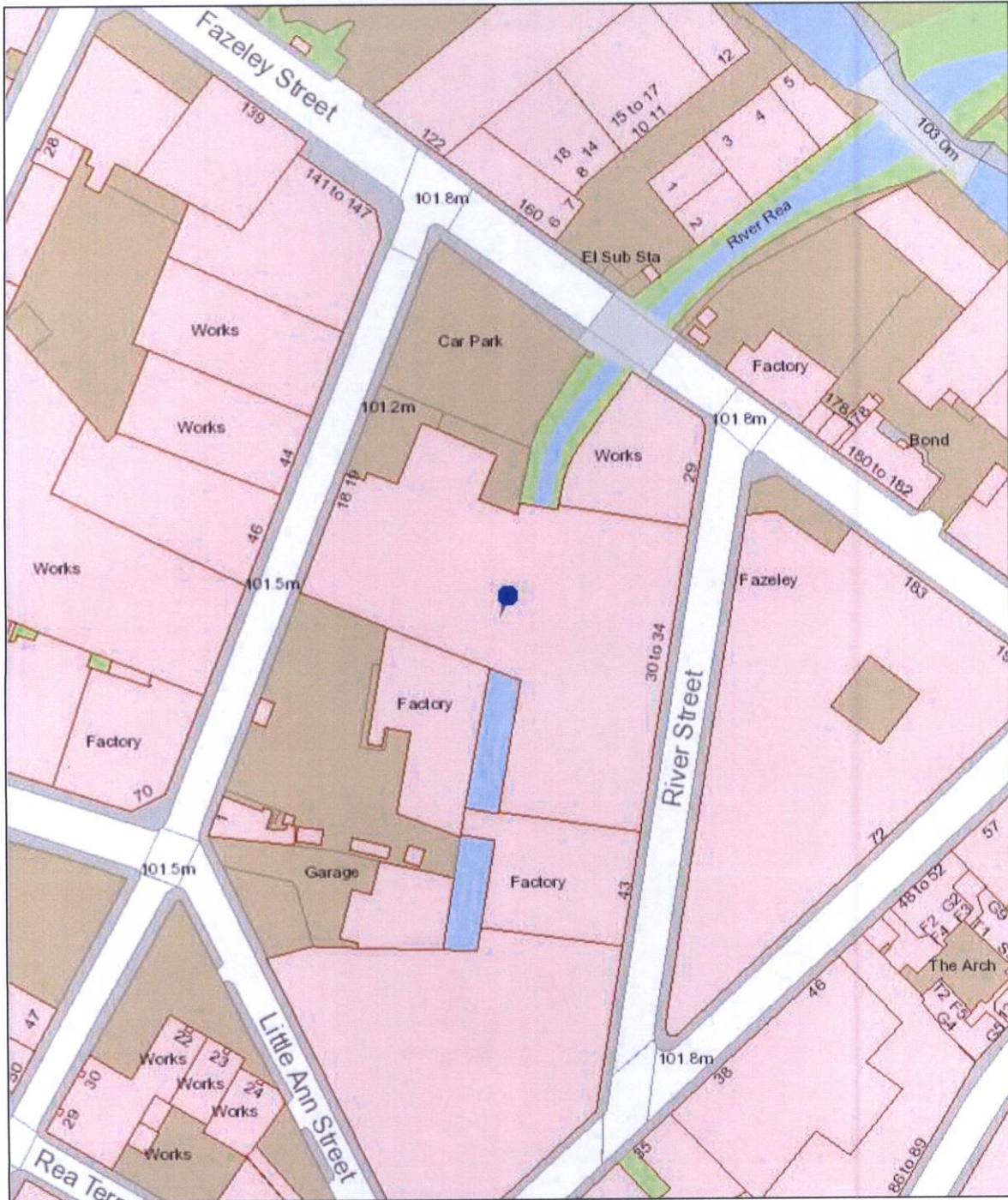
Notes

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Birmingham City Council

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Notes



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