



BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE - B

14 July 2015

Taste of the Town (Genesis Club), 286 Stratford Road, Birmingham, B11 1AA.

That, having reviewed the premises licence held under the Licensing Act 2003 by Mohammed Altaf, in respect of Taste of the Town (Genesis Club), 286 Stratford Road, Birmingham, B11 1AA, upon the application of West Midlands Police, this Sub-Committee hereby determines that the licence be revoked, in order to promote the prevention of crime and disorder and public safety objectives in the Act.

The Sub-Committee's reasons for revoking the licence are due to concerns by the West Midlands Police in relation to the Premises Licence Holder's failure to comply with some of the stringent conditions stipulated by the Magistrates' Court on 3 February 2014 as specified in the review application.

It was noted West Midlands Police had inspected the premises on 2 occasions and on each occasion found the conditions concerning CCTV were not complied with and best practice regarding the management of the premises in accordance with the licence conditions was poor.

The Sub-Committee were not convinced of the reasons supplied by the premises licence holder for his mistakes in particular with regard to providing CCTV images and recordings to be made immediately available and downloadable upon request of the responsible authority. Further, Members were not persuaded by the explanation for each CCTV footage as viewed by the Police, that there was an informal gathering of friends and family behind closed doors.

In addition the Sub-Committee picked up inconsistencies in the submissions made by the premises licence holder with regards to the notice on the wall advertising the opening times of the club that were longer than the permitted hours between Sunday and Thursday and in relation to the circumstances surrounding smoking inside the premises.

Members felt that overall the premises licence holder lacked commitment in his responsibilities and was not particularly proactive in promoting his business in accordance with the licensing objectives.

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 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 application for review, the written representations received and the submissions made at the hearing by the applicant and the premises licence holder.

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.